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8	ST. PAUL MERCURY INSURANCE CO	OMPANY
9		
10	UNITED STATES	DISTRICT COURT
	NORTHERN DISTRICT OF CALIFO	ORNIA – SAN FRANCISCO DIVISION
11		
12		LG N 0.10 01000 FNG
13	ST. PAUL MERCURY INSURANCE COMPANY, a Minnesota corporation	Case No. 3:13-cv-01082 EMC [Hon. Edward M. Chen]
14	Plaintiff,	
15		STIPULATION AND [PROPOSED]
16	V.	ORDER TO CONTINUE SEPTEMBER 3, 2015 STATUS
17	AMERICAN SAFETY INDEMNITY	CONFERENCE
	COMPANY, an Oklahoma corporation; ARCH SPECIALTY INSURANCE	
18	COMPANY, a Nebraska corporation; FIRST SPECIALTY INSURANCE	
19	CORPORATION, a Missouri	
20	corporation; GOLDEN BEAR INSURANCE COMPANY, a	
21	California corporation; LAKES AT FOUNTAINGROVE, LLC, a Delaware	
22	limited liability company;	
23	LEXINGTON INSURANCE COMPANY, a Delaware corporation;	
	LIBERTY MUTUAL INSURANCE COMPANY, a Massachusetts	
24	corporation; MT. HAWLEY	
25	INSURANCE COMPANY, an Illinois corporation; NATIONAL UNION	
26	FIRE INSURANCE COMPANY OF PITTSBURGH, PA., a Pennsylvania	
27	corporation; NAUTILUS	
28	INSURANCE COMPANY, an Arizona corporation; NORTHERN	

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1 2 3 4 5 6 7 8 9	INSURANCE COMPANY OF NEW YORK, a New York corporation; PROBUILDERS SPECIALTY INSURANCE COMPANY, RRG, A RISK RETENTION GROUP, a District of Colombia corporation; STRS OHIO CA REAL ESTATE INVESTMENT I, LLC, a Delaware limited liability company; TRP-SANTA ROSA 103 LAKES, LLC, a California limited liability company; ZURICH AMERICAN INSURANCE COMPANY, a New York corporation; and DOES 1-1000, inclusive. Defendants.		
10	WHEREAS, a Status Conference is set in this matter for September 3, 2015 at		
11	10:30 a.m. in Courtroom 5, 17 th Floor, San Francisco before the Honorable Edward		
12	M. Chen (Dckt No. 175);		
13	WHEREAS, Plaintiff St. Paul Mercury Insurance Company ("St. Paul") has		
14	dismissed defendants Arch Specialty Insurance Company, American Safety		
15	Indemnity Company, First Specialty Insurance Corporation, Golden Bear Insurance		
16	Company, Nautilus Insurance Company, Northern Insurance Company of New York		
17	and Zurich American Insurance Company; and		
18	WHEREAS, Mt. Hawley Insurance Company ("Mt. Hawley") and Lexington		
19	Insurance Company ("Lexington") are the only remaining defendants who have		
20	appeared in this action who have not been dismissed;		
21	WHEREAS, Mt. Hawley and Lexington have reached a settlement with St		
22	Paul that will result in a dismissal of the present action in its entirety; and		
23	WHEREAS, St. Paul and Mt. Hawley have finalized their written settlement		
24	agreement to resolve their dispute which will become final once the agreement is		
25	fully executed and funded; and		
26	WHEREAS, St. Paul and Lexington have drafted a proposed settlement		
27	agreement and anticipate that a settlement agreement will be finalized and funded an		
28	a Stipulation re Dismissal will be filed in the next 45 days;		
	2		

1	IT IS HEREBY STIPULATED AND AGREED BY AND BETWEEN	
2	Plaintiff St. Paul and Defendants Mt. Hawley and Lexington, by and through their	
3	designated counsel, that the current Status Conference set for September 3, 2015 be	
4	rescheduled to October 15, 2015.	
5		
6	DATED: September 1, 2015 THE AGUILERA LAW GROUP, APLC	
7		
8	By: Kimberly R. Arnal	
9	A. Eric Aguilera Kimberly R. Arnal	
10	Attorneys for Plaintiff,	
11	ST. PAUL MERCURY INSURANCE GROUP	
12		
13	DATED: September 1, 2015 SELVIN WRAITH HALMAN LLP	
14		
15	By: /s/ Gary R. Selvin (Auth. on 9-1-15)	
16	Gary R. Selvin Attorneys for Defendant LEXINGTON	
17	INSURANCE COMPANY	
18		
19	DATED: September 1, 2015 MORISON & PROUGH, LLP	
20	Ry: /s/Michael Prough (Auth on 0-1-15)	
21	By: /s/ Michael Prough (Auth. on 9-1-15) Michael Prough Attorneys for Defendant (ES DISTRIC) MT. HAWLEY INSURANCE COMPANY	
22 23	MT. HAWLEY INSURANCE COMPANY	
24		
25	[PROPOSED] ORDED IT IS SO ORDERED	
26	PURSUANT TO STIPLII ATION IT IS SO OF	
27	DATED: 9/1/15 Judge Edward M. Chen Judge Edward M. Chen	
28	Honorobic Edward M. Chen	
	CASE NO. 3:13-CV-01082-EMC	

STIPULATION AND [PROPOSED] TO CONTINUE STATUS CONFERENCE

PROOF OF SERVICE 1 STATE OF CALIFORNIA, COUNTY OF LOS ANGELES 2 I am employed in the County of Los Angeles, State of California. I am over the age 3 of 18 and not a party to the within action; my business address is 444 S. Flower St., Ste. 2300, Los Angeles, California 90071. On September 1, 2015, I served the documents named below on the parties in this action as follows: 5 6 DOCUMENT(S) SERVED: STIPULATION AND [PROPOSED] ORDER TO CONTINUE SEPTEMBER 3, 2015 STATUS **CONFERENCE** 8 9 SERVED UPON: SEE ATTACHED SERVICE LIST 10 11 BY U.S. MAIL *I deposited such envelope in the mail at Los Angeles, California. The envelope was mailed with postage thereon fully prepaid. As follows: I am "readily familiar" with the firm's practice of collection and processing correspondence for mailing. Under the practice it would be deposited with U.S. postal service on that same day with postage thereon fully prepaid at Los Angeles, California in the ordinary course of business. I am aware that on motion of the party served, service is presumed invalid if postal cancellation date or postage date is more than 1 day after date of deposit for mailing in affidavit. 12 13 14 15 16 BY ELECTRONIC SERVICE VIA ECF I transmitted a true copy of the above entitled document(s) to CM/ECF for filing and service on all parties. 17 18 (State) I declare under penalty of perjury under the laws of the State of California that the above is true and correct. 19 (Federal) I declare that I am employed in the office of a member of the bar of this court at whose direction the service was made. 20 21 Executed on *September 1*, 2015 at Los Angeles, California. 22 23 /s/ Judy Jaramillo 24 Judy Jaramillo 25 26 27 28