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9 Attorneys for Defendants
 10 *PAYLESS SHOESOURCE, INC, and*
 11 *COLLECTIVE BRANDS, INC.*

12 **UNITED STATES DISTRICT COURT**
 13 **NORTHERN DISTRICT OF CALIFORNIA**
 14 **SAN FRANCISCO DIVISION**

15 NATIONAL UNION FIRE INSURANCE)
 COMPANY OF PITTSBURGH, PA.,)
 16 Plaintiff,)
 17 vs.)
 18 PAYLESS SHOESOURCE, INC. and)
 19 COLLECTIVE BRANDS, INC.,)
 20 Defendants.)
 21 _____)

Case No. CV 11-01892-EMC
JOINT STIPULATION AND ~~PROPOSED~~
ORDER CONTINUING CASE
MANAGEMENT CONFERENCE

Judge: Honorable Edward M. Chen

1 Pursuant to Civil Local Rules 6-1(b), 6-2, and 7-12 for the Northern District of
2 California, Defendants Payless ShoeSource, Inc. and Collective Brands, Inc. and Plaintiff National
3 Union Fire Insurance Company of Pittsburgh, PA (collectively with the Defendants, the “Parties”), by
4 and through their respective counsel, submit this Joint Stipulation and [Proposed] Order Continuing
5 Case Management Conference and Related Deadlines.

6 WHEREAS, on July 28, 2011, the Court entered an order scheduling a Case Management
7 Conference for October 7, 2011 and requiring the Parties to file a joint case management statement by
8 September 30, 2011 (D.E. 20);

9 WHEREAS, on September 22, 2011 the Court entered an order referring this matter to
10 private ADR to take place within 120 days (D.E. 24);

11 WHEREAS, the Parties have discharged their obligation to meet and confer;

12 WHEREAS, the Parties desire to resolve their dispute in the private ADR that has been
13 ordered by the Court;

14 WHEREAS, in order to avoid incurring unnecessary costs and expending the Court’s
15 time unnecessarily, the Parties wish to continue the Case Management Conference and related deadline
16 to file a joint case management statement until after the conclusion of private ADR, in the event it does
17 not result in the resolution of this dispute;

18 NOW, THEREFORE, THE PARTIES JOINTLY STIPULATE TO, AND REQUEST
19 THE COURT TO ORDER, THE FOLLOWING:

- 20 1. The Case Management Conference shall be continued until 30 days after
21 conclusion of the private ADR to which the Court has referred this matter;
- 22 2. The currently-scheduled deadline to file a joint case management statement by
23 September 30, 2011 shall be vacated and rescheduled;
- 24 3. By entering into this Stipulation, the Parties do not waive, and expressly preserve,
25 any and all rights, claims and defenses, including all defenses relating to
26 jurisdiction, venue and arbitrability.

1 Respectfully submitted,

2
3 Dated: September 29, 2011

Dated: September 29, 2011

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Attorneys for Defendants,
Payless Shoe Source, Inc. and
Collective Brands, Inc.

16 * * *

17 **PURSUANT TO STIPULATION, IT IS SO ORDERED.** The CMC is reset from
18 10/7/11 to 2/10/12 at 9:00 a.m. A joint CMC Statement shall be filed by 2/3/12.

19 Dated: 10/3/11

20 THE HONORABLE EDWARD M. CHEN
21 UNITED STATES DISTRICT JUDGE



