

1 Randolph S. Hicks, Esq. - SBN 83627
 David W. Wessel, Esq. - SBN 115222
 2 **CODDINGTON, HICKS & DANFORTH**
A Professional Corporation, Lawyers
 3 555 Twin Dolphin Drive, Suite 300
 Redwood City, California 94065-2133
 4 Tel. (650) 592-5400
 Fax.(650) 592-5027
 5 Rhicks@chdlawyers.com
Dwessel@chdlawyers.com

6
 7 **ATTORNEYS FOR** Plaintiff
 Lexington Insurance Company

8
 9
 10 THE UNITED STATES DISTRICT COURT FOR THE
 11 NORTHERN DISTRICT OF CALIFORNIA, SAN FRANCISCO DIVISION

12 LEXINGTON INSURANCE COMPANY No. C 10-00395 JL

13 Plaintiff,

STIPULATION TO CONTINUANCE
 OF CASE MANAGEMENT
 CONFERENCE AND ~~PROPOSED~~ ORDER

14 vs.

15 NORTH AMERICAN CRANE BUREAU
 GROUP, INC., NORTH AMERICAN
 16 CRANE BUREAU, INC., NACB
 ENVIRONMENTAL HEALTH &
 17 SAFETY SERVICES, INC., and BAE
 SYSTEMS SAN FRANCISCO SHIP
 18 REPAIR, INC.,

19 Defendants.

20
 21 The parties of record, plaintiff Lexington Insurance Company, by its attorney, David W.
 22 Wessel of Coddington, Hicks & Danforth, and defendant BAE Systems San Francisco Ship Repair,
 23 Inc. ("BAE"), by its counsel, Richard P. Edwards of Edwards & Hunter, hereby stipulate and
 24 respectfully submit to the Court that the Case Management Conference presently set on July 2, 2010,
 25 should be rescheduled for 8:30 a.m. on **August 13, 2010**, in Courtroom 8 of the United States
 26 District Court for the Northern District of California, located at 450 Golden Gate Avenue, San
 27 Francisco, California for the following reasons:

28 ///

1 1. David Wessel, Lexington’s counsel, has been in contact with attorney William “Randy”
2 Morton of Oakland, California, who has advised Mr. Wessel that he has been contacted by
3 defendants North American Crane Bureau Group, Inc., Northern American Crane Bureau, Inc., and
4 NACB Environmental Health & Safety Services, Inc. (“the NACB defendants”), who have asked
5 him to represent them in this action; Mr. Morton has advised that he has consented to represent the
6 NACB defendants, but he does not yet have a written attorney-client agreement;

7 2. Mr. Morton has also advised that he has not yet seen Lexington’s First Amended
8 Complaint, or the insurance policy at issue in this insurance coverage action;

9 3. Mr. Morton said he expects to be able to file an appearance on behalf of the NACB
10 defendants on or before July 23, 2010; and

11 4. As a consequence, counsel for Lexington and BAE obviously have not been able to
12 confer with defendants NACB as required by Federal Rule of Civil Procedure 26 and by this Court’s
13 Standing Order on the contents of Joint Case Management Statement, or about an alternative dispute
14 resolution process.

15 Lexington and BAE stipulate and respectfully submit that the Court should require that the
16 Joint Case Management Conference Statement, the parties’ Rule 26(f) Report, the ADR
17 Certification, and the Stipulation to ADR Process or Notice of Need for ADR Phone Conference be
18 filed with the Court not less than seven days before the new date of the Initial Case Management
19 Conference.

20 Dated: June 23, 2010

CODDINGTON, HICKS & DANFORTH

21

22

By: /s/
David W. Wessel
Attorneys for Plaintiff
Lexington Insurance Company

23

24

25 Dated: June 23, 2010

EDWARDS & HUNTER

26

27

By: /s/
Richard P. Edwards
Attorneys for Defendant
BAE Systems San Francisco Ship Repair, Inc.

28

1 *I hereby attest that I have on file all holograph signatures for any signatures indicated by
2 a “conformed” signature(s) within this e-file document.

3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

~~PROPOSED~~ ORDER

IT IS HEREBY ORDERED that the Case Management Conference presently scheduled for July 2, 2010, is rescheduled for 8:30 a.m. on August ²⁰~~15~~, 2010, in Courtroom 8 of the United States District Court for the Northern District of California located at 450 Golden Gate Avenue, San Francisco, California. The parties’ Joint Case Management Conference Statement, Federal Rule of Civil Procedure Rule 26(f) Report, ADR Certification, and Stipulation to ADR Process or Notice of Need for ADR Phone Conference shall all be filed no less than seven days before the date of the Case Management Conference.

Dated: June 23, 2010

