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11 Attorneys for Plaintiff The American Insurance Company

12 UNITED STATES DISTRICT COURT  
13 NORTHERN DISTRICT OF CALIFORNIA  
14 SAN FRANCISCO DIVISION

15 The American Insurance Company,  
16 Plaintiff,  
17 v.  
18 R&Q Reinsurance Company,  
19 Defendant.

Case No. 3:16-cv-3044-JST

**STIPULATION TO CONTINUE THE  
BRIEFING SCHEDULE ON R&Q  
REINSURANCE COMPANY'S  
MOTION TO DISMISS AMENDED  
COMPLAINT**

Date: December 22, 2016

Time: 2pm

Courtroom: 9, 19th Floor

Judge: Hon. Jon S. Tigar

21 Pursuant to Local Rules 7-12 and 6-2, Plaintiff The American Insurance Company  
22 (“TAIC”) and Defendant R&Q Reinsurance Company’s (“R&Q Re”) (collectively, the “Parties”)  
23 hereby respectfully stipulate and jointly request that the Court continue the briefing schedule  
24 related to R&Q Re’s Motion to Dismiss TAIC’s Amended Complaint as follows:  
25

26 RECITALS

27 1. On October 12, 2016, the Court granted Defendant R&Q Re’s Motion to Dismiss  
28

1 TAIC's Complaint, with leave to amend. (Dkt. No. 35.)

2 2. On November 2, 2016, TAIC timely filed its Amended Complaint. (Dkt. No. 38.)

3  
4 3. On November 15, 2016, R&Q Re timely filed a Motion to Dismiss TAIC's  
5 Amended Complaint which is scheduled to be heard on December 22, 2016. (Dkt. No. 39.)  
6 TAIC's deadline to oppose R&Q Re's motion is November 29, 2016.

7 4. On November 18, 2016, the Parties' counsel conducted a telephone conference  
8 with the Court's appointed ADR officer, Sarah Winslow. On that call the Parties could not reach  
9 a consensus on terms to continue R&Q Re's motion to dismiss or to enlarge TAIC's time to file  
10 its opposition brief.

11 5. On November 22, 2016, TAIC filed an administrative motion to continue R&Q  
12 Re's Motion to Dismiss and enlarge TAIC's time to oppose R&Q Re's motion by two-weeks to  
13 account for the Thanksgiving Holiday and the unavailability of TAIC's counsel and principals.  
14 (Dkt. Nos. 40, 40-1, and 40-2.)

15  
16 6. On November 28, 2016, R&Q Re filed a response to TAIC's administrative  
17 motion agreeing to continue the briefing schedule related to R&Q Re's motion. In its response,  
18 R&Q Re proposed to the Court that its motion to dismiss is suitable for disposition without oral  
19 argument. (Dkt. Nos. 41, 41-1, and 41-2.)

20 7. The Parties disagree whether the Court should hear oral argument on R&Q Re's  
21 motion to dismiss and acknowledge that this decision is within the Court's discretion.

22  
23 8. Principals for R&Q Re and TAIC have recently engaged in settlement discussions,  
24 including an exchange of written settlement communications. A Settlement Conference is  
25 scheduled for January 3, 2017 before the Honorable U.S. District Court for the Northern District  
26 of Illinois Magistrate Judge Maria Valdez.

27 9. The only other enlargement of time requested in this case was the Parties'  
28 stipulation to extend R&Q Re's time to file a reply brief in support of its first Motion to Dismiss.

1 (Dkt. No. 24.)

2 10. Granting this stipulation should have no impact on the schedule of this case other  
3 than to suspend or delay motion practice while the Parties continue settlement negotiations.

4  
5 11. Pursuant to the foregoing, the Parties hereby stipulate and agree to the following  
6 continuation of the briefing schedule related to R&Q Re's Motion to Dismiss (Dkt. No. 39), and  
7 request the Court's approval of their stipulation to the proposed briefing schedule as follows:

8	9	10	11
Event	Previous Date	Stipulated/Requested New Date	
11	11/29/16	12/20/16	Last Day to Oppose R&Q Re's Motion to Dismiss
12	12/6/16	1/10/17	Last Day to File Reply Brief in support of Motion to Dismiss
13	12/22/16	2/2/17	Hearing on R&Q Re's Motion to Dismiss

14  
15  
16  
17 Dated: November 29, 2016

DENTONS US LLP

18  
19 By /s/ Kelly D. Fair  
Kelly D. Fair

20 Attorneys for Plaintiff The American Insurance  
21 Company

22  
23 Dated: November 29, 2016

SEGAL MCCAMBRIDGE SINGER &  
MAHNEY, LTD

24  
25 By /s/ Timothy C. Connor  
Timothy C. Connor

26 Attorneys for R&Q Reinsurance Company

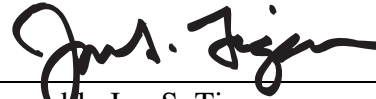
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**CERTIFICATION**

Pursuant to Local Rule 5-1(i)(3), the filing attorney attests that he has obtained concurrence regarding the filing of this document from the indicated signatories to the document.

**PURSUANT TO STIPULATION, IT IS SO ORDERED.**

Dated: November 30 2016



\_\_\_\_\_  
Honorable Jon S. Tigar  
United States District Judge

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