

1 McCormick, Barstow, Sheppard,
Wayte & Carruth LLP
2 Patrick Fredette, #207284
patrick.fredette@mccormickbarstow.com
3 Timothy R. Sullivan, #128467
timothy.sullivan@mccormickbarstow.com
4 7647 North Fresno Street
Fresno, California 93720
5 Telephone: (559) 433-1300
Facsimile: (559) 433-2300
6

7 Attorneys for Defendant
Liberty Surplus Insurance Corporation

8 UNITED STATES DISTRICT COURT

9 NORTHERN DISTRICT OF CALIFORNIA, SAN FRANCISCO DIVISION

10

11 NAVIGATORS SPECIALTY INSURANCE
COMPANY,

12 Plaintiff,

13 v.

14 ST. PAUL SURPLUS LINES INSURANCE
15 COMPANY, LIBERTY SURPLUS
INSURANCE CORPORATION, and DOES 1
16 through 100, inclusive,

17 Defendants.

Case No. 3:13-CV-03499-SC

**STIPULATION AND ~~PROPOSED~~
ORDER EXTENDING DEADLINE FOR
MEDIATION**

18

19 Pursuant to Local Rule 16-9, the parties met and conferred and submitted a Proposed Joint
20 Case Management Order on or about November 8, 2013. At that time, the parties contemplated the
21 completion of mediation by April 15, 2014. Subsequent to those dates being set, Plaintiff,
22 NAVIGATORS SPECIALTY INSURANCE COMPANY (“NSIC”) reached a settlement of the
23 underlying actions, on behalf of its insured, McDevitt & McDevitt. NSIC thereafter sought to file an
24 amended complaint to add, inter alia, claims for reimbursement of the underlying settlement costs and
25 also added a new party to this action. The attempt to amend the complaint resulted in motion practice.
26 The First Amended Complaint was filed in this action, pursuant to consent of all counsel, on March
27 13, 2014. The new defendant, TRAVELERS PROPERTY CASUALTY COMPANY OF AMERICA
28 (“Travelers”) filed an Answer jointly with Defendant ST. PAUL SURPLUS LINES INSURANCE

1 COMPANY on March 31, 2014. NSIC stipulated that Defendant LIBERTY SURPLUS INSURANCE
2 CORPORATION (“LSIC”) would have until April 15, 2014 to file its responsive pleading. The
3 parties have agreed on a mediator, but due to lack of mutually agreeable dates for mediation,
4 mediation will not be completed until July 2014 at the earliest. No trial date has been set in this matter
5 and the Court has not entered a Case Management Order.

6 In light of the above, the parties herein stipulate to amend the following deadlines:

7 **Mediation Deadline**

8 Private mediation will be completed by July 31, 2014.

9 **Further Case Management Conference**

10 The Further Case Management Conference set for June 6, 2014, is continued to August 22,
11 2014, at 10:00 a.m. in Courtroom 1, 17th Floor, San Francisco. The Further Case Management
12 Conference Statement is due August 15, 2014.

13 IT IS SO STIPULATED.

14

15 Dated: April 15, 2014

WOLKIN • CURRAN, LLP

16

17

18

19 By: /s/ Brandt L. Wolkin
Brandt L. Wolkin
Jennifer L. Elowsky

20

21

Attorneys for Plaintiff,
NAVIGATORS SPECIALTY
INSURANCE COMPANY

22

23

///

24

///

25

///

26

///

27

///

28

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

Dated: April 15, 2014

THE AGUILERA LAW GROUP

By: /s/ Thomas V. Perea
Thomas V. Perea
Attorneys for Defendant,
ST. PAUL SURPLUS LINES
INSURANCE COMPANY

Dated: April __, 2014

MCCORMICK BARSTOW, LLP

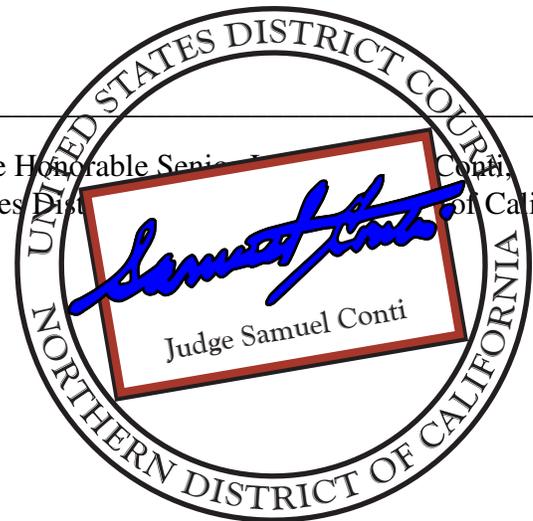
By: /s/ Patrick Fredette
Patrick Fredette
Timothy Sullivan
Attorneys for Defendant,
LIBERTY SURPLUS INSURANCE
CORPORATION

~~PROPOSED~~ ORDER

The parties' stipulation is adopted and IT IS SO ORDERED.

Dated: April 16, 2014

The Honorable Senior Judge Samuel Conti
United States District Court of California



2896281.1