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6 Attorneys for Defendant
 7 **BRIT UW LIMITED**
 (sued as "Certain Underwriters at Lloyd's
 8 Under Policy No. B0146LDUSA701030")

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13 Attorneys for Plaintiffs
 14 **WILLIAM AMBROSIO, et al.**

15 UNITED STATES DISTRICT COURT
 16 NORTHERN DISTRICT OF CALIFORNIA

17 WILLIAM AMBROSIO, an individual; et al.,

18 Plaintiffs,

19 v.

20 CERTAIN UNDERWRITERS AT LLOYD'S
 UNDER POLICY NO. B0146LDUSA0701030
 21 and DOES 1 through 100, inclusive,

22 Defendants.

CASE NO. 3:11-cv-04956-RS

**STIPULATION AND [~~PROPOSED~~]
 ORDER SETTING SCHEDULE FOR
 THE PARTIES JOINT APPENDIX OF
 EXHIBITS AND REQUEST FOR
 JUDICIAL NOTICE IN SUPPORT OF
 THEIR CROSS-MOTIONS FOR
 SUMMARY JUDGMENT**

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 24 Plaintiffs William Ambrosio, et al. (collectively, "Ambrosio Plaintiffs" or "Plaintiffs")
 25 and Defendant Brit UW Limited ("Brit" or "Defendant") (sued as "Certain Underwriters at
 26 Lloyd's Under Policy No. B0146LDUSA701030"), by their attorneys of record, **AGREE AND**

27 **STATE AS FOLLOWS:**

28



1 A. Both the Plaintiffs and Defendant intended to file cross-motions for summary
2 judgment on December 10, 2015, the last day for filing dispositive motions;

3 B. Plaintiffs and Defendant anticipated having to file extensive documents in
4 support of their cross-motions and, for the Court's benefit, have agreed to coordinate their
5 exhibits; and

6 C. Plaintiffs and Defendants have collaborated on a Joint Appendix of Exhibits
7 and a Joint Request for Judicial Notice but, at the last minute, disagreed on the extent to
8 which the exhibits can be/need to be highlighted.

9 After discussion with the Court's legal research attorney, Plaintiffs and Defendants
10 have agreed and **STIPULATE AS FOLLOWS:**

11 1. Defendant will provide electronic copies of its highlighted exhibits to
12 Plaintiffs immediately after the Court's execution of this Stipulation and [Proposed] Order,
13 after which Plaintiffs will add their marks and annotations to the exhibits;

14 2. If Plaintiffs provide Defendants their annotations before the end of the day on
15 Monday, December 14, 2015, then Defendants will file the Joint Appendix of Exhibits and
16 Request for Judicial Notice on Tuesday, December 15, 2015;

17 3. If Plaintiffs have not provided Defendants with their annotations before the
18 end of the day on Monday, December 14, 2015, then Plaintiffs will file the Joint Appendix of
19 Exhibits and Request for Judicial Notice on Tuesday, December 15, 2015; and

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1 4. The filing of the Joint Appendix of Exhibits and Request for Judicial Notice
2 shall be deemed timely and shall not prejudice the parties' cross-motions for summary
3 judgment.

4 **IT IS SO STIPULATED.**

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6 DATED: December 10, 2015

Respectfully submitted,

SEDGWICK LLP

7
8 By: /s/ Michael L. Fox
Michael L. Fox
Jenni K. Katzer
9 Attorneys for Defendant
10 BRIT UW LIMITED (sued as "Certain Underwriters
at Lloyd's Under Policy No. B0146LDUSA0701030")

11
12 DATED: December 10, 2015

LAW OFFICES OF GEORGE DONALDSON

13 By: /s/ George Donaldson
George Donaldson
14 Attorney for Plaintiffs
15 WILLIAM AMBROSIO, et al.

16 **IT IS SO ORDERED.**

17 Dated: 12/10/15



18 HON. RICHARD SEEBORG
19 UNITED STATES DISTRICT JUDGE

20 **ATTESTATION**

21 I, Michael L. Fox, am the ECF user whose User ID and Password are being used to file
22 the STIPULATION AND [PROPOSED] ORDER SETTING BRIEFING SCHEDULE RE
23 PARTIES' CROSS-MOTIONS FOR SUMMARY JUDGMENT. In compliance with General
24 Order 45.X.B, I hereby attest that concurrence in the filing of this document has been obtained
25 from signatory George Donaldson.

26 Dated: December 10, 2015

SEDGWICK LLP

27 BY: /s/ Michael L. Fox
Michael L. Fox
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