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7  
 8 UNITED STATES DISTRICT COURT  
 9 NORTHERN DISTRICT OF CALIFORNIA  
 10 OAKLAND DIVISION

12 EVANSTON INSURANCE COMPANY,

13 Plaintiff,

14 vs.

15 AMERICAN SAFETY INDEMNITY  
 16 COMPANY, and DOES 1 through 100,  
 inclusive,

17 Defendants.

CASE No. C 10-01472-CW

[Honorable Claudia Wilken]

**STIPULATION AND ORDER GRANTING  
 CONTINUANCE OF CASE  
 MANAGEMENT ORDER DEADLINES**

Action Filed: April 7, 2010

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 20 Plaintiff EVANSTON INSURANCE COMPANY and Defendant AMERICAN SAFETY  
 21 INDEMNITY COMPANY, by and through their counsel, hereby stipulate to and request a  
 22 continuance of deadlines in the Court’s Minute Order and Case Management Order filed August  
 23 3, 2010 in this action. This request is based on the following:

24 1. The Court’s ruling is presently pending on the partial summary judgment and  
 25 summary judgment motions of Plaintiff and Defendant, which motions were taken under  
 26 submission by the Court per the Clerk’s Notice filed December 1, 2010.

27 2. Case Management Order deadlines are scheduled in February 2011. Disclosure of  
 28 identities and reports of expert witnesses is due February 1, 2011, and fact discovery and expert

1 discovery are due to be completed by February 28, 2011. The second round of case-dispositive  
2 motions, if necessary, is set to be heard on March 31, 2011, which is also the date for the next  
3 Case Management Conference.

4 3. The parties are unable to commence fact and expert discovery until after receiving  
5 the Court's ruling on the summary judgment motions. Upon receiving the ruling, the parties will  
6 then be in a position to proceed with discovery.

7 **SO STIPULATED.**

8 Dated: January \_\_\_\_, 2011

LONG & LEVIT LLP

9  
10 By \_\_\_\_\_

11 JOHN B. HOOK  
12 Attorneys for Plaintiff  
EVANSTON INSURANCE COMPANY

13 Dated: January \_\_\_\_, 2011

BLAU & ASSOCIATES, P.C.

14  
15 By \_\_\_\_\_

16 RON L. NELSON  
17 Attorneys for Defendant  
18 AMERICAN SAFETY INDEMNITY  
COMPANY

19 **ORDER**

20 The parties having stipulated thereto,

21 IT IS HEREBY ORDERED that the current deadlines in the Case Management Order are  
22 hereby canceled and new deadlines will be reset after the Court rules on the partial summary  
23 judgment and summary judgment motions of the parties.

24 DATED: **January 24, 2011**

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28 HONORABLE CLAUDIA WILKEN  
UNITED STATES DISTRICT JUDGE

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