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25 UNITED STATES DISTRICT COURT  
 26 NORTHERN DISTRICT OF CALIFORNIA  
 27 SAN FRANCISCO DIVISION

28 TRAVELERS PROPERTY  
 CASUALTY COMPANY OF  
 AMERICA,

Plaintiff,

v.

SALESFORCE.COM, INC.,

Defendant.

Case No. 3:20-cv-9443-VC

Hon. Vince Chhabria

**STIPULATION REGARDING CASE  
 SCHEDULE AND ~~PROPOSED~~ ORDER**

**AS MODIFIED**

1 Pursuant to Civil L.R. 6-2(a) and this Court’s Civil Standing Order ¶ 14,  
2 Plaintiff Travelers Property Casualty Company of America and Defendant salesforce.com,  
3 inc. (collectively, the “Parties”) respectfully submit the following Stipulation Regarding  
4 Case Schedule and [Proposed] Order.

5 **STIPULATION**

6 WHEREAS, on January 4, 2021, Plaintiff served Defendant with a complaint in  
7 this action (Dkt. 7; *see* Dkt. 1);

8 WHEREAS, following the Parties’ Stipulation Enlarging Time to Respond to  
9 Complaint (Dkt. 16), the Court ordered Defendant to respond to Plaintiff’s complaint by  
10 February 24, 2021 (Dkt. 17);

11 WHEREAS, on February 24, 2021, Defendant filed a motion to dismiss Plaintiff’s  
12 first claim for relief and a motion to stay Plaintiff’s remaining two claims for relief  
13 (Dkt. 18);

14 WHEREAS, on March 10, 2021, Plaintiff filed an opposition to Defendant’s  
15 motions (Dkt. 19);

16 WHEREAS, consistent with Federal Rule of Civil Procedure 26(f), counsel for  
17 Plaintiff and counsel for Defendant met and conferred on March 10, 2021;

18 WHEREAS, the Court set an initial case management conference for March 31,  
19 2021 (Dkt. 11);

20 WHEREAS, the Court is scheduled to hear argument on Defendant’s motion to  
21 dismiss and motion to stay on April 1, 2021;

22 WHEREAS, the Court’s ruling on Defendant’s motions to dismiss and to stay, if  
23 granted, would effectively dispose of this case, in that Plaintiff’s first claim for relief  
24 would be dismissed and its remaining claims would be indefinitely stayed, pending the  
25 outcome of the underlying Texas state-court litigation and, if denied, would affect how the  
26 case would proceed and what would remain for the parties to address;

27 THEREFORE, the Parties, by and through their respective undersigned counsel,  
28 hereby stipulate and agree to, and respectfully request that the Court order, that the initial

1 case management conference be rescheduled from March 31, 2021 to April 14, 2021 and  
2 the Parties' deadline to submit an initial case management statement be extended to April  
3 7, 2021.

4 Respectfully submitted,

5 Dated: March 16, 2021

6 COVINGTON & BURLING LLP

7 By: /s/ Hannah M. Chartoff  
8 Hannah M. Chartoff  
9 Attorneys for Defendant  
10 salesforce.com, inc.

11 Dated: March 16, 2021

12 CATES PETERSON LLP

13 By: /s/ Mark D. Peterson  
14 Mark D. Peterson  
15 Attorneys for Plaintiff  
16 Travelers Property Casualty Company of  
17 America

18 ~~PROPOSED~~ ORDER

19 PURSUANT TO STIPULATION, IT IS SO ORDERED.

20 DATED: March 17, 2021

21 By: \_\_\_\_\_  
22 Hon. Vince Chhabria  
23 United States District Judge



24 The initial CMC is rescheduled from March 31, 2021 to April 21, 2021.  
25 A case management statement is due on April 14.