

1 BRODSKY MICKLOW BULL & WEISS LLP  
 Kurt Micklow, State Bar No. 113974  
 2 Edward M. Bull III, SBN 141996  
 Amy Jo Bull, State Bar No. 135939  
 3 384 Embarcadero West, Suite 200  
 Oakland California 94607  
 4 Telephone: (510) 268-6180  
 Facsimile: (510) 268-6181

5 Attorneys for Plaintiff  
 6 Nicole Strawn

7  
 8 UNITED STATES DISTRICT COURT  
 9 FOR THE NORTHERN DISTRICT OF CALIFORNIA

10  
 11 NICOLE STRAWN )

12 Plaintiff, )

13 vs. )

14 SHENANDOAH CHARTERS, CLAY )  
 15 COLLINS, TODD J. COLLINS, and )  
 DOES 1-10, *in personam*, and FV )  
 16 SHENANDOAH, and her engines, tackle, )  
 apparel, etc., *in rem*, )

17 Defendants. )  
 18 \_\_\_\_\_ )

CASE NO. 10-4015 PJH

**STATUS REPORT AND REQUEST  
 FOR CONTINUANCE OF CASE  
 MANAGEMENT CONFERENCE**

19 Plaintiff has been withholding service of the complaint in this matter while her  
 20 counsel negotiated with the maritime adjuster assigned to her claim in the hope that  
 21 the matter could be resolved informally. However, Plaintiff learned on December 10,  
 22 2010, that her injuries are more serious than she thought, and that she will likely have  
 23 to undergo a second surgery. Consequently, counsel for Plaintiff have advised the  
 24 adjuster that Plaintiff is not in a position to resolve her claim until her medical status is  
 25 better known (and stable), and that the summons and complaint will therefore have to  
 26 be served on the *in personam* defendants (SHENANDOAH CHARTERS, CLAY  
 27 COLLINS, TODD J. COLLINS) unless service can be accepted by the adjuster or  
 28 counsel.

1 On December 21, 2010, we were contacted by the firm of Gibson Robb &  
2 Lindh LLP in San Francisco and advised that they had been retained to represent the  
3 defendants in this matter. We have therefore asked them if they will accept service,  
4 and have advised them that we must complete service by January 6, 2011. Counsel  
5 indicated that they would recommend that they accept service, but that they would  
6 have to get clearance from their clients.

7 We intend to serve either the *in personam* defendants or their counsel prior to  
8 January 6, 2011, but a responsive pleading will not likely be filed until mid-to-late  
9 January at the earliest. According to the Court's Order Setting Initial Case  
10 Management Conference filed November 15, 2010, however, an Initial Case  
11 Management Conference is set for January 13, 2011.

12 In order to allow the defendants to appear, and for the parties to meet and confer  
13 regarding initial disclosures, ADR and discovery in advance of the filing of the initial  
14 Case Management Conference Statement, Plaintiff respectfully requests that the Court  
15 continue the Initial Case Management Conference for approximately thirty (30) days.

16 Respectfully submitted.

17  
18 DATED: December 27, 2010 BRODSKY MICKLOW BULL & WEISS LLP

19 By: /s/ Edward M. Bull III  
20 Kurt Micklow  
21 Edward M. Bull III  
22 Amy Jo Bull

23 Attorneys for Plaintiff  
24 NICOLE STRAWN



THE CASE MANAGEMENT CONFERENCE IS  
CONTINUED TO FEBRUARY 17, 2011 AT  
2:00 P.M.

12/28/10