

1 RAMIRO MORALES, Bar No. 167947  
CHRISTINE M. FIERRO, Bar No. 191660  
2 RICHARD A. EGGERTH, Bar No. 99625  
MORALES FIERRO & REEVES  
3 2300 Contra Costa Blvd., Suite 310  
Pleasant Hill, CA 94523  
4 Telephone: (925) 288-1776  
Facsimile: (925) 288-1856

5 Attorneys for Plaintiff  
6 GERLING AMERICA INSURANCE  
COMPANY

8 UNITED STATES DISTRICT COURT  
9 NORTHERN DISTRICT OF CALIFORNIA  
10 SAN FRANCISCO

11 GERLING AMERICA INSURANCE )  
COMPANY, a New York Corporation , )

12 )  
13 Plaintiff, )

14 vs. )

15 HOMESTEAD INSURANCE COMPANY, a )  
Pennsylvania Corporation; GREAT )  
16 AMERICAN E&S INSURANCE )  
COMPANY, an Ohio Corporation, formerly )  
17 known as AGRICULTURAL EXCESS AND )  
SURPLUS INSURANCE COMPANY, )

18 )  
19 Defendants. )  
20 )

CASE NO.: CV08-1716 PJH (BZ)

**STIPULATION AND [PROPOSED]  
ORDER TO POSTPONE MARCH 26,  
2009 CASE MANAGEMENT  
CONFERENCE PENDING RECEIPT OF  
SETTLEMENT FUNDS**

21  
22 WHEREAS, a Case Management Conference is scheduled in this matter for March 26, 2009  
23 at 2:30 p.m. before this Court;

24 WHEREAS, the parties have finalized and signed a settlement agreement concluding the  
25 action;

26 WHEREAS, the payments contemplated under the settlement agreement are either in transit  
27 or in process, and the parties expect all such payments to be received shortly;

28 ///

1 AND WHEREAS, the parties wish to postpone the March 26, 2009 Case Management  
2 Conference, pending receipt of the funds, at which time a request for dismissal will be filed;

3 THEREFORE, IT IS NOW STIPULATED that the March 26, 2009 Case Management  
4 Conference should be postponed until a date set by the Court.

5 DATED: March 24, 2009

MORALES, FIERRO & REEVES

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8 Richard A. Eggeyth  
9 Attorneys for Plaintiff  
GERLING AMERICA INSURANCE COMPANY

10 DATED: March 24, 2009

DUANE MORRIS LLP

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12  
13 Robert M. Fineman  
14 Attorneys for Defendant  
GREAT AMERICAN E&S INSURANCE  
COMPANY

15 DATED: March 24, 2009

CHARLSTON REVICH & WOLLITZ LLP

16  
17  
18 Howard Wollitz  
19 Attorneys for Defendant  
HOMESTEAD INSURANCE COMPANY

20 **[PROPOSED] ORDER**

21 The Case Management Conference scheduled for March 26, 2009 before this Court is  
22 postponed until April 30, 2009.

23 IT IS SO ORDERED.

24  
25 Dated: March 26, 2009

26 UNITED STATES DISTRICT COURT



s:\docs\ga5105\stipulation postponing case management conference.rae

1 AND WHEREAS, the parties wish to postpone the March 26, 2009 Case Management  
2 Conference, pending receipt of the funds, at which time a request for dismissal will be filed;

3 THEREFORE, IT IS NOW STIPULATED that the March 26, 2009 Case Management  
4 Conference should be postponed until a date set by the Court.

5 DATED: March 24, 2009

MORALES, FIERRO & REEVES

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Richard A. Eggerth  
Attorneys for Plaintiff  
GERLING AMERICA INSURANCE COMPANY

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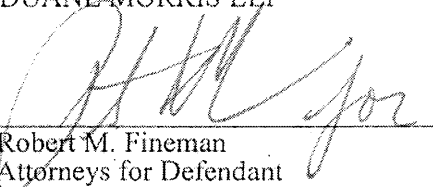
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10 DATED: March 24, 2009

DUANE MORRIS LLP

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Robert M. Fineman  
Attorneys for Defendant  
GREAT AMERICAN E&S INSURANCE  
COMPANY

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14

15 DATED: March 24, 2009

CHARLSTON REVICH & WOLLITZ LLP

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Howard Wollitz  
Attorneys for Defendant  
HOMESTEAD INSURANCE COMPANY

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**[PROPOSED] ORDER**

21

The Case Management Conference scheduled for March 26, 2009 before this Court is  
22 postponed until April \_\_\_, 2009.

23

IT IS SO ORDERED.

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Dated: March \_\_\_, 2009

UNITED STATES DISTRICT COURT JUDGE

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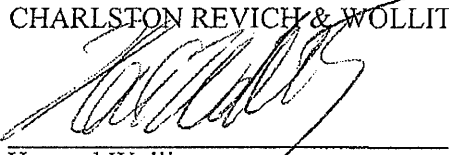
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s:\docs\ga5105\stipulation postponing case management conference.rae

1 AND WHEREAS, the parties wish to postpone the March 26, 2009 Case Management  
2 Conference, pending receipt of the funds, at which time a request for dismissal will be filed;  
3 THEREFORE, IT IS NOW STIPULATED that the March 26, 2009 Case Management  
4 Conference should be postponed until a date set by the Court.

5 DATED: March 24, 2009 MORALES, FIERRO & REEVES  
6  
7  
8 Richard A. Eggerth  
9 Attorneys for Plaintiff  
GERLING AMERICA INSURANCE COMPANY

10 DATED: March 24, 2009 DUANE MORRIS LLP  
11  
12  
13 Robert M. Fineman  
14 Attorneys for Defendant  
GREAT AMERICAN E&S INSURANCE  
COMPANY

15 DATED: March 24, 2009 CHARLSTON REVICH & WOLLITZ LLP  
16  
17   
18 Howard Wollitz  
19 Attorneys for Defendant  
HOMESTEAD INSURANCE COMPANY

20 **[PROPOSED] ORDER**

21 The Case Management Conference scheduled for March 26, 2009 before this Court is  
22 postponed until April \_\_, 2009.

23 IT IS SO ORDERED.

24  
25 Dated: March \_\_, 2009 UNITED STATES DISTRICT COURT JUDGE  
26

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28 s:\docs\ga5105\stipulation postponing case management conference.rae