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8 Attorneys for Defendant
9 DISCOVER PROPERTY & CASUALTY
10 INSURANCE COMPANY

11 UNITED STATES DISTRICT COURT
12 NORTHERN DISTRICT OF CALIFORNIA

13 FIREMAN'S FUND INSURANCE
14 COMPANY,

15 Plaintiff,

16 v.

17 DISCOVER PROPERTY & CASUALTY
18 INSURANCE COMPANY,

19 Defendant.

Case No. 3:08-cv-03079-WHA

STIPULATION AND PROPOSED
ORDER EXTENDING DISCOVERY
CUTOFF

Hon. William H. Alsup

20 The parties, through their counsel of record, agree and stipulate as follows:

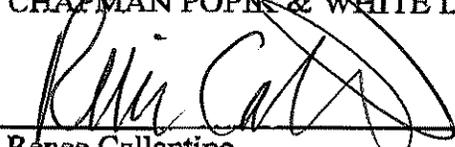
- 21 1. The parties are in the process of completing the limited discovery they believe must
22 be performed prior to filing motions for summary judgment/adjudication.
23 2. The parties will need to conduct additional discovery if defendant Discover
24 Property & Casualty Company's anticipated motion for summary judgment is denied; however,
25 the parties believe that it is a more efficient use of time and money to wait until the court rules on
26 the cross motions for summary judgment/adjudication before conducting discovery that is not
27 pertinent to those motions. The parties anticipate that it will take three months after receiving a
28

1 ruling to complete any additional discovery.

2 3. The parties thereby jointly request that the court extend the discovery cutoff and the
3 deadline for expert disclosures (including expert reports) in this matter, both of which are
4 presently scheduled for May 1, 2009, to August 14, 2009. The trial in this matter is presently
5 scheduled for September 14, 2009.

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8 Dated: April 20, 2009

CHAPMAN POPIK & WHITE LLP

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10 By: 

Renee Callantine
Attorneys for Defendant Discover Property
and Casualty Insurance Co.

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14 Dated: April 20, 2009

KENNEY & MARKOWITZ LLP

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16 By: 

David Gordon
Attorneys for Plaintiff Fireman's Fund
Insurance Company

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20 ORDER

21 Pursuant to the stipulation above, the discovery deadline and expert disclosure deadline is
22 extended to August 14, 2009.

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24 DATED: May 6, 2009

