

1 SEDGWICK, DETERT, MORAN & ARNOLD LLP
 BRUCE D. CELEBREZZE Bar No. 102181
 2 bruce.celebrezze@sdma.com
 MATTHEW C. LOVELL Bar No. 189728
 3 matthew.lovell@sdma.com
 DEAN J. MCELROY Bar. No. 213132
 4 dean.mcelroy@sdma.com
 One Market Plaza
 5 Steuart Tower, 8th Floor
 San Francisco, California 94105
 6 Telephone: (415) 781-7900

7 Attorneys for defendant and counterclaimant
 HARTFORD UNDERWRITERS INSURANCE COMPANY

8 BOWLES & VERNA LLP
 9 MICHAEL P. CONNOLLY Bar No. 238478
 mconnolly@bowlesverna.com
 10 ROBERT I. WESTERFIELD Bar No. 112183
 rwesterfield@bowlesverna.com
 11 2121 N. California Blvd, Suite 875
 Walnut Creek, California 94596
 12 Telephone: (925) 935-3300

13 Attorneys for plaintiff and counterdefendant
 CONTRA COSTA WATER DISTRICT

14
 15 UNITED STATES DISTRICT COURT
 16 FOR THE NORTHERN DISTRICT OF CALIFORNIA

18 CONTRA COSTA WATER DISTRICT,
 19 Plaintiff,
 20 v.
 21 HARTFORD UNDERWRITERS
 INSURANCE COMPANY; and Does 1
 22 through 10, inclusive,
 23 Defendants.

24 HARTFORD UNDERWRITERS
 INSURANCE COMPANY,
 25 Counterclaimant,
 26 v.
 27 CONTRA COSTA WATER DISTRICT,
 28 Counterdefendant

CASE NO. CV 09-0983 MMC

**STIPULATION AND [PROPOSED]
 ORDER TO CONTINUE JUNE 18, 2010
 FURTHER CASE MANAGEMENT
 CONFERENCE AND DATES FOR RULE
 26(A) INITIAL DISCLOSURES AND
 EXCHANGE OF DOCUMENTS**

AND ORDER THEREON

**Courtroom: 7
 Judge: Hon. Maxine M. Chesney**



1 Per Northern District Local Rule 16-2(d) and (e), plaintiff and counterdefendant Contra
2 Costa Water District (“CCWD”) and defendant and counterclaimant Hartford Underwriters
3 Insurance Company (“Hartford”), by and through their counsel of record, stipulate as follows:

4 **RECITALS**

5 The Court held the initial case management conference in this matter on March 12, 2010.
6 The parties informed the Court at the conference and in their joint case management statement filed
7 March 5, 2010 (Document No. 28), that they desire to continue the mediation they began on
8 October 8, 2009, and that they were trying to schedule a continued mediation session with the Hon.
9 Ronald M. Sabraw (Ret.) at JAMS for a date in April 2010.

10 The Court continued the matter for a further case management conference on June 18, 2010
11 (Document No. 29), but did not set any discovery deadlines or pretrial or trial dates. The Court
12 also allowed the parties to defer making their respective Rule 26(a) initial written disclosures and
13 initial exchange of documents until after they return to mediation.

14 Due to conflicting calendars of Judge Sabraw, the parties’ representatives, and the parties’
15 counsel, the parties have not yet returned to mediation. However, the parties have agreed to
16 participate in a further mediation session with Judge Sabraw on Friday, July 16, 2010. Moreover,
17 although the parties have not yet been able to return to mediation, they have continued to exchange
18 information and documents in order to narrow the issues for mediation.

19 At the March 12, 2010 case management conference, the Court advised the parties that if
20 they needed more time to try to resolve this matter, they should submit a stipulation requesting a
21 continuance of the June 18, 2010 case management conference. Although the parties do not wish
22 in any way to unnecessarily delay the litigation of this matter, they believe it is prudent to return to
23 mediation in an effort to settle their disputes before substantial resources are expended in making
24 Rule 26(a) initial disclosures, conducting other discovery, and otherwise preparing the case for
25 trial.

26 Therefore, in the interest of saving time, money, and the Court’s resources, the parties
27 request that the June 18, 2010 case management conference be continued to July 30, 2010 (two
28 weeks after the further mediation session) or a convenient date thereafter, that the case be stayed

1 until that time, and that the parties' Rule 26(a) disclosures and exchange of documents be
2 postponed until after the date of the next case management conference.

3 **STIPULATION**

4 Based on the foregoing Recitals, CCWD and Hartford agree and stipulate as follows:

5 (1) The further case management conference scheduled for June 18, 2010, shall be
6 continued to July 30, 2010 or a convenient date thereafter;

7 (2) The parties shall submit a joint case management statement one week before the date of
8 the further case management conference;

9 (3) All discovery and law and motion practice in this case shall be stayed until after the
10 further case management conference, including the parties' Rule 26(a) initial written disclosures
11 and exchange of documents.

12 IT IS SO STIPULATED.

13 DATED: June 10, 2010

SEDGWICK, DETERT, MORAN & ARNOLD LLP

14
15 By: /s/ Matthew C. Lovell

Bruce D. Celebrezze

Matthew C. Lovell

Dean J. McElroy

16 Attorneys for Defendant and Counterclaimant HARTFORD
17 UNDERWRITERS INSURANCE COMPANY
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19 DATED: June 10, 2010

BOWLES & VERNA LLP

20
21 By: /s/ Robert I. Westerfield

Robert I. Westerfield

22 Michael P. Connolly

23 Attorneys for plaintiff and counterdefendant CONTRA
24 COSTA WATER DISTRICT

ATTESTATION OF FILING

25 Pursuant to General Order 45.X.B, I attest that I have obtained concurrence in the filing of
26 this document from the parties listed above.

27 /s/ Matthew C. Lovell

28 Matthew C. Lovell

1 **ORDER**

2 PURSUANT TO THE FOREGOING STIPULATION, IT IS ORDERED THAT:

3 (1) The further case management conference scheduled for June 18, 2010, shall be
4 continued to July 30, 2010;

5 (2) The parties shall submit a joint case management statement one week before the date of
6 the further case management conference;

7 (3) All discovery and law and motion practice in this case shall be stayed until after the
8 further case management conference, including the parties' Rule 26(a) initial written disclosures
9 and exchange of documents.

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11 DATED: June 11, 2010

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15 HON. MAXINE M. CHESNEY
16 UNITED STATES DISTRICT JUDGE
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