

## United States District Court

For the Northern District of California

IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF CALIFORNIA

LLOYD T. WHITAKER, in his capacity as  
the Liquidating Trustee of the Embarcadero  
Liquidating Trust,

No. C 15-03904 WHA

Plaintiff,

v.

**ORDER RE STAY AND  
FURTHER CASE  
MANAGEMENT CONFERENCE**

DANIEL G. HICKEY, JR., DANIEL G.  
HICKEY, SR., JAMES J. SCARDINO,  
CHESTER J. WALCZYK, JOSEPH F.  
TAYLOR, KEITH HYNES, and DAVID  
M. BIRSNER,


Defendants.

Based on the parties' stipulation and their representations at today's case management conference, this case is hereby **STAYED UNTIL JUNE 16, 2016**. A further case management conference is hereby set for **ELEVEN A.M. ON JUNE 16, 2016**. The parties shall file a joint case management statement by **JUNE 9, 2016**. It is very unlikely that the stay in this case will be continued past June. Certainly, the case will not be further stayed at that point without defendants having submitted sworn evidence detailing each of their financial conditions and financial ability to defend against this lawsuit.

1 By **DECEMBER 31, 2015**, the parties shall file a joint statement indicating whether the  
2 two insurance companies involved in our case will agree to mediation by a magistrate judge in  
3 the Northern District of California. If yes, then the Court will promptly appoint a mediator. If  
4 the insurance companies do not agree to mediation, then the case will remain stayed until June.  
5 The hearing set for January 21 is **VACATED**.

6  
7 **IT IS SO ORDERED.**

8  
9 Dated: December 17, 2015.

  
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WILLIAM ALSUP  
UNITED STATES DISTRICT JUDGE