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 LEXINGTON INSURANCE COMPANY

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 12
 13 IN THE UNITED STATES DISTRICT COURT
 14 FOR THE NORTHERN DISTRICT OF CALIFORNIA

15 VIRGINIA SURETY COMPANY, INC.,
 16 Plaintiff,
 17 v.
 18 LEXINGTON INSURANCE COMPANY, and
 DOES 1-20, inclusive,
 19 Defendants.
 20

CIVIL ACTION NO. 3:10-02751 SI
**STIPULATION AND [PROPOSED]
 ORDER TO CONTINUE
 SETTLEMENT CONFERENCE**
 Date: September 22, 2011
 Time: 9:00 a.m.
 Ctrm.: D, 15th Flr.
 Judge: Bernard Zimmerman

21
 22 Defendant Lexington Insurance Company ("Lexington") and plaintiff Virginia Surety
 23 Company, Inc. hereby stipulate to the following:

24 I.
 25 **STIPULATION**

26 1. The parties hereby stipulate to continue the currently scheduled settlement
 27 conference from September 22, 2011 to a date between October 5, 2011 and the October 14,
 28 2011 deadline to complete the settlement conference. Counsel are not available on October 13,

1 2011.

2 2. The parties understand that Judge Zimmerman is not available to reschedule the
3 settlement conference before October 14, 2011. Accordingly, the parties hereby stipulate and
4 request that the Court reassign this matter to a different Magistrate Judge who is available between
5 October 5, 2011 and October 14, 2011.

6 Dated: September 15, 2011 EMERSON, COREY, SORENSEN, CHURCH & LIBKE

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8 By: /S/ Andrew W. Sorensen
9 ANDREW W. SORENSEN
10 Attorneys for Plaintiff
11 VIRGINIA SURETY COMPANY, INC.

12 Dated: September 15, 2011 HAYES SCOTT BONINO ELLINGSON & MCLAY, LLP

13
14 By: /S/ Stephen P. Ellingson
15 MARK G. BONINO
16 STEPHEN P. ELLINGSON
17 Attorneys for Defendant
18 LEXINGTON INSURANCE COMPANY

19 **[PROPOSED] ORDER**

20 GOOD CAUSE APPEARING THEREFORE, the settlement conference is hereby continued
21 to October ____, 2011.

22 Dated: 9/20, 2011

23 
24 _____
25 HONORABLE SUSAN ILLSTON
26 UNITED STATES DISTRICT JUDGE
27
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