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5 UNITED STATES DISTRICT COURT
6 NORTHERN DISTRICT OF CALIFORNIA
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8 NATIONAL UNION FIRE INSURANCE
9 COMPANY OF PITTSBURGH, PA. and THE
10 INSURANCE COMPANY OF THE STATE OF
11 PENNSYLVANIA,

No. C 11-4897 SI

**ORDER VACATING CASE
MANAGEMENT CONFERENCE**

12 Plaintiffs,

13 v.

14 ELECTRONIC ARTS, INC. and THE
15 COLLEGIATE LICENSING COMPANY,

16 Defendants.
17 _____/

18 This declaratory relief action concerns the existence *vel non* of any duty on the part of plaintiff
19 insurance carriers to defend and/or indemnify defendants in a series of underlying actions. The
20 underlying actions, most of which have been consolidated in this District before Chief Judge Wilken,
21 concern defendants' alleged misuse of the images and likenesses of various professional and collegiate
22 athletes.

23 This declaratory relief action was previously assigned to Judge Ware. On January 24, 2012,
24 Judge Ware stayed the action, without prejudice to plaintiffs' moving to lift the stay should there be a
25 resolution, in any of the underlying actions, of the legal and factual issues bearing on the disposition of
26 the case. Some months later, plaintiffs sought reconsideration of the stay order; on July 3, 2012, Judge
27 Ware denied the motion for reconsideration.

28 Upon Judge Ware's retirement, this case was reassigned to the undersigned District Judge, and
a Case Management Conference was ultimately set for May 22, 2013.

1 Upon review of the parties' Joint Case Management Statement, it appears to this Court that the
2 stay imposed by Judge Ware should continue to remain in place. There has been no showing of a
3 "resolution, in any of the underlying actions, of the legal and factual issues bearing on the disposition
4 of the case," as Judge Ware required.

5 Accordingly, the Case Management Conference scheduled for May 22, 2013 is VACATED.

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7 **IT IS SO ORDERED.**

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9 Dated: May 21, 2013

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SUSAN ILLSTON
12 United States District Judge

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