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 5 FIREMAN'S FUND INSURANCE COMPANY

7 UNITED STATES DISTRICT COURT  
 8 NORTHERN DISTRICT OF CALIFORNIA  
 9 SAN FRANCISCO DIVISION - EFILING

11 FIREMAN'S FUND INSURANCE  
 12 COMPANY,  
 13 Plaintiff,  
 14 v.  
 15 DISCOVER PROPERTY & CASUALTY  
 16 INSURANCE COMPANY,  
 17 Defendant.

CASE NO. CV-08-3079 WHA

**STIPULATION AND ~~PROPOSED~~  
 ORDER EXTENDING MEDIATION  
 DEADLINE**

19 1. Counsel report that they have met and conferred regarding ADR and have reached  
 20 the following stipulation regarding the mediation deadline.

21 2. The appointed mediator in this matter is Charles R. Ragan of Redgrave Daley  
 22 Ragan & Wagner LLP.

23 3. On November 19, 2008, counsel for the parties conferred with mediator Ragan and  
 24 advised that they planned to submit cross-motions for summary judgment based on stipulated facts  
 25 since the threshold issues were primarily questions of law. Mediator Ragan concurred that the  
 26 mediation should be conducted after the hearing on the proposed cross-motions for summary  
 27 judgment and directed the parties to extend the mediation deadline.

28 Kenney  
&  
Markowitz  
L.L.P.

1 4. Attached hereto is an email notice from the Court's ADR Administrator directing  
2 the parties to file a Stipulation and [Proposed] Order to schedule the mediation session beyond the  
3 current deadline.

4 5. The parties to this matter hereby stipulate to continue the mediation deadline to  
5 March 20, 2009.

6 6. Copies of the Stipulation and [Proposed] Order have been emailed to the mediator  
7 at [cragan@rdw.com](mailto:cragan@rdw.com) and to the ADR Case Administrator at [Claudia\\_forehand@cand.uscourts.gov](mailto:Claudia_forehand@cand.uscourts.gov).  
8 [uscourts.gov](http://uscourts.gov).

9  
10 DATED: December 22, 2008

**KENNEY & MARKOWITZ L.L.P**

11  
12 By: \_\_\_\_\_ /s/  
13 DAVID W. GORDON  
14 Attorneys for Plaintiff  
15 FIREMAN'S FUND INSURANCE  
16 COMPANY


17  
18 DATED: December 22, 2008

**CHAPMAN POPIK & WHITE**

19  
20 By: \_\_\_\_\_ /s/  
21 RENEE C. CALLANTINE  
22 Attorneys for Defendant  
23 DISCOVER PROPERTY & CASUALTY  
24 INSURANCE COMPANY

25 Pursuant to the stipulation above, the mediation deadline is extended to March 20, 2009.

26  
27 DATED: December 24, 2008

28  
  
UNITED STATES DISTRICT COURT JUDGE  
WILLIAM ALSUP

Kenney & Markowitz L.L.P.