

1 REBECCA R. WEINREICH, SB# 155684
E-Mail: weinreich@lbbslaw.com
2 STEPHEN V. KOVARIK, SB# 184656
E-Mail: kovarik@lbbslaw.com
3 **LEWIS BRISBOIS BISGAARD & SMITH LLP**
221 North Figueroa Street, Suite 1200
4 Los Angeles, California 90012
Telephone: 213.250.1800
5 Facsimile: 213.250.7900

6 Attorneys for Defendant
National Union Fire Insurance Company of Pittsburgh, Pa. and
7 Insurance Company of the State of Pennsylvania

8
9 UNITED STATES DISTRICT COURT
10 NORTHERN DISTRICT OF CALIFORNIA, SAN JOSE DIVISION

11 SEAGATE TECHNOLOGY LLC, a
12 Delaware corporation, SEAGATE
TECHNOLOGY INTERNATIONAL, a
13 Cayman Islands Company; SEAGATE
SINGAPORE INTERNATIONAL
14 HEADQUARTERS PTE LTD, a Singapore
corporation,

15 Plaintiff,

16 v.

17 NATIONAL UNION FIRE INSURANCE
18 COMPANY OF PITTSBURGH, PA, a
Pennsylvania corporation; INSURANCE
19 COMPANY OF THE STATE OF
PENNSYLVANIA, a Pennsylvania
20 Corporation.

21 Defendants.

CASE NO. CV- 09-4120-CV
STIPULATED REQUEST FOR ORDER
CHANGING TIME PURSUANT TO CIVIL
L.R. 6-2; [~~PROPOSED~~] ORDER

Judge: Hon. Claudia Wilken
Courtroom: 2

Complaint Filed: September 4, 2009

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24 Pursuant to Civil L.R. 6-2, the parties, through their undersigned counsel, submit the
25 following stipulation and request an order changing time:

26 WHEREAS, the Court filed a Minute Order and Case Management Order on December
27 18, 2009 (the "December 18 Order"), which set the schedule for the above-captioned case as
28 follows:

1 1/12/10: Completion of briefing on Plaintiffs' summary judgment motion as to Defendant
2 Insurance Company of the State of Pennsylvania's ("ISOP") duty to defend and Defendants'
3 motion to compel arbitration

4 03/31/10: Completion of ADR session

5 06/15/10: Completion of fact discovery

6 06/18/10: Disclosure of identities and reports of expert witnesses

7 07/09/10: Disclosure of expert rebuttal reports

8 07/30/10: Completion of expert discovery

9 08/12/10: Defendants to file case-dispositive motion

10 08/26/10: Plaintiff to file opposition to case-dispositive motion and any cross-motion

11 09/02/10: Defendants to file reply/opposition to cross-motion

12 09/09/10: Plaintiff to file reply in support of cross-motion

13 09/23/10: Hearing of all case-dispositive motions and further case management conference

14 03/29/11: Final pre-trial conference

15 04/11/11: 10-day jury trial to begin

16 WHEREAS, the parties completed briefing on Plaintiffs' summary judgment motion and
17 Defendants' motion to compel arbitration and the ADR session within the schedule set forth in the
18 December 18 Order;

19 WHEREAS, on May 7, 2010, the parties requested that the Court continue the dates for the
20 completion of fact and expert discovery and the hearing of dispositive motions, but not extend the
21 current final pre-trial conference and the trial dates;

22 WHEREAS, on May 10, 2010, the Court granted the parties' request and approved the
23 following schedule:

24 08/27/10: Completion of fact discovery

25 08/30/10: Disclosure of identities and reports of expert witnesses

26 09/20/10: Disclosure of expert rebuttal reports

27 10/08/10: Completion of expert discovery

28 10/21/10: Defendants to file case-dispositive motion

1 11/04/10: Plaintiff to file opposition to case-dispositive motion and any cross-motion

2 11/11/10: Defendants to file reply/opposition to cross-motion

3 11/18/10: Plaintiff to file reply in support of cross-motion

4 12/09/10 at 2:00 p.m.: Hearing of all case-dispositive motions and further case
5 management conference

6 03/29/11 at 2:00 p.m.: Final pre-trial conference (UNCHANGED)

7 04/11/11 at 8:30 a.m.: 10-day jury trial to begin (UNCHANGED)

8 WHEREAS, the parties have engaged in fact discovery and anticipate completing such
9 discovery by the current August 27, 2010 completion date.

10 WHEREAS, neither Plaintiffs nor Defendants believe that expert witnesses will have
11 sufficient time to review the transcripts from the depositions of fact witness and prepare expert
12 reports by the August 30, 2010 deadline.

13 WHEREAS, the parties believe and agree that four additional weeks would be required for
14 the completion of expert discovery and the hearing of dispositive motions.

15 WHEREAS, the deadlines for the completion of expert discovery and the hearing of
16 dispositive motions may be extended without any effect on the current final pre-trial conference
17 and the trial date;

18 THEREFORE, IT IS HEREBY STIPULATED THAT subject to the Court's approval of
19 this Stipulation, the schedule set forth in the December 18 Order shall be modified as follows:

20 09/27/10: Disclosure of identities and reports of expert witnesses

21 10/18/10: Disclosure of expert rebuttal reports

22 11/05/10: Completion of expert discovery

23 11/18/10: Defendants to file case-dispositive motion

24 12/09/10: Plaintiff to file opposition to case-dispositive motion and any cross-motion

25 12/16/10: Defendants to file reply/opposition to cross-motion

26 12/23/10: Plaintiff to file reply in support of cross-motion

27 ~~01/13/10~~ at 2:00 p.m.: Hearing of all case-dispositive motions and further case
1/13/11

28 management conference

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File's Attestation: Pursuant to General Order No. 45, §X(B), I attest under penalty of perjury that concurrence in the filing of the document has been obtained from its signatory.

DATED: July 29, 2010

Respectfully submitted,

/s/ Stephen V. Kovarik
Stephen V. Kovarik

PURSUANT TO STIPULATION, IT IS SO ORDERED,

DATED: 8/2/2010


THE HONORABLE CLAUDIA WILKIN
United States District Judge