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 6 **SECOND WALNUT CREEK MUTUAL**

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 10 **UNITED STATES DISTRICT COURT**
 11 **NORTHERN DISTRICT OF CALIFORNIA**
 12 **OAKLAND DIVISION**

13 **SECOND WALNUT CREEK MUTUAL,**

No. CV082874 CW

14 Plaintiff,

**ORDER CONTINUING HEARING ON
 MOTION TO DISMISS AND CASE
 MANAGEMENT CONFERENCE**

15 v.

16 **TRAVELERS PROPERTY CASUALTY**
 17 **COMPANY OF AMERICA, FEDERAL**
 18 **INSURANCE COMPANY and DOES 1**
 through 20, inclusive,

19 Defendants.

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 21 Pursuant to stipulation of the parties and good cause appearing,

22 1. The hearing on the defendants' *Motion to Dismiss For Failure To State A Claim Upon*
 23 *Which Relief Can be Granted (Rule 12(b)(6))* shall be continued from September 18, 2008 until
 24 **November 6, 2008**, 2:00 p.m. in Courtroom 2. All deadlines to file responsive pleadings are
 25 continued accordingly.

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1 2. The Order Setting Initial Case Management Conference and ADR deadlines filed June
2 9, 2008 is hereby modified as follows:

| <u>Event</u> | <u>Current Date</u> | <u>Continue To</u> |
|--|---------------------|--------------------|
| Last day to: <ul style="list-style-type: none">• Meet and confer re: initial disclosures, early settlement, ADR process selection and discovery plan;• File ADR Certification signed by Parties and Counsel; and• File stipulation to ADR Process or Notice of Need for ADR Phone Conference | 08/26/08 | 10/28/08 |
| Last day to: <ul style="list-style-type: none">• File Rule 26(f) Report;• Complete Initial Disclosures or state objection in Rule 26(f) Report; and• File Case Management Statement per standing order | 9/9/08 | 11/12/08 |
| Case Management Conference | 9/16/08 | 11/18/08 |

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SO ORDERED.

9/2/08

Date: _____



Judge Claudia Wilken
Judge of the United States District Court for the
Northern District of California