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 11 INSURANCE CORPORATION

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

15 PARKLYN BAY COMPANY, LLC,  
 16 Plaintiff,  
 17 v.  
 18 LIBERTY SURPLUS INSURANCE  
 CORPORATION,  
 19 Defendant.  
 20

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

**STIPULATION AND [PROPOSED]  
 ORDER TO CONTINUE HEARING,  
 OPPOSITION AND REPLY DATES  
 REGARDING MOTION TO DISMISS**  
 (modified)

21 Defendant Liberty Surplus Insurance Corporation has filed a Motion to Dismiss the First  
 22 Amended Complaint, and that motion is set for hearing on August 28, 2014. Plaintiff's Opposition to  
 23 that Motion is currently due to be filed no later than July 30, 2014, and Defendant's Reply is due no  
 24 later than August 6, 2014. The parties desire additional time to discuss whether Plaintiff's proposed  
 25 second amended complaint adequately addresses the issues raised in Defendant's Motion to Dismiss  
 26 and whether the Motion to Dismiss should be withdrawn.

27 In light of these facts, the parties stipulate to continue the hearing date for the Motion to  
 28 Dismiss to ~~September 25, 2014,~~ October 9, 2014 at 1:30 p.m.

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The parties further stipulate to extend the deadline for Plaintiff's Opposition to that Motion to Dismiss to September 4, 2014; and

The parties further stipulate to extend the deadline for Defendant's Reply in support of that Motion to September 11, 2014.

IT IS SO STIPULATED:

Dated: July \_\_, 2014

McCORMICK, BARSTOW, SHEPPARD,  
WAYTE & CARRUTH LLP

By: Timothy R. Sullivan  
Patrick Fredette  
Timothy R. Sullivan  
Attorneys for Defendant  
LIBERTY SURPLUS  
INSURANCE CORPORATION

Dated: July 29, 2014

FRIED & WILLIAMS LLP

By: [Signature]  
Steven C. Williams  
Attorneys for Plaintiff  
PARKLYN BAY COMPANY LLC

**[PROPOSED] ORDER**

The parties' stipulation is adopted and IT IS SO ORDERED. Motion reset for Dated: July 30, 2014 10/9/14 at 1:30 p.m. Further CMC reset from 9/4/14 to 10/9/14 at 1:30 p.m. Joint statement due ~~10/2/14.~~

The Honorable Edward M. Chen,  
United States District Court, Northern District of California

