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COMPANY OF THE STATE OF  
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10 UNITED STATES DISTRICT COURT

11 NORTHERN DISTRICT OF CALIFORNIA, SAN JOSE DIVISION

12 THE INSURANCE COMPANY OF THE  
13 STATE OF PENNSYLVANIA,

14 Plaintiff,

15 v.

16 PLANTRONICS, INC.,

17 Defendant.  
18

Case No. 3:13-cv-05678-JST

**STIPULATION AND ~~PROPOSED~~  
ORDER CONTINUING INITIAL CASE  
MANAGEMENT CONFERENCE**

19 The parties hereto, through their undersigned counsel, hereby stipulate as follows:

20 **Recitals**

21 The parties participated in a mediation on March 25, 2014 with Hon. Rebecca Westerfield  
22 (Ret.), during which a mediator's proposal was made. Declaration of James P. Wagoner ("Wagoner  
23 Decl."), ¶2. Both parties are actively considering the mediator's proposal, which will expire on April  
24 8, 2014. Wagoner Decl., ¶3.

25 The Initial Case Management Conference ("CMC") is currently scheduled in the above-  
26 captioned matter for April 9, 2014 at 2:00 p.m. in Courtroom 9 of this Court. Wagoner Decl., ¶4;  
27 Docket No. 12. The parties have made one previous unsuccessful request to have the CMC continued.  
28 Wagoner Decl., ¶5; Docket No. 11. The current deadline for the parties to file their joint case

1 management conference statement is March 26, 2014. Wagoner Decl., ¶6; Docket No. 9.

2 In light of the pending mediator's proposal, which expires the day before the currently  
3 scheduled Initial Case Management Conference, the parties desire to focus their resources and  
4 consideration on the proposal and further attempts to settle this dispute. The parties believe that doing  
5 so will increase the likelihood that this matter will resolve through settlement prior to expiration of the  
6 mediator's proposal. Wagoner Decl., ¶7. Accordingly, the parties respectfully request that the Court  
7 1) continue the CMC currently scheduled for April 9, 2014 to April 23, 2014; and 2) continue the  
8 deadline to file the joint case management conference statement from March 26, 2014 to April 9,  
9 2014.

10 **Stipulation**

11 The parties hereby stipulate 1) that the CMC currently scheduled for April 9, 2014 may be  
12 continued to April 23, 2014; and 2) that the deadline to file the joint case management conference  
13 statement may be continued to April 9, 2014.

14 Dated: March 26, 2014

McCORMICK, BARSTOW, SHEPPARD,  
WAYTE & CARRUTH LLP

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By: \_\_\_\_\_

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James P. Wagoner

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Robert K. Landen

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Chet Neilson

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Attorneys for Plaintiff THE INSURANCE

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COMPANY OF THE STATE OF

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PENNSYLVANIA

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Dated: March 26, 2014

ADLESON, HESS & KELLY, APC

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By: \_\_\_\_\_

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Randy M. Hess

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Pamela A. Bower

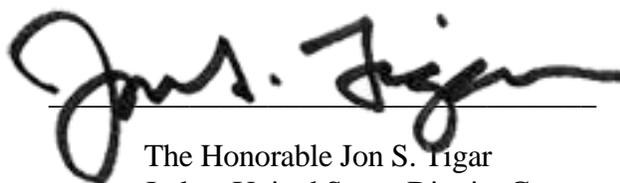
Attorneys for Defendant PLANTRONICS, INC.

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**ORDER**

Pursuant to the parties' stipulation and supporting declaration, it is hereby ORDERED: 1) that the Initial Case Management Conference currently scheduled in this matter for April 9, 2014 is continued to April 23, 2014; and 2) that the deadline for the parties to file their joint case management conference statement is continued to April 9, 2014.

Dated: April 1, 2014



The Honorable Jon S. Tigar  
Judge, United States District Court