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8 Attorneys for Defendant
 9 Browman Family Vineyards, Inc.

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 11 **UNITED STATES DISTRICT COURT**
 12 **NORTHERN DISTRICT OF CALIFORNIA**
 13 **SAN FRANCISCO DIVISION**

14 GOLDEN EAGLE INSURANCE
 15 CORPORATION,
 16
 17 Plaintiff,
 18
 19 v.
 20 BROWMAN FAMILY VINEYARDS,
 21 INC. and DOES 1 through 25,
 22
 23 Defendants.

CASE NO.: CV 09 4984 JSW
 STIPULATION AND
 (PROPOSED) ORDER

24 Plaintiff Golden Eagle Insurance Corporation ("Golden Eagle") and defendant Browman Family
 25 Vineyards, Inc. ("Browman") hereby stipulate to a continuation of the pending stay of this action
 26 pursuant to the terms stated below, and hereby respectfully request that the Court adopt their
 27 stipulation and issue an order thereon.

28 A. This case is a declaratory relief action filed by Golden Eagle seeking a
 determination that Golden Eagle has no duty to defend or indemnify its insured, Browman, in
 relation to an action and cross-action filed by Cavit Cantina Viticoltori Consorzio Cantine Sociali
 Del Trentino Societa' Cooperativa against Browman Family Vineyards, Inc. in the following
 related underlying actions pending before this Court: (1) Cavit Cantina Viticoltori Consorzio
Cantine Sociali Del Trentino Societa' Cooperativa v. Browman Family Vineyards, Inc. (United
 District Court Case No. C 09-02470 MEJ); and (2) Browman Family Vineyards, Inc. v. Cavit

1 Cantina Viticoltori Consorzio Cantine Sociali Del Trentino Societa' Cooperativa (United
2 District Court Case No. C 09-01070 JSW).

3 B. Golden Eagle and Browman previously entered into a Stipulation And (Proposed)
4 Order which the Court approved and signed on February 4, 2010. That Stipulation And Order
5 provides for a temporary stay of this declaratory relief action.

6 C. Golden Eagle and Browman have continued to meet and confer regarding the
7 continued prosecution of this declaratory relief action at this time in light of matters pending in
8 the above-noted underlying actions, including the parties' further settlement discussions in the
9 underlying actions which may lead to a resolution of those actions.

10 D. Golden Eagle and Browman believe that this declaratory relief action may become
11 unnecessary and that the action may ultimately be voluntarily dismissed if the parties in the
12 underlying actions are able to resolve the underlying actions pursuant to their current and
13 ongoing settlement discussions.

14 E. Based on Golden Eagle's and Browman's continued meet and confer process, and
15 taking into consideration the status of the parties' further settlement discussions in the underlying
16 actions, Golden Eagle and Browman believe that a continued temporary stay of this declaratory
17 relief action is warranted and therefore agree to a continuation of the current temporary stay of
18 this declaratory relief action pursuant to the terms set forth below.

19 THEREFORE, Golden Eagle and Browman hereby stipulate, and respectfully request that
20 the Court issue an Order thereon, as follows:

21 1. **Stay:** This declaratory relief action shall continued to be stayed through April 30, 2010
22 in all respects, including but not limited to discovery, pleadings and motions; and

23 2. **Responsive pleading:** Browman's responsive pleading to this declaratory relief action
24 shall be filed and served on May 3, 2010, unless the time for such response is hereafter extended
25 by written agreement of Golden Eagle and Browman.

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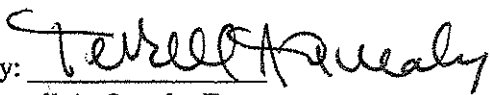
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Dated: April 6, 2010

Respectfully submitted,
HIGGS, FLETCHER & MACK

By: 
Terrell A. Quealy, Esq.
Attorneys for Plaintiff, Golden Eagle Insurance
Company

Dated: April 6, 2010

KING, KING & FISHLEDER

By: _____
Marc G. Fishleder, Esq.
Attorneys for Defendant, Browman
Family Vineyards

ORDER

The Court has reviewed the foregoing Stipulation and [Proposed] Order, and good cause appearing therefore, **IT IS SO ORDERED.**

Dated: April 12, 2010


United States District Judge, Honorable Jeffrey S. White