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6 **ATTORNEYS FOR** Plaintiff
 Lexington Insurance Company
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 9 THE UNITED STATES DISTRICT COURT FOR THE
 10 NORTHERN DISTRICT OF CALIFORNIA, SAN FRANCISCO DIVISION

11 LEXINGTON INSURANCE COMPANY No. C 10-00395 JL

12 Plaintiff,

13 vs.

REQUEST OF LEXINGTON
 INSURANCE COMPANY FOR ORDER
 CHANGING TIME PURSUANT TO L.R.
 6-2 AND 7-12

14 NORTH AMERICAN CRANE BUREAU
 GROUP, INC. NORTH AMERICAN
 15 CRANE BUREAU, INC., NACB
 ENVIRONMENTAL HEALTH &
 16 SAFETY SERVICES, INC., HENELI
 SAAFI, AKATA SAAFI, BAE SYSTEMS
 17 SAN FRANCISCO SHIP REPAIR, INC.,

18 Defendants.

19 _____
 20 WHEREAS plaintiff Lexington Insurance Company (hereinafter "Lexington") filed its original
 21 Complaint in this case on January 27, 2010.

22 WHEREAS Lexington thereafter promptly informed defendants of the filing of the Complaint
 23 and requested that defendants' counsel accept service of the Complaint.

24 WHEREAS Lexington learned after filing the Complaint and before serving the Complaint,
 25 that one of the plaintiffs in the underlying litigation and a named defendant in the instant declaratory
 26 relief action, had reached a settlement with the defendants in the underlying litigation and
 27 Lexington's insureds. The settlement was only recently finalized.

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Request of Lexington Insurance Company for Order
 Changing Time Pursuant to L.R. 6-2 and 7-12
 Case No. C 10-00395 JL

1 WHEREAS after filing the Complaint for declaratory relief and prior to serving the Complaint,
2 Lexington was informed that the remaining plaintiff in the underlying litigation, BAE Systems, and
3 defendant herein, filed a motion for leave to file a First Amended Complaint. The motion was set
4 for hearing on April 6, 2010 and was only recently granted by the Court. The Amended Complaint
5 is in the process of being served and a response to that Amended Complaint will be filed by the
6 remaining defendants in the underlying litigation. The Amended Complaint adds allegations that
7 are material and relevant to the coverage issues herein.

8 WHEREAS the amendment of the underlying Complaint and settlement of certain claims in
9 the underlying action directly impact Lexington’s coverage action and require Lexington to amend
10 its Complaint. Lexington, therefore, seeks leave of this Court to continue certain dates based upon
11 its need to file an Amended Complaint.

12 WHEREAS no prior time modifications have been requested by Lexington or granted by the
13 Court. The requested time modifications would not unfairly prejudice any parties or cause a grave
14 delay in the schedule of this case.

15 WHEREAS it is in the interests of judicial economy to allow Lexington to serve its Amended
16 Complaint under Federal Rule of Civil Procedure 15(a) and continue dates based upon such
17 amendment allowed once by course. Lexington will file and serve its Amended Complaint on or
18 before April 22, 2010.

19 Lexington respectfully moves the Court, unilaterally, as no other party has been served,
20 pursuant to Local Rules 6-2 and 7-12, for an order extending the time for the following:

21 The last day to meet and confer re: initial disclosures, early settlement,
22 ADR process selection, and discovery plan; file ADR certification; file
23 either Stipulation to ADR Process or Notice of Need for ADR Phone
Conference from current date of April 14, 2010 to **June 7, 2010.**

24 The last day to file Rule 26(f) Report, complete initial disclosures or state
25 objection in Rule 26(f) Report and file Case Management Statement per
Standing Order re Contents of Joint Case Management Statement from
current date of April 28, 2010 to **June 17, 2010**

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