

Selman Breitman LLP  
ATTORNEYS AT LAW

1 JAMES R. TENERO (SBN 201023)  
 WENDY M. SCHENK (SBN 177397)  
 2 SELMAN BREITMAN LLP  
 33 New Montgomery, Sixth Floor  
 3 San Francisco, CA 94105-4537  
 Telephone : 415.979.0400  
 4 Facsimile : 415.979.2099  
 Emails : jtenero@selmanlaw.com  
 5 : wschenk@selmanlaw.com

6 Attorneys for Plaintiff  
 Scottsdale Insurance Company

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 8 STEPHEN P. ELLINGSON (SBN 201023)  
 JONATHAN K. MYERS (SBN 306756)  
 HAYES SCOTT BONINO ELLINGSON & MCLAY  
 9 203 Redwood Shores Parkway, Suite 480  
 Redwood Shores, CA 94065  
 10 Telephone : 650.637.9100  
 Facsimile : 650.637.8071  
 11 Emails : sellingson@hayesscott.com  
 : jmyers@hayesscott.com

12 Attorneys for Defendant  
 13 Hudson Specialty Insurance Company

14 UNITED STATES DISTRICT COURT  
 15 NORTHERN DISTRICT – SAN FRANCISCO DIVISION

17 SCOTTSDALE INSURANCE COMPANY, a  
 18 corporation,  
 19 Plaintiff,  
 20 v.  
 21 HUDSON SPECIALTY INSURANCE  
 COMPANY, a corporation,  
 22 Defendant.  
 23

Case No. 3:15-cv-02896-HSG

**STIPULATION AND ORDER REVISING  
 THE COURT'S AMENDED  
 SCHEDULING ORDER**

24 Plaintiff Scottsdale Insurance Company ("Scottsdale") and Defendant Hudson Specialty  
 25 Insurance Company ("Hudson"), referred to collectively as the "Parties", by and through their  
 26 respective counsel, hereby stipulate to revise the Court's October 27, 2016 Amended Scheduling  
 27 Order (Dkt. 43) as follows:  
 28

1 **I. RECITALS**

2 1. WHEREAS, the Parties have recently completed discovery in the above-  
3 captioned matter.

4 2. WHEREAS, the Parties are scheduled to attend an Early Neutral Evaluation  
5 session ("ENE") with the Court appointed neutral evaluator, Rachel Ehrlich, Esq., on December  
6 12, 2016.

7 3. WHEREAS, no trial date has been set in this matter.

8 4. WHEREAS, on October 27, 2016, the Court issued an Amended Scheduling  
9 Order (Dkt. 43), setting deadlines for fact discovery, expert discovery, and dispositive motions.  
10 The Amended Scheduling Order set January 26, 2017 as the deadline to hear dispositive motions.

11 5. WHEREAS, the Parties do not seek any extension of dates currently set by the  
12 Amended Scheduling Order relating to the discovery cutoff.

13 6. WHEREAS, the current deadline to hear dispositive motions is January 26, 2017.  
14 In conjunction with the aforementioned deadline, the Parties' deadline to file dispositive motions  
15 is December 22, 2016. The current deadline to file oppositions to the aforementioned dispositive  
16 motions is January 5, 2017 and the deadline to file reply briefs is January 12, 2017.

17 7. WHEREAS, the Parties hereby seek an extension of the deadline to hear  
18 dispositive motions. The Parties hereby stipulate to and request entry of an Order extending the  
19 deadline to hear dispositive motions to February 23, 2017. Good cause exists for an extension of  
20 the current deadline of January 26, 2017 to file dispositive motions, as such an extension will  
21 allow the Parties additional time following the December 12, 2016 ENE (if the matter does not  
22 resolve at the ENE session) to undertake additional discussions regarding a potential resolution  
23 of this matter prior to filing cross-motions. The Parties have been working diligently toward  
24 moving this case forward in an efficient, expeditious manner. The Parties wish to litigate this  
25 matter in a cost-effective manner and avoid unnecessary attorneys' fees and costs.

26 8. WHEREAS, James R. Tenero, lead counsel for Plaintiff, Scottsdale Insurance  
27 Company, will be unavailable due to a pre-paid vacation to Brazil from December 23, 2016 to  
28 January 8, 2017.

1           9.       WHEREAS, Stephen P. Ellingson, lead counsel for Defendant Hudson Specialty  
2 Insurance Company, will be unavailable due to a pre-paid vacation from December 23, 2016 to  
3 January 8, 2017.

4           10.       WHEREAS, the Parties have agreed to submit this Stipulation and [Proposed]  
5 Order to Revise the Court's Amended Scheduling Order.

6           11.       Accordingly, the Parties hereby stipulate to revising the Court's October 27, 2016  
7 Amended Scheduling Order as follows.

8 **II.    STIPULATION**

9           The parties hereby stipulate to the following revisions to the Court's Amended  
10 Scheduling Order:

Scheduled Event	Date
Fact Discovery Cutoff	December 2, 2016 <b>(NO CHANGE)</b>
Exchange Initial Expert Reports	November 17, 2016 <b>(NO CHANGE)</b>
Exchange Rebuttal Expert Reports	November 30, 2016 <b>(NO CHANGE)</b>
Expert Discovery Cutoff	December 14, 2016 <b>(NO CHANGE)</b>
Deadline to Hear Dispositive Motions	February 23, 2017 at 2:00 p.m. <b>(Currently January 26, 2017)</b>

23 DATED: December 9, 2016

SELMAN BREITMAN LLP

26 By: /s/Wendy M. Schenk  
27 JAMES R. TENERO  
28 WENDY M. SCHENK  
Attorneys For Plaintiff  
Scottsdale Insurance Company

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DATED: December 9, 2016

HAYES SCOTT BONINO ELLINGSON &  
MCKAY

By: */s/ Jonathan K. Myers*  
STEPHEN P. ELLINGSON  
JONATHAN K. MYERS  
Attorneys For Defendant  
Hudson Specialty Insurance Company

**ORDER**


Pursuant to the parties' stipulation, the deadlines set by the Court's Amended Scheduling

Order are continued as follows:

Scheduled Event	Date
Fact Discovery Cutoff	December 2, 2016 <b>(NO CHANGE)</b>
Exchange Initial Expert Reports	November 17, 2016 <b>(NO CHANGE)</b>
Exchange Rebuttal Expert Reports	November 30, 2016 <b>(NO CHANGE)</b>
Expert Discovery Cutoff	December 14, 2016 <b>(NO CHANGE)</b>
Deadline to Hear Dispositive Motions	February 23, 2017 at 2:00 p.m. <b>(Currently January 26, 2017)</b>

**IT IS SO ORDERED.**

Dated: December 9, 2016

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