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12
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14

15 **UNITED STATES DISTRICT COURT**

16 **NORTHERN DISTRICT OF CALIFORNIA, SAN FRANCISCO DIVISION**

17

18 StoneRiver InsureWorx, Inc.,

19 Plaintiff,

20 vs.

21 Southeastern US Insurance, Inc.,

22 Defendant.

CASE NO. CV 09 1920 MHP

**STIPULATED REQUEST FOR ORDER
CHANGING TIME
(Local Rule 6.2)**

23

24 Pursuant to N.D. CAL. L.R. 6-2, Plaintiff StoneRiver Insureworx, Inc. (“Plaintiff”) and
25 Defendant Southeastern US Insurance, Inc. (“Defendant”) request that the mediation deadline in
26 this matter be rescheduled from November 15, 2009 (Doc. 26) to March 15, 2010.

27 The parties make this request because on September 11, 2009, Defendant, a Georgia-based
28 provider of workers’ compensation insurance, was placed under administrative supervision

1 pursuant to the Georgia Insurance Code. [See Administrative Supervision Order, attached as
2 Exhibit A.] Accordingly, Defendants' operations are presently being controlled by an
3 Administrator appointed by the Georgia Department of Insurance ("DOI"). Any settlement,
4 therefore, requires the Administrator's approval.

5 Defendant's counsel is in communication with DOI regarding this case and its status.
6 Currently, DOI is in the process of evaluating Defendant's situation, and had not made a decision
7 regarding its chosen course of action. DOI has not provided Defendant with any settlement
8 authority, so settlement is not feasible as of the date of this filing. Thus, the parties are unable to
9 meaningfully confer regarding settlement, or file their Settlement Conference Statements.
10 Extending the deadlines as requested, however, will allow the DOI time to assess the situation,
11 give instructions, and allow for more substantive settlement discussions. It appears that
12 attempting to schedule an earlier settlement conference would be premature, given lack of
13 authority from the DOI.

14 The parties have been in communication with the chambers of Magistrate Judge Spero
15 regarding the settlement conference. In response to the parties previous request, Magistrate Judge
16 Spero has cancelled the Settlement Conference scheduled before him and suggested that the
17 parties seek an extension of the mediation deadline from this Court. Magistrate Judge Spero is
18 handling the criminal calendar in December and has two trials scheduled in January 2010, so an
19 extension of the mediation deadline to March 15, 2010 is consistent with the availability of
20 calendar opening for a settlement conference in February or March 2010 before Magistrate Judge
21 Spero. If this request to extend the mediation deadline is granted, the parties then intend to
22 schedule a settlement conference with Magistrate Judge Spero.

23 Therefore, the parties respectfully request that this Court extend the mediation deadline
24 from November 15, 2009 to March 15, 2010.

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1 Dated: October 22, 2009.

2 **Consented to:**

3 Attorneys for Plaintiff:

4 By: /s/ Brian P. Keenan
5 Brian P. Keenan
6 Appearing *Pro Hac Vice*

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IT IS SO ORDERED:

Date: October 23, 2009

