

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

SABAWOON SALIM CONSTRUCTION
CO.,

Plaintiff,

v.

ECC INTERNATIONAL LLC, et al.,
Defendants.

Case No. [15-cv-04362-EMC](#)

**ORDER RE LIBERTY MUTUAL'S
MOTION FOR HEARING ON THIRD
PARTY CLAIM**

Docket No. 40

On March 22, 2016, Third Party Claimant Liberty Mutual Insurance Company (Liberty Mutual) filed a motion for a hearing on its third party claim pursuant to California Code of Civil Procedure section 720.310. Docket No. 40. The Court then requested supplemental briefing on the applicability of section 720.310 in the federal courts. Docket No. 43.

Having reviewed the papers, the Court finds that there is good cause to set a hearing more than 20 days after the filing of Liberty Mutual's third party claim, as Liberty Mutual and Petitioner Sabawoon Salim Construction Company (SSCC) are in the process of conducting discovery on Liberty Mutual's claim (with production expected in mid-April 2016). Docket No. 44 at 7. Once discovery is completed, Liberty Mutual may file a noticed motion per Civil Local Rule 7-2, with a hearing set out at least 35 days after filing of the motion. If the parties find that an evidentiary

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1 hearing is required, they may so inform the Court; otherwise, the Court will decide the matter
2 based on the papers and arguments at hearing.

3 This order disposes of Docket No. 40.

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5 **IT IS SO ORDERED.**

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7 Dated: April 7, 2016

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9 EDWARD M. CHEN
10 United States District Judge
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