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16 UNITED STATES DISTRICT COURT
 17 NORTHERN DISTRICT OF CALIFORNIA
 18 SAN FRANCISCO DIVISION

19
 20 SCOTTSDALE INSURANCE COMPANY, a
 corporation

21 Plaintiff,

22 v.

23 HUDSON SPECIALTY INSURANCE
 24 COMPANY, a corporation

25 Defendant.

CASE NO. 3:15-cv-02896-HSG

**STIPULATION AND ORDER TO
 CONTINUE EARLY NEUTRAL
 EVALUATION DEADLINE AND
 EXCUSING PERSONAL ATTENDANCE**

1 **TO THE COURT AND ALL PARTIES AND THEIR ATTORNEYS OF RECORD:**

2 Having met and conferred with respect to the matters set forth herein, plaintiff Scottsdale
3 Insurance Company (“Scottsdale”) and defendant Hudson Specialty Insurance Company
4 (“Hudson”), referred to collectively as the “Parties,” by and through their respective counsel, hereby
5 stipulate and agree as follows:

6 **I.**
7 **RECITALS**

8 1. WHEREAS, pursuant to stipulation, this Court ordered the Parties to participate in an
9 Early Neutral Evaluation session (“ENE”). Pursuant to the presumptive deadline as specified in the
10 local rules of the Northern District, the Court ordered the ENE to occur within ninety day of its
11 order, on or before September 26, 2016.

12 2. WHEREAS, the Parties have not sought any prior extensions of this presumptive
13 deadline.

14 3. WHEREAS, the Parties believe that any ENE would be more productive and more
15 likely to settle the case if written discovery and documents are exchanged prior to the ENE.

16 4. WHEREAS, the Parties wish to exchange written discovery and obtain documents
17 before the ENE.

18 5. WHEREAS, the Parties have recently propounded initial written discovery and
19 document requests.

20 6. WHEREAS, the Parties have agreed to hold the ENE in the above-referenced matter
21 on October 12, 2016 at 10:30 a.m. at the offices of Selman Breitman LLP at 33 New Montgomery
22 Street, Sixth Floor, San Francisco, California.

23 7. WHEREAS, it would be inconvenient and costly for Scottsdale to personally attend
24 the ENE, as the person responsible for handling this lawsuit is located in Scottsdale, Arizona.

25 8. WHEREAS, it would be inconvenient and costly for Hudson to personally attend the
26 ENE, as the person responsible for handling this lawsuit is located in New York, New York, and the
27 closest representative of Hudson able to attend the ENE is located in New York, New York.

28 9. WHEREAS, a Scottsdale representative may attend the ENE by telephone.

1 10. WHEREAS, a Hudson representative may attend the ENE by telephone.

2 11. WHEREAS, the parties hereby agree and stipulate that Scottsdale and Hudson's
3 representatives do not need to personally attend the ENE, but that they will attend by telephone for
4 the duration of the ENE.

5 **II.**
6 **STIPULATION**

7 Scottsdale and Hudson hereby stipulate and agree as follows:

8 1. The Parties agree to continue the ENE presumptive deadline to allow the ENE to be
9 held on October 12, 2016.

10 2. The Parties will hold the ENE in the above-referenced matter on October 12, 2016, at
11 10:30 a.m. at the offices of Selman Breitman LLP at 33 New Montgomery Street, Sixth Floor, San
12 Francisco, California.

13 3. Scottsdale's representative may attend the ENE by telephone.

14 4. Hudson's representative may attend the ENE by telephone.

15 Dated: August 11, 2016 SELMAN BREITMAN LLP

17 By /s/ James R. Tenero
18 JAMES R. TENERO
19 CHRISTOPHER C. RANCK
Attorneys for Plaintiff
SCOTTSDALE INSURANCE COMPANY

20 Filer's Attestation: Pursuant to Civil Local Rule
21 5-1(i)(3), Stephen P. Ellingson hereby attests that
22 concurrence in the filing of this document has
been obtained from each of the other signatories.

23 Dated: August 11, 2016 HAYES SCOTT BONINO ELLINGSON & McLAY, LLP

24 By /s/ Stephen P. Ellingson
25 STEPHEN M. HAYES
26 STEPHEN P. ELLINGSON
27 JONATHAN K. MYERS
Attorneys for Defendant
HUDSON SPECIALTY INSURANCE COMPANY

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ORDER

Pursuant to the parties' stipulation, the Court hereby orders as follows:

1. The ENE presumptive deadline is continued to allow the ENE to be held on October 12, 2016.
2. The Parties will hold the ENE in the above-referenced matter on October 12, 2016 at 10:30 a.m. at the offices of Selman Breitman LLP at 33 New Montgomery Street, Sixth Floor, San Francisco, California.
3. Scottsdale's representative may attend the ENE by telephone.
4. Hudson's representative may attend the ENE by telephone.

IT IS SO ORDERED.

Dated: August 15, 2016

By 
HONORABLE HAYWOOD S. GILLIAM, JR.
UNITED STATES DISTRICT JUDGE
NORTHERN DISTRICT OF CALIFORNIA