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 PUBLIC PENSION PROFESSIONALS, a  
 14 California Corporation, IRA M. SUMMER  
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16 UNITED STATES DISTRICT COURT  
 17 NORTHERN DISTRICT OF CALIFORNIA  
 18

19 EVANSTON INSURANCE COMPANY, an  
 ILLINOIS CORP.,

20 Plaintiff,

21 vs.

22 PUBLIC PENSION PROFESSIONALS, a  
 23 California Corp., IRA M. SUMMER, an  
 individual, and FRESNO COUNTY  
 24 EMPLOYEES' RETIREMENT ASSOCIATION

25 Defendants.  
 26

Case No.: C 09-01755 CW

**STIPULATION AND ORDER  
 EXTENDING TIME FOR DEFENDANTS  
 PUBLIC PENSION PROFESSIONALS  
 AND IRA M. SUMMER TO RESPOND  
 TO PLAINTIFF'S FIRST AMENDED  
 COMPLAINT, AND CONTINUING  
 INITIAL CASE MANAGEMENT  
 CONFERENCE AND DEADLINES AS  
 MODIFIED**

27 The parties hereto, by and through their counsel, John M. Hochhausler of Manning & Marder  
 28 Kass, Ellrod, Ramirez LLP for Plaintiff Evanston Insurance Company, an Illinois Corporation, and

1 Mary P. Derner of Spaulding McCullough & Tansil LLP for Defendants Public Pension  
2 Professionals, a California Corporation and Ira M. Summer (hereinafter "Defendants") do hereby  
3 stipulate and request this Court as follows:

4 WHEREAS, on April 22, 2009, Plaintiff filed its Complaint.

5 WHEREAS, on April 22, 2009, the Court issued an Order Setting Initial Case Management  
6 Conference and ADR Deadlines ("Order") based on the filing of the initial Complaint on April 22,  
7 2009. Pursuant to the Order, the Court set (1) July 14, 2009 as the last day to meet and confer  
8 regarding initial disclosures, early settlement, ADR selection and discovery plan; (2) July 28, 2009  
9 as the last day to file Rule 26(f) Report, complete initial disclosures or state objections in Rule 26(f)  
10 Report and file Case Management Statement; and (3) August 4, 2009 for Initial Case Management  
11 Conference.

12 WHEREAS, on June 24, 2009, Plaintiff filed its First Amended Complaint.

13 WHEREAS, Defendants were served with the First Amended Complaint on June 24, 2009.

14 WHEREAS, Defendants' response to the First Amended Complaint is due on July 14, 2009.

15 WHEREAS, Plaintiff has granted Defendants an additional 30 days to respond to Plaintiff's  
16 First Amended Complaint up to and including August 13, 2009.

17 WHEREAS, because of the filing and service of the First Amended Complaint on June 24,  
18 2009, the parties have jointly agreed and stipulated to respectfully request this Court continue the  
19 Initial Case Management Conference and all deadlines set in its April 22, 2009 Order for a period of  
20 60 days. Continuing these deadlines and the Initial Case Management Conference will not prejudice  
21 either party or their counsel and will promote judicial economy.

22 WHEREAS, the parties agree the following constitutes good cause to continue the Initial Case  
23 Management Conference, the deadlines for meet and confer regarding initial disclosures, the initial  
24 disclosures, filing of a Rule 26(f) report and filing of a Joint Case Management Statement.

25 IT IS HEREBY STIPULATED and agreed by Plaintiff and Defendants, though their  
26 respective attorneys of record, that the Initial Case Management Conference currently set for  
27 August 4, 2009 at 2:00 p.m., Courtroom 2, be continued to October 5, 2009, or to a date and time that  
28 the Court may deem appropriate. The parties further stipulate to extend the following deadlines

1 accordingly: (1) last day to meet and confer regarding initial disclosures, early settlement, ADR  
2 selection and discovery plan and file ADR certification and either Stipulation to ADR or Notice of  
3 Need for ADR Phone Conference will be September 14, 2009; (2) last day to complete initial  
4 disclosures, state objections, file Joint Case Management Statement and file/serve Rule 26(f) Report  
5 will be September 28, 2009.

6 *Pursuant to General Order 45, section X.B., I hereby attest that all parties concur in the filing*  
7 *of the Stipulation And [Proposed] Order Extending Time For Defendants Public Pension*  
8 *Professionals And Ira M. Summer To Respond To Plaintiff's First Amended Complaint, And*  
9 *Continuing Initial Case Management Conference And Deadlines.*

10 IT IS SO STIPULATED.

11 DATED: July 13, 2009

MANNING & MARDER KASS, ELLROD,  
RAMIREZ LLP  
Attorneys for Plaintiff  
EVANSTON INSURANCE COMPANY

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14  
15 By: \_\_\_\_\_ /s/  
JOHN M. HOCHHAUSLER

16  
17 DATED: July 13, 2009

SPAULDING McCULLOUGH & TANSIL LLP  
Attorneys for Defendants  
PUBLIC PENSION PROFESSIONALS,  
a California Corporation and IRA M. SUMMER

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21 By: \_\_\_\_\_ /s/  
MARY P. DERNER

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23  
24 **ORDER**

25 Having reviewed the Stipulation of the parties, and good cause appearing, IT IS HEREBY  
26 ORDERED that:

27 1. Defendants are granted a 30 day extension of time to respond to Plaintiff's First  
28 Amended Complaint up to and including August 13, 2009;

1           2.       The Initial Case Management Conference on August 4, 2009, at 2:00 p.m. will be  
2 continued to **October 6, 2009**, Courtroom 2;

3           3.       The last day to meet and confer regarding initial disclosures, early settlement, ADR  
4 selection and discovery plan and file ADR certification and either Stipulation to ADR or Notice of  
5 Need for ADR Phone Conference will be September 14, 2009; and

6           4.       The last day to complete initial disclosures, state objections, file Joint Case  
7 Management Statement and file/serve Rule 26(f) Report will be September 28, 2009.

8                   PURSUANT TO STIPULATION, IT IS SO ORDERED.

9                   7/21/09



10 DATED: \_\_\_\_\_

\_\_\_\_\_  
CLAUDIA WILKEN  
UNITED STATES DISTRICT COURT JUDGE

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