

1 CHAPMAN, POPIK & WHITE, LLP  
2 Renee C. Callantine, State Bar No. 155991  
3 Jonathan Gregory, State Bar No. 215003  
4 650 California Street, 19th Floor  
5 San Francisco, CA 94108  
6 Telephone: (415) 352-3000  
7 Facsimile: (415) 352-3030

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 MEDIATION  
DEADLINE**

Hon. William H. Alsup

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

- 21 1. The appointed mediator in this matter, Charles R. Ragan, has agreed that mediation  
22 should be conducted after the hearing on the parties' cross-motions for summary judgment.  
23 2. The parties requested and recently received another extension on the deadline to file  
24 their cross-motions for summary judgment and the hearing has been rescheduled to August 20,  
25 2009. Consequently, the parties need a further extension on the deadline to complete mediation.

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27 ///

1 3. Copies of this proposed stipulation and order have been emailed to the mediator  
2 (cragan@rdrw.com) as well as the ADR Case Administrator (Claudia\_ forehand  
3 @cand.uscourts.gov).

4  
5  
6 Dated: July 2, 2009

CHAPMAN POPIK & WHITE LLP

7  
8 By: Jonathan Gregory  
Jonathan Gregory  
9 Attorneys for Defendant Discover Property  
10 and Casualty Insurance Co.

11  
12 Dated: July 2, 2009

KENNEY & MARKOWITZ LLP

13  
14 By: David Gordon  
David Gordon  
15 Attorneys for Plaintiff Fireman's Fund  
16 Insurance Company

17  
18 ORDER

19 Pursuant to the stipulation above, the mediation deadline is extended to August 31, 2009.

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21 DATED: August 3, 2009

