| 1<br>2<br>3<br>4<br>5    | MICHELLE R. BERNARD (SBN: 144582) MATTHEW S. FOY (SBN: 187238) GORDON & REES LLP 101 W. Broadway, Suite 2000 San Diego, CA 92101 Telephone: (619) 696-6700 Facsimile: (619) 696-7124 MBernard@gordonrees.com MFoy@gordonrees.com |
|--------------------------|--|
| 6                        | Attorneys for Defendant NAVIGATORS SPECIALTY INSURANCE COMPANY   |
| 7                        | UNITED STATES DISTRICT COURT   |
| 8                        | NORTHERN DISTRICT OF CALIFORNIA  |
| 9                        | NORTHERN DISTRICT OF CALL OR VIA   |
| 10<br>11                 | MT. HAWLEY INSURANCE COMPANY, ) CASE NO. CV 10 5038 RS   |
| 12                       | Plaintiff, ) JOINT STIPULATION FOR   |
| 13                       | ) MODIFICATION OF CASE vs. ) MANAGEMENT SCHEDULING   |
| 14                       | ) ORDER; [PROPOSED] ORDER NAVIGATORS SPECIALTY INSURANCE )   |
| 15                       | COMPANY, Complaint Filed: November 8, 2010 Defendant. Judge: Hon. Richard Seeborg  |
| 16                       | ) Judge.   |
| 17                       | The parties hereto, Plaintiff Mt. Hawley Insurance Company ("Mt. Hawley") and  |
| 18                       | Defendant Navigators Specialty Insurance Company ("Navigators"), by and through their  |
| 19                       | respective counsel of record, hereby stipulate to modification of the current Case Management  |
| 20                       | Scheduling Order as follows:   |
| 21                       | 1. WHEREAS, on May 12, 2011 the Court issued a Case Management Scheduling  |
| 22                       | Order which provides:  |
| 23                       | a. On or before November 30, 2011, all non-expert discovery related to the   |
| 24                       | duty to defend question shall be completed;  |
| 25                       | b. A Further Case Management Conference shall be held on October 20,   |
| 26                       | 2011;  |
| 27                       | c. All pretrial motions must be filed and served pursuant to Civil Local Rule  |
| 28                       | 7 and heard no later than January 26, 2012;  |
| NAVI/1066853/11922800v.1 | - 1 - CASE NO. CV 10 5038 RS  JOINT STIPULATION FOR MODIFICATION OF CASE MANAGEMENT SCHEDULING ORDER;  [PROPOSED] ORDER  |

| 1        | the hearing date was continued from September 8, 2011 to September 22,                        |
|----------|---|
| 2        | 2011;   |
| 3        | 8. WHEREAS, the parties agree that modification of the current Case Management                |
| 4        | Scheduling Order will allow the parties to discuss alternatives to further litigation;        |
| 5        | 9. WHEREAS, Mt. Hawley and Navigators therefore stipulate and agree to continue               |
| 6        | the final hearing date for pretrial motions to May 10, 2012.                                  |
| 7        |   |
| 8        | IT IS SO STIPULATED.  |
| 9        |   |
| 0        | Dated: 3/8, 2012 GRECO TRAFICANTE SCHULZ & BRICK  |
| 1        | An Anna   |
| 2        | By Clyde C. Greco, Jr.  |
| 3        | Jon S. Brick Attorneys for Plaintiff  |
| 4        | MY. HAWLEY INSURANCE COMPANY  |
| 15       |   |
| ا 16     | Dated: Wesch & , 2012 GORDON & REES LLP   |
| 17       |   |
| 8        | By Michelle R. Retnard  |
| 9        | Maithew S. Foy  Attorneys for Defendant   |
| 20       | NAVIGATORS SPECIALTY INSURANCE<br>COMPANY   |
| 21       | DUD ON A NIC DO OTTONI IL ADVONI VITI IO OO ODDEDED   |
| 22       | PURSUANT TO STIPULATION, IT IS SO ORDERED.  |
| 23       | The Case Management Scheduling Order is modified to provide that all pretrial motions         |
| 24       | must be filed and served pursuant to Civil Local Rule 7 and heard no later than May 10, 2012. |
| 25<br>26 | Dated: 3/9/12   |
| 27       | Richard Seeborg   |
| 28       | Judge of the United States District Court   |
| ٠٠       | -3 - CASE NO. CV 10 5038 RS   |
|          | JOINT STIPULATION FOR MODIFICATION OF CASE MANAGEMENT SCHEDULING ORDER;  [PROPOSED] ORDER     |