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UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

11 FINANCIAL INDEMNITY COMPANY,) CASE NO.: C-09-04510PJH (EDL)
12 Plaintiff,) Assigned: Hon. Phyllis J. Hamilton
13 v.) Courtroom: 3
14) STIPULATION TO CONTINUE
15 UNITED STATES OF AMERICA, a) SETTLEMENT CONFERENCE, CASE
government entity; and DOES 1 through) MANAGEMENT CONFERENCE
10, inclusive,) STATEMENT, AND CASE
16 Defendants.) MANAGEMENT CONFERENCE
17) RETURN DATES; ORDER THEREON
18)
19) Current Settlement Conf.: 4/14/10
20) Current CMC Statement
21) Date: 4/22/10
22) Current CMC Date: 4/29/10
23)
24)
25)
26)
27)
28)

IT IS HEREBY STIPULATED AND AGREED by and between Plaintiff Financial Indemnity Company, by and through its attorneys of record, Ring & Green, by Susan H. Green, Esq., and Federal Defendant United States of America, by and through its attorney of record, Victoria Carradero, Esq., that the Settlement Conference Date, that had been currently scheduled in this matter for April 14, 2010, be continued to June 17, 2010 at 9:30 a.m in Department E of the above-entitled court, and that the updated Case Management Conference Statement and Case Management Conference currently scheduled in this matter for April 22, 2010 and April 29, 2010,

1 respectively, be continued to a date at least one week after the Settlement Conference has been
2 concluded, and preferably to July 1, 2010, and July 8, 2010, respectively.

3 This Stipulation is made and based on the following facts:

4 1. That Magistrate Judge Elizabeth D. Laporte, the Settlement Conference Judge,
5 required all counsel to personally attend the April 14, 2010, Settlement Conference;

6 2. That on April 8, 2010, six days before the scheduled Settlement Conference,
7 Susan H. Green of Ring & Green, the attorney handling this matter on Plaintiff's behalf, flew to
8 Chicago to be with her gravely ill 19 year old daughter, who had been in and out of emergency
9 rooms during the preceding three days;

10 3. That counsel's daughter ultimately was hospitalized in the Chicago area on April
11 10, 2010, and remained in the hospital until her discharge on April 15, 2010;

12 4. That as a result of her daughter's hospitalization and counsel's need to remain
13 with her daughter, counsel was unable to attend the Settlement Conference in this matter that
14 previously had been scheduled for April 14, 2010;

15 5. That Robert A. Ring, the only other attorney at Ring & Green, also was unable
16 to attend the Settlement Conference on April 14, 2010, due to serious injuries that he sustained in a
17 March 20, 2010, bicycle accident, which injuries, even as of this date, continue to preclude him
18 from driving, traveling, or carrying any weight whatsoever;

19 6. That on April 12, 2010, Plaintiff's counsel's paralegal contacted both counsel
20 for the Defendant United States of America and Judge Laporte's clerk to seek a continuance of the
21 Settlement Conference due to the extenuating circumstances;

22 7. That the parties agreed to continue the Settlement Conference to a mutually
23 agreeable date. After consultation with Judge Laporte's clerk, the parties have secured a settlement
24 conference date of June 17, 2010;

25 8. That as this Court had requested the parties to attempt to settle this matter before
26 Judge Laporte before conducting a further Case Management Conference herein, the parties
27 respectfully submit that both the date for filing the Joint Case Management Statement and the date
28 of the further Case Management Conferences should be continued to a date after the currently
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1 || scheduled June 17, 2010, Settlement Conference has taken place.

2 WHEREFORE, all parties hereto respectfully request that this Court issue its Order
3 pursuant to this Stipulation, continuing the Settlement Conference from April 14, 2010 to June 17,
4 2010 at 9:30 a.m. in Department E of the above-entitled Court and further continue the date for
5 filing the Joint Case Management Conference Statement from April 22, 2010, to a date after June
6 17, 2010, and preferably to July 1, 2010, and further continue the Case Management Conference
7 from April 22, 2010 to July 8, 2010.

Respectfully submitted,

9 || Dated: April 21, 2010 RING & GREEN

RING & GREEN

By: /s/ Susan H. Green

Susan H. Green

Attorneys for Plaintiff Financial Indemnity Company

13 || Dated: April 21, 2010

JOSEPH P. RUSSONIELLO
United States Attorney

By:/s/ Victoria R. Carradero

Victoria R. Carradero

Assistant United States Attorney

Attorney for Federal Defendant United States of America

ORDER

The Court having read and considered the Stipulation of the parties to continue the Settlement Conference, deadline for filing Joint Case Management Conference Statement and the further Case Management Conference and good cause appearing therefor,

IT IS HEREBY ORDERED that the Settlement Conference in this matter be, and hereby is continued from April 14, 2010, to June 17, 2010, at 9:30 a.m. in Department E of this Court.

IT IS FURTHER ORDERED that the updated Case Management Conference Statement in this matter be, and hereby is continued from April 22, 2010, to July 1, 2010.

IT IS FURTHER ORDERED that the Case Management Conference in this matter is continued from April 29, 2010, to July 8, 2010, at 2:00 p. m. in Department of this Court.

DATED: April 27, 2010

