

1 JOHN P. PHILLIPS (Bar No. CA-154412)
 john.phillips@us.dlapiper.com
 2 GREGORY G. SPERLA (Bar No. CA-278062)
 greg.Sperla@us.dlapiper.com
 3 **DLA PIPER LLP (US)**
 555 Mission Street
 4 Suite 2400
 San Francisco, California 94105-2933
 5 Tel: 415.836.2500
 Fax: 415.836.2501

6
 7 ROB HOFFMAN (admitted pro hac vice)
 rob.hoffman@us.dlapiper.com
 8 **DLA PIPER LLP (US)**
 1900 N. Pearl St., Suite 2200
 9 Dallas, Texas 75201-2482
 Tel: 214.743.4530
 Fax: 972.813.6271

10 Attorneys for Defendants
 11 FIREMAN'S FUND INSURANCE COMPANY,
 NATIONAL SURETY CORPORATION, and
 12 ALLIANZ GLOBAL RISKS INSURANCE CO.

13 **UNITED STATES DISTRICT COURT**
 14 **NORTHERN DISTRICT OF CALIFORNIA**
 15 **SAN FRANCISCO**

16 Water Sports Kauai, Inc., a Hawaii corporation,
 dba Sand People, on behalf itself and all others
 17 similarly situated,
 Plaintiff,
 18
 v.
 19
 20 Fireman's Fund Insurance Company, a
 California corporation, National Surety
 Corporation, an Illinois Corporation, and Allianz
 21 Global Risks US Insurance Co., an Illinois
 Corporation,
 22 Defendants.

CASE NO. 3:20-CV-03750

**STIPULATION AND ORDER
 EXTENDING TIME FOR
 DEFENDANTS TO FILE REPLY IN
 SUPPORT OF MOTION TO DISMISS
 PLAINTIFF'S FIRST AMENDED
 COMPLAINT**

Complaint Filed: June 5, 2020
 FAC Filed: September 11, 2020

1 Pursuant to N.D. Cal. Civ. L.R. 6-2, Plaintiff Water Sports Kauai, Inc. (“Plaintiff”) and
2 Defendants Fireman’s Fund Insurance Company, National Surety Corporation and Allianz Global
3 Risks Insurance Company (“Defendants”) stipulate and agree to extend the time for Defendants to
4 file their Reply in support of their Motion to Dismiss (“Motion”) Plaintiff’s First Amended
5 Complaint.

6 WHEREAS, Plaintiff filed its Complaint against Defendants in the United States District
7 Court, Northern District of California San Francisco Division, Case No. 3:20-CV-03750, on June
8 5, 2020;

9 WHEREAS, Plaintiff filed its First Amended Complaint (“FAC”) against Defendants on
10 September 11, 2020;

11 WHEREAS, Defendants filed their Motion to Dismiss FAC on September 25, 2020;

12 WHEREAS, Plaintiff filed their Opposition to the Motion to Dismiss FAC on October 9,
13 2020;

14 WHEREAS, Defendants’ Reply in further support of their Motion to Dismiss FAC is
15 currently due on October 16, 2020;

16 NOW, THEREFORE, the parties hereby stipulate and agree that Defendants’ deadline to
17 file their Reply in support of their Motion to Dismiss Plaintiff’s First Amended Complaint shall be
18 extended five business days to October 23, 2020.

19 **IT IS SO STIPULATED.**

20 Dated: October 13, 2020

21 DLA PIPER LLP (US)

22
23 By: /s/ Greg Sperla

24 John P. Phillips

25 Rob Hoffman (admitted pro hac vice)

26 Gregory G. Sperla

27 Attorneys for Defendants

28 FIREMAN’S FUND INSURANCE COMPANY,

NATIONAL SURETY CORPORATION, and

ALLIANZ GLOBAL RISKS INSURANCE CO.

1 Dated: October 13, 2020

2 LIEFF CABRASER HEIMANN & BERNSTEIN, LLP

3
4 By: /s/ Jacob Polin

5 Robert J. Nelson

6 Robert J. Nelson

7 Fabrice N. Vincent

8 Jacob H. Polin

9 LIEFF CABRASER HEIMANN & BERNSTEIN,
10 LLP

11 Judith Ann Pavey (to be admitted pro hac vice)
12 STARN O'TOOLE MARCUS & FISHER

13 Alexandra L. Foote

14 LAW OFFICE OF ALEXANDRA L. FOOTE,
15 P.C.

16 Attorneys for Plaintiff
17 Water Sports Kauai, Inc.

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

[PROPOSED] ORDER

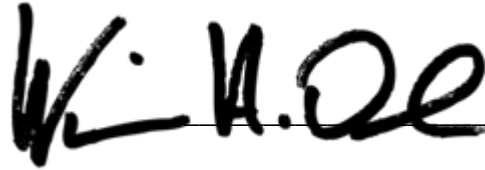
Pursuant to the Parties' stipulation, the Court hereby orders as follows:

1. Defendants' deadline to file their Reply in support of their Motion to Dismiss Plaintiff's First Amended Complaint is extended to October 23, 2020.

2. The hearing on Defendants' Motion to Dismiss the Amended Complaint currently set for November 4, 2020 remains on calendar ~~[is hereby rescheduled to November _____, 2020.]~~

IT IS SO ORDERED.

Dated: October 14, 2020



Handwritten signature in black ink, appearing to read "W. A. De", positioned above a horizontal line.

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

ATTESTATION

Pursuant to Civil Local Rule 5-1(i)(3), I, Greg Sperla, attest under penalty of perjury that concurrence in the filing of this document has been obtained from all signatories.

Dated: October 13, 2020

/s/ Greg Sperla

Greg Sperla
DLA Piper LLP (US)