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 10 ALLSTATE INSURANCE COMPANY

11 IN THE UNITED STATES DISTRICT COURT
 12 FOR THE NORTHERN DISTRICT OF CALIFORNIA

13 KARSANT FAMILY LIMITED
 14 PARTNERSHIP and DR. PETER
 15 KARSANT,

16 Plaintiffs,

17 vs.

18 ALLSTATE INSURANCE COMPANY,

19 Defendant.

No. CV 08 1490 SI

STIPULATION REGARDING BRIEFING
 SCHEDULE FOR KARSANT FAMILY
 LIMITED PARTNERSHIP'S PARTIAL
 MOTION FOR SUMMARY JUDGMENT

SONNENSCHN NATH & ROSENTHAL LLP
 2121 N. CALIFORNIA BLVD., STE. 800
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20 Plaintiffs Karsant Family Limited Partnership and Dr. Peter Karsant (collectively,
 21 "plaintiffs") and defendant Allstate Insurance Company hereby stipulate and agree as follows and
 22 respectfully request that the Court approve and give effect to their stipulation:

23 WHEREAS, on July 18, 2008, the parties appeared at a case management conference,
 24 during which they identified two motions that potentially could resolve important issues in this
 25 litigation: (a) a motion to compel arbitration of a fee dispute pursuant to California Civil Code
 26 section 2860(c), and (b) a motion for partial summary judgment on the issue of whether Allstate
 27 is liable for the award of emotional distress damages and prevailing party attorneys' fees in
 28 *Panoutsopoulos v. Karsant Family Limited Partnership*, JAMS arbitration no. 1100042514;

1 WHEREAS, at the time of the case management conference, parties contemplated that
2 Allstate would file a single motion to cover both issues;

3 WHEREAS, the parties requested that these motions be heard on a special briefing
4 schedule to expedite their resolution;

5 WHEREAS, the Court's Pretrial Preparation Order describes that briefing as follows:
6 'MOTION TO COMPEL ARBITRATION: October 31, 2008 at 9:00 a.m. (File: 9/26/08,
7 Opposition due: 10/17/08, Reply Due: 10/17/08, Final Reply: 10/24/08)';

8 WHEREAS, the parties subsequently agreed it would be more appropriate for Allstate to
9 file the opening brief on the motion to compel arbitration and for plaintiffs to file the opening
10 brief on the motion for partial summary judgment;

11 WHEREAS, plaintiffs filed their motion for partial summary judgment on September 25,
12 2008, and Allstate filed its motion to compel arbitration the following day;

13 IT IS HEREBY STIPULATED AND AGREED THAT plaintiffs' motion for partial
14 summary judgment shall be subject to the same briefing schedule set forth in the Court's Pretrial
15 Preparation Order for the motion to compel arbitration. Accordingly, Allstate's opposition to the
16 motion for partial summary judgment shall be due October 17, 2008, and plaintiffs' reply shall be
17 due October 24, 2008.

18 IT IS SO STIPULATED.

19
20
21 FILER'S ATTESTATION:

22 Pursuant to General Order No. 45, section X(B) regarding signatures, I attest under
23 penalty of perjury that the concurrence in the filing of this document has been obtained from its
24 signatories.

25 DATED: October 8, 2008

By: /s/ MICHELLE BRADLEY
Michelle Bradley

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Dated: October 8, 2008

LOGAN & GILES LLP

By /s/ ANTHONY GILES
Anthony Giles

Attorneys for Plaintiffs
KARSANT FAMILY LIMITED PARTNERSHIP
and DR. PETER KARSANT

Dated: October 8, 2008

SONNENSCHN NATH & ROSENTHAL LLP

By /s/ MICHELLE BRADLEY
Michelle Bradley

Attorneys for Defendant
ALLSTATE INSURANCE COMPANY

IT IS SO ORDERED.



DATED: _____

Honorable Susan Illston
United State District Court Judge

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