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13 Attorneys for Plaintiff  
 ALEXANDER MARINE CO., LTD.

15 **UNITED STATES DISTRICT COURT**  
 16 **NORTHERN DISTRICT OF CALIFORNIA**

|                                  |   |                                     |
|----------------------------------|---|-------------------------------------|
| 18 ALEXANDER MARINE CO., LTD.,   | ) | Case No. C 11-00623 JCS             |
|                                  | ) |                                     |
| 19 Plaintiff,                    | ) | <b>JOINT CASE MANAGEMENT</b>        |
|                                  | ) | <b>STATEMENT AND REQUEST FOR</b>    |
| 20 vs.                           | ) | <b>CONTINUANCE OF CASE</b>          |
|                                  | ) | <b>MANAGEMENT CONFERENCE</b>        |
| 21 SHINKONG INSURANCE CO., LTD., | ) |                                     |
|                                  | ) |                                     |
| 22 Defendants.                   | ) | Date: November 2, 2012              |
|                                  | ) | Time: 1:30 p.m.                     |
|                                  | ) | Before: Honorable Joseph C. Spero   |
|                                  | ) | Courtroom A, 15 <sup>th</sup> Floor |

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 26 At the initial Case Management Conference, counsel for the parties reported to  
 27 the Court that they had agreed on a plan to submit, to a panel of English arbitrators, the  
 28 dispositive issue of whether English law allows Plaintiff to recover its claim for the

1 diminution in value of the damaged yacht insured by the Defendant.

2 Following that initial Case Management Conference, the parties, through their  
3 counsel, agreed to a protocol for submission to the arbitration panel, selected the  
4 arbitrators and submitted to them information for each of them to provide an opinion on  
5 the submitted issues. All three panelists have now responded and provided their  
6 opinions but the parties require clarification relating to the opinion of the third panelist.  
7 They are seeking that clarification and expect to have it in the next couple of weeks.

8 Under the circumstances, counsel request that the November 2nd Case  
9 Management Conference date be vacated and that a further Conference be set for  
10 December 14, 2012, at 9:30 a.m. Counsel for the parties understand that that date and  
11 time are available on the Court's calendar.

12 Respectfully submitted by

13  
14 DATED: November 1, 2012

FLYNN, DELICH & WISE LLP

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16 By: /s/ James B. Nebel  
17 JAMES B. NEBEL  
18 Attorneys for Plaintiff  
ALEXANDER MARINE CO., LTD.

19 DATED: November 1, 2012

KEESAL, YOUNG & LOGAN

20  
21  
22 Dated: 11/1/12



23 /s/ John D. Giffin  
24 JOHN D. GIFFIN  
25 Attorneys for Defendant  
26 SHINKONG INSURANCE CO., LTD.  
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