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7 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,  
16 TRAVELERS PROPERTY CASUALTY  
COMPANY OF AMERICA, NORTH  
17 AMERICAN CAPACITY INSURANCE  
COMPANY, and DOES 1 through 100,  
18 inclusive,

19 Defendants.

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

MODIFIED  
**STIPULATION AND ~~PROPOSED~~  
ORDER: (1) EXTENDING DEADLINE  
FOR PRIVATE MEDIATION; AND  
(2) CONTINUING CASE MANAGEMENT  
CONFERENCE**

20  
21 Pursuant to Local Rule 16-9, the parties met and conferred, and submitted a Proposed Joint  
22 Case Management Order on November 8, 2013. After the dates therein were proposed, Plaintiff,  
23 NAVIGATORS SPECIALTY INSURANCE COMPANY (“NSIC”), reached a settlement of the  
24 underlying actions on behalf of its insured, McDevitt & McDevitt. NSIC thereafter filed an amended  
25 complaint adding claims for reimbursement for the underlying settlement costs and also added  
26 TRAVELERS PROPERTY CASUALTY COMPANY OF AMERICA as a new party to the action.  
27 NSIC later filed a Third Amended Complaint naming NORTH AMERICAN CAPACITY  
28 INSURANCE COMPANY as a new defendant in the action. Despite diligent efforts, the parties have

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STIPULATION AND ORDER: (1) EXTENDING DEADLINE FOR PRIVATE MEDIATION;  
AND (2) CONTINUING CASE MANAGEMENT CONFERENCE

1 been unable to schedule private mediation on a date when all parties and their counsel could attend  
2 and that was available on the mediator's schedule prior to the December 24, 2014 deadline.

3 The parties have all agreed on a mediator (Kenneth Gibbs). The parties and their counsel have  
4 further agreed to participate, in person, in the mediation on January 29, 2015, at Mr. Gibbs' office in  
5 Los Angeles. Based on the foregoing, the parties, through their counsel, stipulate and request that the  
6 court extend the deadline to complete private mediation and the date for the Further Case Management  
7 Conference as follows:

8 **Mediation Deadline:**

9 The parties stipulate that the deadline to complete private mediation, currently set for  
10 December 24, 2014, be extended to January 31, 2015.

11 **Further Case Management Conference:**

12 The parties stipulate that the Further Case Management Conference currently set for January  
13 23, 2015, be continued to February ~~13~~<sup>20</sup>, 2015 at 10:00 a.m. in Courtroom 1, 17<sup>th</sup> Floor, San Francisco,  
14 and that the Further Case Management Conference Statement be due February ~~6~~<sup>13</sup>, 2015.

15  
16 Dated: October 23, 2014

WOLKIN CURRAN, LLP

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18 By: \_\_\_\_\_ /s/ Brandt L. Wolkin  
19 Brandt L. Wolkin  
20 Dawn A. Silberstein  
21 Jennifer L. Elowsky  
22 Attorneys for Plaintiff,  
23 **NAVIGATORS SPECIALTY INSURANCE**  
24 **COMPANY**  
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