

1 ANTHONY GILES (State Bar No. 178876)
 LOGAN & GILES, LLP
 2 2175 N. California Blvd., Suite 910
 Walnut Creek, California 94596
 3 Telephone: (925) 945-6792
 Facsimile: (925) 945-8492
 4
 Attorneys for Plaintiffs
 5 KARSANT FAMILY LIMITED PARTNERSHIP
 and DR. PETER KARSANT
 6

7 MICHAEL BARNES (State Bar No. 121314)
 SONIA MARTIN (State Bar No. 191148)
 8 MICHELLE BRADLEY (State Bar No. 221323)
 SONNENSCHN NATH & ROSENTHAL LLP
 9 2121 N. California Blvd., Suite 800
 Walnut Creek, California 94596
 10 Telephone: (925) 949-2600
 Facsimile: (925) 949-2610
 11
 Attorneys for Defendant
 12 ALLSTATE INSURANCE COMPANY
 13

14 UNITED STATES DISTRICT COURT
 15 NORTHERN DISTRICT OF CALIFORNIA

16 KARSANT FAMILY LIMITED
 PARTNERSHIP and DR. PETER
 17 KARSANT,
 18 Plaintiffs,
 19 vs.
 20 ALLSTATE INSURANCE COMPANY,
 21 Defendant.
 22

No. CV 08 1490 SI
 STIPULATION AND [PROPOSED]
 ORDER RESCHEDULING EARLY
 NEUTRAL EVALUATION SESSION
 AND GRANTING ADDITIONAL TIME
 TO COMPLETE ADR

24 Plaintiffs Karsant Family Limited Partnership and Dr. Peter Karsant (collectively, the
 25 “plaintiffs”) and defendant Allstate Insurance Company stipulate, through their respective
 26 counsel, as follows:

- 27 1. On June 3, 2008, the parties filed a stipulation indicating their agreement to
 28

1 participate in early neutral evaluation.

2 2. On August 1, 2008, Peter Sandmann was assigned as the parties' neutral evaluator
3 for this matter. An early neutral evaluation was scheduled before Mr. Sandmann on December
4 2, 2008.

5 3. On September 25, 2008, plaintiffs filed a motion for partial summary judgment.
6 On September 26, 2008, Allstate filed a motion to compel arbitration under Civil Code section
7 2860. The hearing on both motions was completed on October 31, 2008. The Court has taken
8 the matters under submission, and has not yet issued a ruling.

9 4. The parties agree that the Court's rulings on the two motions will resolve many of
10 the issues in this litigation. Therefore, in the interest of judicial economy, the parties believe
11 that the early neutral evaluation should be postponed until after the Court has ruled on the
12 motions. The neutral evaluator, Mr. Sandmann, has advised that he is amenable to postponing
13 the early neutral evaluation session, upon approval from the Court

14 5. Accordingly, the parties request that the early neutral evaluation session be
15 rescheduled for a date in early January 2009 that is mutually convenient to the parties and to Mr.
16 Sandmann, and that the deadline for completion of ADR be extended until January 15, 2009.

17
18 FILER'S ATTESTATION:

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

22 DATED: November 24, 2008

By: /S/ MICHELLE BRADLEY

23 MICHELLE BRADLEY
24
25
26
27
28

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

Dated: November 24, 2008

LOGAN & GILES LLP

By /s/ Anthony D. Giles
ANTHONY D. GILES

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

Dated: November 24, 2008

SONNENSCHN NATH & ROSENTHAL LLP

By /s/ Michelle A. Bradley
MICHELLE BRADLEY

Attorneys for Defendant
ALLSTATE INSURANCE COMPANY

ORDER

The parties having stipulated thereto and good cause appearing, IT IS HEREBY ORDERED:

1. The early neutral evaluation is rescheduled for a date in early January 2009 that is mutually convenient to the parties and to the early neutral evaluator, Peter Sandmann, and
2. The deadline for completion of ADR is extended until January 15, 2009.

DATED: _____



Honorable Susan Illston
United State District Court Judge