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 ZURICH AMERICAN INSURANCE COMPANY
 8 and STEADFAST INSURANCE COMPANY

9 UNITED STATES DISTRICT COURT
 10 NORTHERN DISTRICT OF CALIFORNIA
 11 (SAN FRANCISCO DIVISION)

13 UNITED STATES OF AMERICA,
 14 Plaintiff,
 15 vs.
 16 ZURICH INSURANCE COMPANY,
 ZURICH AMERICAN INSURANCE
 17 COMPANY and STEADFAST
 INSURANCE COMPANY,
 18 Defendant.
 19

CASE NO. CV08-5005 (MMC)

**FURTHER STIPULATION AND
~~[PROPOSED] ORDER RE INITIAL CASE
 MANAGEMENT DEADLINES AND
 EXTENSION OF TIME TO FILE A
 RESPONSIVE PLEADING~~**

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1 WHEREAS, the United States of America filed this action on November 3, 2008;
2 WHEREAS, the parties have been in communication through their respective attorneys;
3 WHEREAS, the United States of America has received completed Waiver of Service of
4 Summons forms from Steadfast Insurance Company (“Steadfast”) and Zurich American
5 Insurance Company (“Zurich American”), executed December 4, 2008;

6 WHEREAS, this Court entered a Stipulation and Order Regarding Initial Case Deadlines
7 and Management Issues on December 24, 2008 (Dkt. 8), in which initial case deadlines were
8 postponed approximately 30 days to permit the parties to attend private mediation in January
9 2009;

10 WHEREAS, the parties attended private mediation on January 23, 2009;

11 WHEREAS, this Court entered a Further Stipulation and Order Regarding Initial Case
12 Management Deadlines and Extension of Time to File a Responsive Pleading on February 5,
13 2009 (Dkt. 10), in which initial case deadlines were further postponed to permit the parties to
14 attend a further private mediation session in March 2009; and

15 WHEREAS, the parties attended private mediation on March 13, 2009, and continued
16 telephonic discussions with the assistance of the mediator until April 2009;

17 The parties stipulate as follows:

- 18 1. Mediation was unsuccessful.
- 19 2. Plaintiff filed a notice terminating mediation, consistent with the parties’ earlier
20 stipulations.
- 21 3. Because the parties focused on the ongoing mediation efforts until very recently,
22 the parties have agreed and request that certain dates and deadlines be extended as
23 follows:

24 (a) Initial Case Management Conference: on or about June 12, 2009.

25 (b) Last day to meet and confer re: initial disclosures, early settlement,
26 ADR process selection and discovery plan: May 22, 2009 (or 21 days
27 before the Initial Case Management Conference, whichever date is later).

28 (c) Last day to file ADR certification and either stipulation to ADR process

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or notice of need for ADR phone conference: May 22, 2009 (or 21 days
before the Initial Case Management Conference, whichever date is later).
(d) Last day to file Rule 26(f) report, complete initial disclosures or state
objection in Rule 26(f) report: June 5, 2009.
(e) Last day to file joint Initial Case Management Statement: June 5, 2009.

IT IS SO STIPULATED.

DATED: April 21, 2009

JOSEPH P. RUSSONIELLO
United States Attorney

By: /s/
CHARLES M. O'CONNOR
JONATHAN U. LEE
Assistant U.S. Attorneys
COUNSEL FOR PLAINTIFF

DATED: April 21, 2009


SQUIRE, SANDERS & DEMPSEY L.L.P.

By: /s/
DAVID A. GABIANELLI

Attorneys for Defendants
STEADFAST INSURANCE COMPANY and
ZURICH AMERICAN INSURANCE COMPANY

PURSUANT TO STIPULATION, IT IS SO ORDERED. Specifically, the Case Management
Conference is continued to June 12, 2009, and all other deadlines are continued accordingly.

DATED: April 23, 2009



HON. MAXINE M. CHESNEY
United States District Judge