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10 Attorneys for LIBERTY SURPLUS
 INSURANCE CORPORATION

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

14 PARKLYN BAY COMPANY, LLC, a
 15 California limited liability company,

16 Plaintiff,

17 v.

18 LIBERTY INSURANCE CORPORATION,
 an Illinois corporation, LIBERTY SURPLUS
 19 INSURANCE CORPORATION, a New
 Hampshire corporation, LIBERTY
 20 INSURANCE UNDERWRITERS, INC., an
 Illinois corporation, and LIBERTY
 21 INTERNATIONAL UNDERWRITERS, a
 division of Liberty Mutual Group, Inc., a
 22 Massachusetts corporation, and DOES 1
 through 100, inclusive,

23 Defendants.

Case No. 3:13-cv-03124-EMC

**JOINT STIPULATION AND ORDER TO
 MODIFY SCHEDULING ORDER**

1 Plaintiff, Parklyn Bay, LLC, and Defendant, Liberty Surplus Insurance Corporation, the lone
2 remaining Defendant in the case (collectively, the "Parties"), hereby stipulate, based on good cause
3 shown, to modify the Court's October 10, 2013, Scheduling Order as follows:

4 WHEREAS, the Court's October 10, 2013, Scheduling Order directed the Parties to complete
5 private mediation by December 17, 2013, provided the November 19, 2013, mediation in the
6 underlying action styled *Duncan et al. v. Parklyn Bay Co., et al.*, San Francisco County Superior
7 Court, Case No. CGC-12-521635 ("*Duncan* action") would go forward as scheduled.

8 WHEREAS, the mediation in the *Duncan* action was postponed from November 19, 2013, to
9 February 13, 2014.

10 WHEREAS, the Parties hereto have each agreed to participate in a private mediation in the
11 *Duncan* action on February 13, 2014.

12 Therefore, the Parties stipulate to extend the deadline for completing private mediation in this
13 action until March 15, 2014.

14 **IT IS SO STIPULATED:**

15 Dated: December 20, 2013

FRIED & WILLIAMS LLP

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18 By: 

Steven C. Williams

Michael McLaughlin

Attorneys for PARKLYN BAY, LLC

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21 Dated: December 20, 2013

McCORMICK, BARSTOW, SHEPPARD,
WAYTE & CARRUTH LLP

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24 By: /s/ Jay A. Christofferson

Patrick Fredette

Jay A. Christofferson

Attorneys for LIBERTY SURPLUS INSURANCE
CORPORATION

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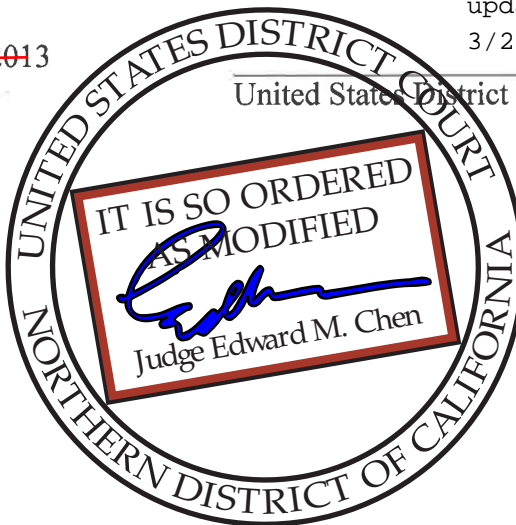
PURSUANT TO STIPULATION, IT IS SO ORDERED:

The Further CMC is reset to 3/27/14 at 10:30 a.m. An update joint CMC statement due 3/20/14.

DATED: ^{1/6/14}~~December~~ __, 2013

United States District Court Judge

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PROOF OF SERVICE

STATE OF CALIFORNIA, COUNTY OF FRESNO

At the time of service, I was over 18 years of age and **not a party to this action**. I am employed in the County of Fresno, State of California. My business address is 7647 North Fresno Street, Fresno, CA 93720.

On December 20, 2013, I served true copies of the following document(s) described as **JOINT STIPULATION AND ORDER TO MODIFY SCHEDULING ORDER** on the interested parties in this action as follows:

Steven C. Williams
Fried & Williams LLP
480 9th St.
Oakland, CA 94607

BY MAIL: I enclosed the document(s) in a sealed envelope or package addressed to the persons at the addresses listed in the Service List and placed the envelope for collection and mailing, following our ordinary business practices. I am readily familiar with this business's practice for collecting and processing correspondence for mailing. On the same day that the correspondence is placed for collection and mailing, it is deposited in the ordinary course of business with the United States Postal Service, in a sealed envelope with postage fully prepaid.

BY CM/ECF NOTICE OF ELECTRONIC FILING: I electronically filed the document(s) with the Clerk of the Court by using the CM/ECF system. Participants in the case who are registered CM/ECF users will be served by the CM/ECF system. Participants in the case who are not registered CM/ECF users will be served by mail or by other means permitted by the court rules.

I declare under penalty of perjury under the laws of the United States of America that the foregoing is true and correct and that I am employed in the office of a member of the bar of this Court at whose direction the service was made.

Executed on December 20, 2013, at Fresno, California.


Karen P. Manriquez

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