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BRIT UW LIMITED
 8 (sued as "Certain Underwriters at Lloyd's
 Under Policy No. B0146LDUSA701030")
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10 UNITED STATES DISTRICT COURT
 11 NORTHERN DISTRICT OF CALIFORNIA
 12

13 WILLIAM AMBROSIO, *et al.*,
 14 Plaintiffs,
 15 v.
 16 CERTAIN UNDERWRITERS AT LLOYD'S
 UNDER POLICY NO.
 17 B0146LDUSA0701030 and DOES 1 through
 18 100, inclusive,
 19 Defendants.

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

**JOINT STIPULATION (1) TO RELATE
 CASES PURSUANT TO CIVIL L.R. 3-12,
 AND (2) FOR ORDER ESTABLISHING
 BRIEFING SCHEDULE AND HEARING
 DATE RELATING TO DEFENDANTS'
 MOTIONS TO DISMISS AND MOTIONS
 TO STRIKE**

21 MICHAEL ALVARADO, *et al.*,
 22 Plaintiffs,
 23 v.
 24 CERTAIN UNDERWRITERS AT
 LLOYD'S UNDER POLICY NO.
 25 B0146LDUSA0701030, and DOES 1-100,
 26 inclusive,
 27 Defendants.

CASE NO. 3:11-cv-04957-RS



1 WILLIAM JAMISON, *et al.*,
2
3 Plaintiffs,
4
5 v.
6
7 CERTAIN UNDERWRITERS AT LLOYD'S
8 UNDER POLICY NO.
9 B0146LDUSA0701030 and DOES 1 through
10 100, inclusive,
11
12 Defendants.

CASE NO. 3:11-cv-04958-RS

13 WOOD RIVER CAPITAL RESOURCES,
14 LLC, *et al.*,
15
16 Plaintiffs,
17
18 v.
19
20 CERTAIN UNDERWRITERS AT LLOYD'S
21 UNDER POLICY NO.
22 B0146LDUSA0701030 and DOES 1 through
23 100,
24
25 Defendants.

CASE NO. 3:11-cv-5759-MEJ

26 HENRY JAMES ANDERSON, *et al.*
27
28 Plaintiffs,
29
30 v.
31
32 CERTAIN UNDERWRITERS AT LLOYD'S
33 UNDER POLICY NO.
34 B0146LDUSA0701030 and DOES 1 through
35 100, inclusive,
36
37 Defendants.

CASE NO. 3:11-cv-5760-EDL

38 ROSEVILLE CAPITAL RESOURCES,
39 LLC; *et al.*,
40
41 Plaintiffs,
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43 v.
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45 CERTAIN UNDERWRITERS AT LLOYD'S
46 UNDER POLICY NO.
47 B0146LDUSA0701030 and DOES 1 through
48 100, inclusive,
49
50 Defendants.

CASE NO. 4:11-cv-5761-DMR

1 Plaintiffs William Ambrosio, *et al.*, Case Number 3:11-cv-04956-RS, by and through
2 their counsel of record, George Donaldson, Esq. from the Law Office of George Donaldson;

3 Plaintiffs Michael Alvarado, *et al.*, Case Number 3:11-cv-04957-RS, by and through their
4 counsel of record, Jeffrey A. Feldman, Esq. from the Law Offices of Jeffrey A. Feldman;

5 Plaintiffs William Jamison, *et al.*, Case Number 3:11-cv-04958-RS, by and through their
6 counsel of record, Val Hornstein, Esq. from the Hornstein Law Offices;

7 Plaintiffs Wood River Capital Resources, LLC, *et al.*, Case Number 3:11-cv-05759-MEJ,
8 by and through their counsel of record, Jeffery J. Swanson, Esq. from the Law Offices of Jeffery
9 J. Swanson;

10 Plaintiffs Henry James Anderson, *et al.*, Case Number 3:11-cv-5760-EDL, by and
11 through their counsel of record, Richard S. Miller, Esq. from the Law Offices of Richard S.
12 Miller;

13 Plaintiffs Roseville Capital Resources, LLC, *et al.*, Case Number 4:11-cv-5761-DMR, by
14 and through their counsel of record, Troy A. Thielemann, Esq. from Cappello & Noel LLP; and

15 Defendant Brit UW Limited (“Brit”), Case Numbers 3:11-cv-04956-RS; 3:11-cv-04957-
16 RS; 3:11-cv-04958-RS; 3:11-cv-05759-MEJ; 3:11-cv-5760-EDL; and 4:11-cv-5761-DMR, by
17 and through its counsel of record, Michael L. Fox, Esq. of Sedgwick LLP, hereby stipulate as
18 follows:

19 The three actions filed by Plaintiffs William Ambrosio, *et al.*, Michael Alvarado, *et al.*,
20 and William Jamison, *et al.* (collectively “the Related Cases”) have been deemed related and are
21 pending before the Honorable Richard Seeborg because all three concern substantially the same
22 parties, events and request for relief, so assignment to separate judges would have involved
23 unnecessary duplication of labor, cost and conflicting results. (ECF No. 13 in Case No. 3:11-cv-
24 04956-RS.)

25 Similarly, the three actions filed by Plaintiffs Wood River Capital Resources, LLC, *et al.*,
26 Henry James Anderson, *et al.*, and Roseville Capital Resources, LLC, *et al.* (collectively “the
27 New Cases”) were removed to the Northern District of California on November 30, 2011. All
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1 three of the New Cases concern substantially the same parties, events and request for relief as
2 each of the other New Cases and the Related Cases. Therefore, assignment to separate judges
3 would involve unnecessary duplication of labor, cost and conflicting results.

4 Therefore, the parties, by and through their counsel of record, stipulate that the New
5 Cases should be related to each other and to the Related Cases, with the earliest filed case,
6 pursuant to Civil L.R. 3-12.

7 Brit has already filed Motions to Dismiss pursuant to Federal Rule of Civil Procedure
8 12(b)(6) and Motions to Strike pursuant to Federal Rule of Civil Procedure 12(f) in the Related
9 Cases, and those motions are currently set for hearing on January 5, 2012, at 1:30 p.m. (ECF No.
10 15 in Case No. 3:11-cv-04956-RS.) Brit anticipates filing similar motions in the New Cases no
11 later than December 7, 2011.

12 Plaintiffs and Brit desire to establish a single hearing date relating to Defendants'
13 Motions to Dismiss and Motions to Strike filed in the New Cases and the Related Cases, and to
14 establish a revised briefing schedule relating thereto, including the filing of coordinated and/or
15 joint opposition papers by Plaintiffs, to the extent possible, in order to eliminate unnecessary
16 duplication of labor and cost. The Court previously modified the briefing schedule and hearing
17 date in the Related Cases (ECF No. 15 in Case No. 3:11-cv-04956-RS), but further modification
18 should have no effect on the schedule for the cases.

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1 Therefore, the parties, by and through their counsel of record, further stipulate, subject to
2 the Court's approval, that (1) Brit shall file its Motions to Dismiss and Motions to Strike in the
3 New Cases no later than December 7, 2011; (2) the hearing for the Motions to Dismiss and the
4 Motions to Strike filed in the six cases will be scheduled for February 2, 2012, at 1:30 p.m.; (3)
5 Plaintiffs' opposition papers to Brit's motions will be due January 3, 2012; and (4); and Brit's
6 reply papers will be due January 17, 2012.

7 IT SO STIPULATED.

9 DATED: December 2, 2011

SEDGWICK LLP

10 By: /s/ Michael L. Fox

11 Michael L. Fox
12 Attorneys for Defendant
13 BRIT UW LIMITED
(sued as "Certain Underwriters at Lloyd's
Under Policy No. B0146LDUSA701030")

14 DATED: December 2, 2011

Law Office of George Donaldson

15 By: /s/ George Donaldson

16 George Donaldson
17 Attorneys for Plaintiffs
18 William Ambrosio, *et al.*,
Case No. 3:11-cv-04956-RS

19 DATED: December 2, 2011

Hornstein Law Offices

20 By: /s/ Val Hornstein

21 Val Hornstein
22 Attorneys for Plaintiffs
23 William Jamison, *et al.*,
Case No. 3:11-cv-04958-RS

24 DATED: December 2, 2011

Law Offices of Jeffrey A. Feldman

25 By: /s/ Jeffrey A. Feldman

26 Jeffrey A. Feldman
27 Attorneys for Plaintiffs
28 Michael Alvarado, *et al.*,
Case No. 3:11-cv-04957-RS

1 DATED: December 2, 2011

Law Offices of Jeffery J. Swanson

2

By: /s/ Jeffery J. Swanson

3

Jeffery J. Swanson

Attorneys for Plaintiffs

Wood River Capital Resources, LLC, *et al.*,

Case Number 3:11-cv-05759-MEJ

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6 DATED: December 3, 2011

Law Offices of Richard S. Miller

6

By: /s/ Richard S. Miller

7

Richard S. Miller

Attorneys for Plaintiffs

Henry James Anderson, *et al.*,

Case No. 3:11-cv-5760-EDL

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10 DATED: December 2, 2011

Cappello & Noel LLP

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By: /s/ Troy A. Thielemann

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Troy A. Thielemann

Attorneys for Plaintiffs

Roseville Capital Resources, LLC, *et al.*,

Case No. 4:11-cv-5761-DMR

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15 PURSUANT TO STIPULATION, IT IS SO ORDERED

16 DATED: December 7, 2011

By: 

The Honorable Richard Seeborg

U.S. District Judge, Northern District of California

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