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11 UNITED STATES DISTRICT COURT
 12 NORTHERN DISTRICT OF CALIFORNIA
 13 OAKLAND DIVISION

15 SEAGATE TECHNOLOGY LLC, a
 Delaware corporation,
 16 SEAGATE TECHNOLOGY
 INTERNATIONAL, a Cayman Islands
 17 Company; SEAGATE SINGAPORE
 INTERNATIONAL HEADQUARTERS
 18 PTE LTD, a Singapore corporation,

19 Plaintiffs,

20 vs.

21 NATIONAL UNION FIRE INSURANCE
 COMPANY OF PITTSBURGH, PA, a
 22 Pennsylvania corporation; INSURANCE
 COMPANY OF THE STATE OF
 23 PENNSYLVANIA, a Pennsylvania
 corporation,

24 Defendants.

Case No. 4:09-cv-04120-CW

**STIPULATED REQUEST FOR ORDER
 CHANGING TIME PURSUANT TO CIVIL
 LOCAL RULE 6-2; ORDER**

Judge: Hon. Claudia Wilken
 Courtroom: 2

Complaint Filed: September 4, 2009

26 Pursuant to Civil Local Rule 6-2, the parties, through their undersigned counsel, submit
 27 the following stipulation and request an order changing time:

28

1 WHEREAS, the Court filed a Minute Order and Case Management Order on December
2 18, 2009 (the “December 18 Order”), which set the schedule for the above-captioned case as
3 follows:

4 1/12/10: Completion of briefing on Plaintiffs’ summary judgment motion as to
5 Defendant Insurance Company of the State of Pennsylvania’s (“ISOP”) duty to
6 defend and Defendants’ motion to compel arbitration

7 03/31/10: Completion of ADR session

8 06/15/10: Completion of fact discovery

9 06/18/10: Disclosure of identities and reports of expert witnesses

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

11 07/30/10: Completion of expert discovery

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

13 08/26/10: Plaintiff to file opposition to case-dispositive motion and any cross-
14 motion

15 09/02/10: Defendants to file reply/opposition to cross-motion

16 09/09/10: Plaintiff to file reply in support of cross-motion

17 09/23/10: Hearing of all case-dispositive motions and further case management
18 conference

19 03/29/11: Final pre-trial conference

20 04/11/11: 10-day jury trial to begin

21 WHEREAS, the parties completed briefing on Plaintiffs’ summary judgment motion and
22 Defendants’ motion to compel arbitration and the ADR session within the schedule set forth in
23 the December 18 Order;

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

27 WHEREAS, on May 10, 2010, the Court granted the parties’ request and approved the
28 following schedule:

1 08/27/10: Completion of fact discovery
2 08/30/10: Disclosure of identities and reports of expert witnesses
3 09/20/10: Disclosure of expert rebuttal reports
4 10/08/10: Completion of expert discovery
5 10/21/10: Defendants to file case-dispositive motion
6 11/04/10: Plaintiff to file opposition to case-dispositive motion and any cross-
7 motion
8 11/11/10: Defendants to file reply/opposition to cross-motion
9 11/18/10: Plaintiff to file reply in support of cross-motion
10 12/09/10 at 2:00 p.m.: Hearing of all case-dispositive motions and further case
11 management conference
12 03/29/11 at 2:00 p.m.: Final pre-trial conference (UNCHANGED)
13 04/11/11 at 8:30 a.m.: 10-day jury trial to begin (UNCHANGED)

14 WHEREAS, on July 29, 2010, the parties requested that the Court continue the dates for
15 the completion of expert discovery and the hearing of dispositive motions, but not extend the
16 current final pre-trial conference and the trial dates;

17 WHEREAS, on August 2, 2010, the Court granted the parties' request and approved the
18 following schedule:

19 09/27/10: Disclosure of identities and reports of expert witnesses
20 10/18/10: Disclosure of expert rebuttal reports
21 11/05/10: Completion of expert discovery
22 11/18/10: Defendants to file case-dispositive motion
23 12/09/10: Plaintiff to file opposition to case-dispositive motion and any cross-
24 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 01/13/11 at 2:00 p.m.: Hearing of all case-dispositive motions and further case
28 management conference

1 03/29/11 at 2:00 p.m.: Final pre-trial conference (UNCHANGED)

2 04/11/11 at 8:30 a.m.: 10-day jury trial to begin (UNCHANGED)

3 WHEREAS, on August 23, 2010, the parties requested that the Court order that Plaintiffs
4 may serve a former employee of AIG WorldSource who had not yet been located, Mr. Alijah
5 Rabelde, with a deposition subpoena and/or take Mr. Rabelde's deposition after the fact
6 discovery cut-off of August 27, 2010, so long as the deposition occurred on or before September
7 17, 2010;

8 WHEREAS, on August 24, 2010, the Court granted the parties' request to extend the time
9 to take Mr. Rabelde's deposition; no other deadlines were affected at that time;

10 WHEREAS, on September 8, 2010, the parties requested that the Court order that
11 Plaintiffs may have an additional two weeks to take the deposition of Mr. Rabelde;

12 WHEREAS, on September 9, 2010 the Court granted the parties' request to extend the
13 time to take Mr. Rabelde's deposition to October 1, 2010. The schedule set forth in the August
14 2, 2010 order was modified only as follows:

15 10/12/10: Disclosure of identities and reports of expert witnesses

16 11/1/10: Disclosure of expert rebuttal reports

17 11/18/10: Completion of expert discovery

18 WHEREAS, Plaintiffs have continued to diligently seek to secure the deposition of Mr.
19 Rabelde but have not yet been able to serve him with a deposition subpoena;

20 WHEREAS, as a courtesy to Seagate, Defendants have agreed to allow Plaintiffs an
21 additional five days to depose Mr. Rabelde, so that Plaintiffs can depose Mr. Rabelde through
22 October 6, 2010;

23 THEREFORE, IT IS HEREBY STIPULATED THAT:

24 1. Plaintiffs may serve Mr. Rabelde with a deposition subpoena and/or take Mr.
25 Rabelde's deposition so long as the deposition occurs on or before October 6, 2010;

26 2. If Mr. Rabelde is deposed on October 5 or 6, both parties' claims handling experts
27 will have until October 19, 2010 to file their reports; all other deadlines currently set in this case
28 will remain the same, absent further agreement or application to the Court;

1 3. If Mr. Rabelde's deposition does not take place on October 5 or 6, then all expert
2 reports remain due on the current October 12 due date, and all other deadlines currently set in this
3 case will remain the same, subject to further agreement or application to the Court.

4 Dated: September 24, 2010

FARELLA BRAUN + MARTEL LLP

5 I represent that concurrence in the filing of this
6 document has been obtained from the other
7 signatory, which shall serve in lieu of his
signature on this document.

By: /s/ Tyler C. Gerking
Tyler C. Gerking

Attorneys for Plaintiffs
SEAGATE TECHNOLOGY LLC, SEAGATE
TECHNOLOGY INTERNATIONAL,
SEAGATE SINGAPORE INTERNATIONAL
HEADQUARTERS PTE LTD

11 Dated: September 24, 2010


LEWIS BRISBOIS BISGAARD & SMITH,
LLP

By: /s/ Stephen Kovarik
Stephen Kovarik

Attorneys for Defendants
NATIONAL UNION FIRE INSURANCE
COMPANY OF PITTSBURGH, PA and
INSURANCE COMPANY OF THE STATE
OF PENNSYLVANIA

19 PURSUANT TO STIPULATION, IT IS SO ORDERED.

22 Dated: 9/28/2010



JUDGE CLAUDIA WILKEN
United States District Judge

1 **PROOF OF SERVICE**

2 I, the undersigned, declare that I am a resident of the State of California, employed in the
3 County of San Francisco, over the age of eighteen years and not a party to the within action. My
4 business address is: Farella Braun + Martel LLP, 235 Montgomery Street, 17th Floor, San
5 Francisco, California 94104.

6 On this date I served the within document(s):

7 **STIPULATED REQUEST FOR ORDER CHANGING TIME PURSUANT TO CIVIL
8 LOCAL RULE 6-2; [PROPOSED] ORDER**

9 **X BY ELECTRONIC FILING:** the within document(s), the automatically generated
10 notification for which constitutes service pursuant to General Order 45, Section IX(A) and (B).

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19 Attorneys for Defendants National Union Fire Insurance Company Of Pittsburgh, PA and
20 Insurance Company Of The State Of Pennsylvania

21 **X MAIL:** by placing a true copy thereof, addressed as set forth below and enclosed in a
22 sealed envelope with postage thereon fully prepaid and deposited for collection and mailing with
23 the U.S. Postal Service. I am readily familiar with the ordinary business practice of this office for
24 processing mail.

25 **X ELECTRONIC TRANSMISSION:** a true and correct copy transmitted to each of the
26 parties at the electronic notification address last given by said party on any document which he or
27 she has filed in this action and served upon this office.

28 I declare that I am employed in the office of a member of the bar of this court at whose
direction the service was made.

I declare under penalty of perjury under the laws of the State of California that the above
is true and correct. Executed in San Francisco, California on **September 28, 2010**.

/s/ Lawrence L. Coles
Lawrence L. Coles