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 Janet K. Haines (SBN 242374)  
 2 Brown & Associates  
 A Professional Law Corporation  
 3 11140 Fair Oaks Blvd., Suite 100  
 Fair Oaks, California 95628  
 4  
 Attorneys for Plaintiff  
 5 Tokio Marine & Nichido Fire Insurance Co., Ltd.

6  
 7 **UNITED STATES DISTRICT COURT**  
 8 **NORTHERN DISTRICT OF CALIFORNIA**  
 9 **SAN FRANCISCO DIVISION**

10 TOKIO MARINE & NICHIDO FIRE  
 11 INSURANCE CO., LTD., a foreign business  
 entity,  
 12  
 Plaintiff,  
 13  
 vs.  
 14  
 FEDERAL EXPRESS CORPORATION, a  
 15 Delaware corporation, dba FEDERAL  
 EXPRESS, and DOES 1 through 25, inclusive,  
 16  
 Defendants.

) Case No.: C 09-03285 MHP  
 )  
 ) **STIPULATED REQUEST TO CONINUE**  
 ) **THE CASE MANAGEMENT**  
 ) **CONFERENCE**  
 )  
 ) **Date: November 2, 2009**  
 ) **Time: 4:00 p.m.**  
 ) **Courtroom: 15, 18th Floor, SF**  
 ) **Judge: Marilyn H. Patel**

17  
 18  
 19 Pursuant to Civil Local Rule 7-12, Plaintiff Tokio Marine & Nichido Fire Insurance Co.,  
 20 Ltd., (“Plaintiff”) and Defendant Federal Express Corporation dba Federal Express (“FedEx”),  
 21 by and through their respective counsel of record, hereby stipulate as follows:

22 WHEREAS, the Case Management Conference is set for November 2, 2009 at 4:00 p.m.;  
 23 WHEREAS, Robert R. Ross, lead counsel for Defendant FedEx, is unavailable to attend  
 24 the conference. Mr. Ross is currently scheduled to appear in the United States Bankruptcy Court  
 25 for the Southern District of Florida on Wednesday, November 4, 2009. Flight schedules and  
 26 time zone differences make it difficult to be assured of being in Miami in time for the  
 27 appearance.  
 28

1 WHEREAS, in light of the unavailability of Mr. Ross, the parties agree that the Case  
2 Management Conference should be continued to Monday, November 9, 2009 at 4:00 p.m.; or at  
3 a date and time convenient for the Court.

4 IT IS HEREBY STIPULATED by and between the parties, through their counsel of  
5 record that:

6 1. The Case Management Conference shall be continued to November 9, 2009 at  
7 4:00 p.m

8 Date: October \_\_, 2009

BROWN & ASSOCIATES, PLC

9 By: /s/ Janet K. Haines  
10 ADAM C. BROWN  
11 JANET K. HAINES  
12 Attorneys for Plaintiff  
13 TOKIO MARINE & NICHIDO  
14 FIRE INSURANCE CO., LTD.

15 Date: October \_\_, 2009

FEDERAL EXPRESS  
CORPORATION

16 By: /s/ Robert B. Ross,  
17 ROBERT B. ROSS  
18 *Pro Hac Vice*  
19 Attorneys for Defendant  
20 FEDERAL EXPRESS  
21 CORPORATION

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9 NORTHERN DISTRICT OF CALIFORNIA  
10 SAN FRANCISCO DIVISION  
11

12 TOKIO MARINE & NICHIDO FIRE  
13 INSURANCE CO., LTD., a foreign business  
14 entity,  
15 Plaintiff,  
16 vs.  
17 FEDERAL EXPRESS CORPORATION, a  
Delaware corporation, dba FEDERAL  
18 EXPRESS, and DOES 1 through 25, inclusive,  
19 Defendants.  
20

Case No.: C 09-03285 MHP  
**[PROPOSED] ORDER CONTINUING  
THE CASE MANAGEMENT  
CONFERENCE**  
Date: November 2, 2009  
Time: 4:00 p.m.  
Courtroom: 15, 18th Floor, SF  
Judge: Marilyn H. Patel

21 On the Stipulation of Counsel and for good cause appearing therefore:

22 IT IS ORDERED that the Case Management Conference be continued to 11/16/09  
23 \_\_\_\_\_ 2009, at 4:00 p.m.

24  
25 IT IS SO ORDERED.

26 Dated: October 23 2009

