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7 Attorneys for Defendants and Counterclaimants
 Tom Kanar, Linda Ruedy, Lauren DeBuono, David
 8 Apfelberg, David Goldberg, David Barella,
 Madeline Lyell, Bader Bellahsene, Dan Grubman,
 9 Charlotte Copeland, Robert Elson, Lowell Sears, and
 John Krackzowsky

10 UNITED STATES DISTRICT COURT
 11 NORTHERN DISTRICT OF CALIFORNIA
 12 SAN FRANCISCO DIVISION

14 SCOTTSDALE INSURANCE COMPANY,
 15 an Ohio Corporation,

16 Plaintiff,

17 vs.

18 COAPT SYSTEMS, INC. a Delaware
 Corporation; ROBERT ELSON, DAVID
 19 APFELBERG, LAUREEN DEBUONO,
 THOMAS KANAR, DAN GRUBMAN,
 20 DAVID BARELLA, BADER
 BELLAHSENE,
 21 CHARLOTTE COPELAND, LINDA
 RUEDY, DAVID GOLDBERG,
 22 MADELINE LYELL, all Individuals,

23 Defendants.

24 AND RELATED ACTIONS

Case No. CV 12 1780-MMC

Assigned to: Hon. Maxine M. Chesney

**JOINT STIPULATION FOR STAY AND
 [PROPOSED] ORDER; DIRECTIONS TO
 PARTIES**

26 WHEREAS the Court's ruling of June 18, 2013 directed Plaintiff Scottsdale Insurance
 27 Company to comply with its obligation to pay defense costs in accordance with Endorsement
 28 No. 20 in the Policy in the underlying lawsuits currently pending in San Diego County Superior

JOINT STIPULATION FOR STAY AND
 [PROPOSED] ORDER
 Case No. CV 12 1780-MMC

Farella Braun + Martel LLP
 235 Montgomery Street, 17th Floor
 San Francisco, CA 94104
 (415) 954-4400

1 Court and coordinated under the Judicial Council Coordination Proceeding No. 4655 before the
2 Honorable Timothy Taylor, the statewide coordination judge (the "Underlying Lawsuits");

3 WHEREAS only issues pertaining to indemnity and bad faith remain to be resolved in
4 this action, which cannot be fully resolved until the Underlying Lawsuits are concluded; and

5 WHEREAS the parties recognize that if the indemnity and bad faith issues are litigated
6 in this action prior to resolution of the Underlying Lawsuits, there exists the potential for
7 prejudice to the defense of the Defendants in the Underlying Lawsuits (*Montrose Chemical*
8 *Corp. v. Superior Court*, 6 Cal.4th 287, 301-02 (1993)).

9 NOW THEREFORE, Plaintiff Scottsdale Insurance Company and Defendants and
10 Counterclaimants Tom Kanar, Linda Ruedy, Laureen DeBuono, David Apfelberg, David
11 Goldberg, David Barella, Madeline Lyell, Bader Bellahsene, Dan Grubman, Charlotte
12 Copeland, Robert Elson, Lowell Sears, and John Krackowsky, hereby stipulate and agree
13 through their respective counsel of record as follows:

14 1. This insurance coverage litigation, captioned *Scottsdale Insurance Co. v. Coapt*
15 *Systems, Inc. et al*, Case No. CV 12 1780-MMC, is stayed as to issues of indemnity and bad
16 faith pending the resolution of all of the Underlying Lawsuits;

17 2. All pretrial deadlines are vacated;

18 3. The parties will appear at any further status conferences as ordered by the Court.

19 SO STIPULATED.

20 Dated: August 28, 2013

FARELLA BRAUN + MARTEL LLP

21
22 By: /s/ John D. Green
23 John D. Green

24 Attorneys for Defendants and
25 Counterclaimants
26 Tom Kanar, Linda Ruedy, Laureen
27 DeBuono, David Apfelberg, David
28 Goldberg, David Barella, Madeline Lyell,
Bader Bellahsene, Dan Grubman, Charlotte
Copeland, Robert Elson, Lowell Sears, and
John Krackowsky.

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Dated: August 28, 2013

KAUFMAN DOLOWICH VOLUCK &
GONZO LLP

By: /s/ Elizabeth Williams
Elizabeth Williams

Attorneys for Plaintiff
Scottsdale Insurance Company

1 [PROPOSED] ORDER

2 Having considered the stipulation between Plaintiff Scottsdale Insurance Company and
3 Defendants and Counterclaimants Tom Kanar, Linda Ruedy, Laureen DeBuono, David
4 Apfelberg, David Goldberg, David Barella, Madeline Lyell, Bader Bellahsene, Dan Grubman,
5 Charlotte Copeland, Robert Elson, Lowell Sears, and John Kraczkowsky, through their
6 respective counsel, to stay this action pending the resolution of all of the underlying lawsuits
7 currently pending in San Diego County Superior Court and coordinated under the Judicial
8 Council Coordination Proceeding No. 4655 before the Honorable Timothy Taylor ("Underlying
9 Lawsuits"), and finding good cause therefore;

10 IT IS HEREBY ORDERED that:


11 1. This insurance coverage litigation, captioned *Scottsdale Insurance Co. v. Coapt*
12 *Systems, Inc. et al*, Case No. CV 12 1780-MMC, is stayed as to issues of indemnity and bad
13 faith pending the resolution of all of the Underlying Lawsuits;

14 2. All pretrial deadlines are vacated;

15 3. The parties will appear at any further status conferences as ordered by the Court.

16 4. The parties are directed to file, no later than December 13, 2013, a Joint Status
17 Report, apprising the Court as to the status of the Underlying Lawsuits.

18 DATED: August 30, 2013

19 
20 The Honorable Maxine M. Chesney
21 United States District Judge