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16 Attorneys for Plaintiff,
 17 **ESSEX MARINA CITY CLUB, L.P., a**
California limited partnership

18
 19 **UNITED STATES DISTRICT COURT**
 20 **NORTHERN DISTRICT OF CALIFORNIA**

21 ESSEX MARINA CITY CLUB, L.P., a
 California limited partnership,
 22 Plaintiff,
 23 v.
 24 CONTINENTAL CASUALTY COMPANY,
 25 an Illinois corporation; and DOES 1-20,
 26 inclusive,
 27 Defendants.

Case No.: 3:11-cv-00408-SC
**STIPULATION AND [PROPOSED]
 ORDER CONTINUING THE TRIAL
 SETTING CONFERENCE**
 State Action Filed: December 20, 2010
 Removed: January 27, 2011
Honorable Samuel Conti

1 Plaintiff ESSEX MARINA CITY CLUB, L.P. ("Plaintiff" or "Essex") and Defendant
2 CONTINENTAL CASUALTY ("Defendant" or "Continental Casualty") by and through their
3 counsel, stipulate:

4 1. Upon stipulation of the parties, the Court ordered the parties to participate in a
5 settlement conference before Magistrate Judge Laporte and set a Trial Setting Conference for
6 January 13, 2012. (Dkt. No. 52).

7 2. The settlement conference before Judge Laporte was scheduled for January 4, 2012.
8 (Dkt. No. 53).

9 3. On January 3, 2012, the settlement conference was rescheduled to January 26,
10 2012, due to a family emergency involving Plaintiff's counsel and Continental Casualty's report to
11 Judge Laporte that participation of a non-party would be necessary in order to reach a final
12 settlement of this matter. (Dkt. No. 57).

13 4. Based on the parties' continued efforts to posture this matter for settlement and the
14 impending settlement conference, the parties jointly request the Court continue the January 13,
15 2012 Trial Setting Conference to February 24, 2012 or a date thereafter convenient to the Court.

16
17 **IT IS SO STIPULATED, THROUGH COUNSEL OF RECORD.**

18 DATED: January 11, 2012

PINEDO LAW

19
20 By: /s/ Craig A. Pinedo
21 Attorneys for Plaintiff
22 **ESSEX MARINA CITY CLUB, L.P.**,
a California limited partnership

23 DATED: January 11, 2012

WILSON, ELSER, MOSKOWITZ,
EDELMAN & DICKER LLP

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25 By: /s/ Michael K. Brisbin
26 Attorneys for Defendant
27 **CONTINENTAL CASUALTY COMPANY**

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CERTIFICATION
Essex Marina City Club v. Continental Casualty Company
USDC NDCA Case: 3:11-cv-00408

I, Michael Brisbin, am the ECF User whose identification and password are being used to file this Stipulation And [Proposed] Order Continuing The Trial Setting Conference. In compliance with General Order 45.X.B., I hereby attest that Craig Pinedo has concurred in this filing.

EXECUTED on **January 11, 2012**, at San Francisco, California.

/s/ Michael K. Brisbin
Attorneys for Defendant
CONTINENTAL CASUALTY COMPANY

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[PROPOSED] ORDER

Having considered the parties' stipulation and good cause appearing, the Court continues the January 13, 2012 Trial Setting Conference to February 24, 2012 at 10:00 a.m. in Courtroom 1, 17th Floor, San Francisco before the Honorable Samuel Conti.

PURSUANT TO STIPULATION, IT IS SO ORDERED.

DATED: 1/12/12

HONORABLE SAMUEL CONTI
United States District Judge



1 **CERTIFICATE OF SERVICE**

2 *Essex Marina City Club, L.P. v. Continental Casualty Company*
3 *United States District Court, Northern District of CA, Case No.: CV11-0408-SC*

4 At the time of service I was over 18 years of age and not a party to this action. I am
5 employed by WILSON, ELSER, MOSKOWITZ, EDELMAN & DICKER LLP. My business
6 address is 525 Market Street, 17th Floor, San Francisco, California 94105. My business telephone
7 number is (415) 433-0990; my business fax number is (415) 434-1370. On this date I served the
8 following document(s):

9 **STIPULATION AND [PROPOSED] ORDER CONTINUING THE TRIAL SETTING
10 CONFERENCE**

11 on the person or persons listed below, through their respective attorneys of record in this action, by
12 placing true copies thereof in sealed envelopes or packages addressed as shown below by the
13 following means of service:

14 : **By Electronic Service.** Based on a court order or an agreement of the parties to accept
15 service by electronic transmission, I caused the documents to be sent to the persons at the
16 electronic notification addresses listed below.


17
18 Craig A. Pinedo, Esq.
19 **PINEDOLAW**
20 425 California Street, 19th Floor
21 San Francisco, California 94104
22 Telephone: (415) 693-9155
23 Facsimile: (650) 878-2290
24 Email: cpinedo@pinedolaw.com
25 *Attorneys for Plaintiff Essex Marina City Club, L.P.*

26 : **By United States Mail.** I placed the envelope(s) for collection and mailing, following our
27 ordinary business practices. I am readily familiar with this business's practice for collecting
28 and processing correspondence for mailing. On the same day that correspondence is placed
for collection and mailing, it is deposited in the ordinary course of business with the United
States Postal Service, in a sealed envelope with postage fully prepaid.

Rebecca M. Rothmann, Esq. (*pro hac* application to be filed)
Cynthia G. Motley, Esq. (*pro hac* application to be filed)
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Of Counsel for Defendant, Continental Casualty Company

I declare under penalty of perjury under the laws of the State of California that the foregoing
is true and correct to the best of my knowledge.

EXECUTED on January 11, 2012, at San Francisco, California.


Marissa Y. Otellini