

United States District Court  
For the Northern District of California

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IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF CALIFORNIA

PETER CONNOLLY AND DEBORAH  
CONNOLLY, Husband and Wife,  
  
Plaintiffs,

No. C 11-04726 WHA

v.

TRAVELERS PROPERTY CASUALTY  
COMPANY OF AMERICA, CAROLYN  
KELLEY-BURNS, INSURANCE  
MANAGEMENT CORPORATION,  
AND DOES 1-98, INCLUSIVE,  
  
Defendants.

**ORDER GRANTING MOTION  
TO SET ASIDE CLERK'S  
ENTRY OF DEFAULT,  
GRANTING CONTINUANCE  
AND VACATING HEARING**

In this insurance-coverage dispute, defendants Carolyn Kelley-Burns and Insurance Management Corporation move to set aside entry of default. Defendants were not named in this action initially. Defendants were added as parties in the first amended complaint filed on April 2012. Defendants were properly served and no responsive pleading was filed. As a result, plaintiffs moved for default and the Clerk of the Court entered default on October 2012. The only other named defendant in this action, Travelers Property Casualty Company of America, was dismissed in September 2012.

Plaintiffs Peter and Deborah Connolly do not oppose this motion provided that the currently scheduled trial and discovery dates are continued. Because plaintiffs do not oppose this motion, defendants' motion to set aside the Clerk's entry of default is **GRANTED**.


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Plaintiffs' request for continuance of the trial is **GRANTED**, as set forth below. The hearing scheduled for December 20, 2012, is **VACATED**. The amended dates are as followed:

1. The non-expert discovery cut-off date shall be **MAY 28, 2013**.
2. The expert discovery cut-off date shall be **JULY 2, 2013**.
3. The last date to file dispositive motions shall be **JUNE 27, 2013**.
4. The **FINAL PRETRIAL CONFERENCE** shall be at **2:00 P.M** on **OCTOBER 7, 2013**.
5. A **JURY TRIAL** shall begin on **OCTOBER 15, 2013**, at **7:30 A.M.**

**IT IS SO ORDERED.**

Dated: November 29, 2012.

  
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WILLIAM ALSUP  
UNITED STATES DISTRICT JUDGE