

1 Darren Le Montree, Esq. (State Bar No. 198715)
 2 Darren.LeMontree@wilsonelser.com
 Julie Van Wert (State Bar No. 166712)
 3 Julie.VanWert@wilsonelser.com
WILSON, ELSER, MOSKOWITZ,
EDELMAN & DICKER LLP
 4 555 South Flower Street, Suite 2900
 Los Angeles, California 90071
 Telephone: (213) 443-5100
 5 Facsimile: (213) 443-5101

6 Attorneys for Defendant,
 7 ILLINOIS UNION INSURANCE COMPANY

8 UNITED STATES DISTRICT COURT

9 FOR THE NORTHERN DISTRICT OF CALIFORNIA

11 JON W. BAYLESS and GARY J.
 12 MORGENTHALER, as Trustees in
 Dissolution for WESTWAVE
 13 COMMUNICATIONS, INC. a
 dissolved Delaware Corporation,

14)
 15) Plaintiff,

16 vs.

17 ILLINOIS UNION INSURANCE
 18 COMPANY, and DOES 1-10.

19 Defendants.
 20)

) Case No. C 08-01779 JSW
) ORDER GRANTING, AS MODIFIED,

) **STIPULATION RE BRIEFING**
) **SCHEDULE ON MOTION FOR**
) **PARTIAL SUMMARY**
) **JUDGMENT**

) **Date: October 9, 2009**

) **Time: 9:00 a.m.**

) **Dept.: 11**

21 Plaintiffs Jon W. Bayless and Gary J. Morgenthaler, as Trustees in
 22 Dissolution for Westwave Communications, Inc., a dissolved Delaware
 23 Corporation ("Westwave") and Defendant Illinois Union Insurance Company
 24 ("Illinois Union") hereby stipulate as follows:

25 1. Whereas, Westwave filed a Motion for Partial Summary Judgment
 26 which was continued for hearing on October 9, 2009.

27 2. Whereas, in anticipation of the new hearing date and the expectation
 28 that the briefing schedule would be commensurate with the new hearing date, the

1 parties agreed to continue certain discovery deadlines.

2 3. Whereas, the parties are also engaged in settlement discussions
3 which may render the pending motion moot.

4 4. In light of these circumstances, the parties agree to the following
5 briefing schedule:

6 a) Illinois Union to file its Opposition by September 23, 2009.

7 b) Westwave to file its Reply by September 30, 2009.

8 IT IS SO STIPULATED.

9 Dated: August 26, 2009

PILLSBURY & LEVINSON, LLP

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By: /s/ Celia M. Jackson

Celia M. Jackson
Attorneys for Plaintiffs
JON W. BAYLESS, GARY J.
MORGENTHALER, as Trustees in
Dissolution for WESTWAVE
COMMUNICATIONS, INC. a dissolved
Delaware Corporation

Dated: August 26, 2009

WILSON, ELSER, MOSKOWITZ,
EDELMAN & DICKER LLP

By: /s/ Darren L. Montree

Darren Le Montree
Julie E. Van Wert
Attorneys for Defendant
ILLINOIS UNION INSURANCE
COMPANY

IT IS SO ORDERED. The parties' stipulated briefing schedule does not comport with the
Local Rules regarding the deadlines for submitting opposition and
reply briefs. Accordingly, the hearing is continued to October 23,
2009 at 9:00 a.m.

Dated: August 27, 2009

Jeffrey S. White
Hon. Jeffrey S. White