

1 Robert E. Wall, Esq., SBN 108114  
 2 Laura Uddenberg, Esq. SBN 75630  
 3 GRUNSKY, EBAY, FARRAR & HOWELL  
 4 A Professional Corporation  
 5 240 Westgate Drive  
 6 Watsonville, CA 95076  
 7 Telephone: 831/722-2444  
 8 Facsimile: 831/722-6153  
 9 Attorneys for Plaintiff CALIFORNIA STATE AUTOMOBILE  
 10 ASSOCIATION, INTER-INSURANCE BUREAU

11 Bruce Nye, Esq., SBN 77608  
 12 ADAMS | NYE | TRAPANI | BECHT LLP  
 13 222 Kearny Street, Seventh Floor  
 14 San Francisco, CA 94108-4521  
 15 Telephone: 415/982-8955  
 16 Facsimile: 415/982-2042  
 17 Attorneys for Defendant MAYTAG CORPORATION

18 UNITED STATES DISTRICT COURT  
 19 NORTHERN DISTRICT OF CALIFORNIA

20 CALIFORNIA STATE AUTOMOBILE  
 21 ASSOCIATION, INTER-INSURANCE BUREAU,

22 Plaintiff.

23 vs.

24 WHIRLPOOL CORPORATION, dba MAYTAG,  
 25 and DOES 1 through 50, inclusive,

26 Defendants.

No. C 08-01633 WDB

JOINT APPLICATION FOR  
 CONTINUANCE OF FURTHER CASE  
 MANAGEMENT CONFERENCE

Currently scheduled date: January 15, 2009  
 Currently scheduled time: 4:00 p.m.

27 To the Honorable Wayne D. Brazil, United States Magistrate Judge:

28 The parties hereby jointly apply for an order of this court continuing the presently scheduled  
 Further Case Management Conference from January 15, 2009, to a date convenient for the Court on or  
 after ~~March 16, 2009~~. The reasons for this application appear below:

1           1.       On September 15, 2008, the parties applied to this court for an order continuing the  
2 Case Management Conference, which was set for November 12, 2008, due to a scheduled mediation  
3 with Charles F. Hawkins of Mediation Masters in San Jose. The court granted the application and  
4 continued the Case Management Conference to January 15, 2008.

5           2.       The mediation is scheduled for January 8, 2009. However, plaintiff's insureds only  
6 recently completed their claim for lost and damaged personal property. California State Automobile  
7 Association is still in the process of completing its adjustment of the last part of this loss, and the total  
8 dollar amount of the claim is not known yet. The parties intend to begin settlement discussions as  
9 soon as plaintiff provides defendant Whirlpool with the complete adjustment information, with the  
10 hope that this matter can be resolved without the need for mediation.

11           3.       ~~The parties believe they will be able to settle this loss without the assistance of a~~  
12 ~~neutral, but they have rescheduled the mediation to Mr. Hawkins' next available date, March 16,~~  
13 ~~2009. The parties intend to begin settlement discussions as soon as plaintiff has provided Whirlpool~~  
14 ~~with the completed adjustment information.~~

15           4.       The parties have completed their essential liability investigation and discovery.

16           5.       For the reasons set forth above, the parties jointly request that this Court continue to  
17 Further Case Management Conference to the first available date on or after March 16, 2009.

18  
19 DATED: December 8, 2008

GRUNSKY, EBAY, FARRAR & HOWELL

20  
21 By /S/ Laura Uddenberg  
22 Laura Uddenberg and Robert E. Wall, Attorneys for  
23 Plaintiff, CALIFORNIA STATE AUTOMOBILE  
ASSOCIATION, INTER-INSURANCE BUREAU

24 DATED: December 8, 2008

ADAMS | NYE | TRAPANI | BECHT LLP

25  
26 By /S/ Bruce Nye  
27 Bruce Nye, Attorneys for Defendant MAYTAG  
28 CORPORATION

The Further Case Management Conference is continued to Tuesday,  
March 17, 2009, at 4:00 p.m. IT IS SO ORDERED

Date d: December 7, 2008

Wayne D. Brazil  
United States Magistrate Judge  
Wayne D. Brazil