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

14
15 AVEMCO INSURANCE COMPANY,

CASE NO.: 4:11-cv-00546-CW

16 Plaintiff.

17 vs. **STIPULATION AND [PROPOSED]
18 ORDER REGARDING DEADLINE FOR
19 FACTUAL DISCOVERY**

20 ROBERT S. SAVELY, PATRIOT
21 TECHNOLOGIES GROUP, LLC, a Delaware
22 limited liability corporation,

23 Defendants.

24 /

25 IT IS HEREBY STIPULATED by and between Plaintiff AVEMCO INSURANCE
26 COMPANY (hereinafter "Plaintiff" or "AVEMCO") and Defendant ROBERT S. SAVELY
27 (hereinafter "SAVELY") (collectively the "Parties") by and through their respective attorneys, as
28 follows:

29 1. On February 4, 2011 Plaintiff filed a Complaint for Declaratory Relief in United
30 States District Court-Northern District of California, Case Number CV 11 0546 CW (hereinafter
31 the "Complaint") against PATRIOT TECHNOLOGIES GROUP, LLC (hereinafter "PATRIOT")

32 STIPULATION AND [PROPOSED] ORDER REGARDING DEADLINE FOR FACTUAL DISCOVERY

1 and SAVELY. The Complaint asked that the Court to determine the respective rights and duties
2 of Plaintiff and Defendants as to AVEMCO policy NC-100118290600.

3 2. On April 13, 2011 Defendant PATRIOT signed a Stipulation Regarding
4 Declaratory Action, wherein it stipulated to the allegations in Plaintiff's Complaint and
5 stipulated that it had no rights under the Avemco policy. On April 15, 2011, Plaintiff filed a
6 Notice of Dismissal of PATRIOT, only.

7 3. On May 31, 2011, the Parties attended a Case Management Conference. The
8 Court issued its Minute Order and Case Management Order.

9 4. The Court ordered completion of factual discovery by December 1, 2011.

10 5. The Parties are presently engaged in discovery and require additional time to
11 complete factual discovery.

12 6. Based on the above, the Parties respectfully request that the Court continue the
13 deadline for completion of factual discovery (currently December 1, 2011) by at least 90 days.

14 IT IS SO STIPULATED:

15 Dated: November 9, 2011

16 REID, AXELROD

17 By: /s/ Donald S. Honigman

18 Donald S. Honigman, SB# 106914

19 Peter Axelrod, SB# 056485

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1 Dated: November 9, 2011

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4 THE RYAN LAW GROUP

5 By: /s/ Timothy J. Ryan

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10 Attorneys for Defendant

11 ROBERT S. SAVELY

ORDER

IT IS HEREBY ORDERED that the deadline for completion of factual discovery in the above referenced case is continued 90 days to February 29, 2012.

IT IS SO ORDERED.

DATED: 11/15/2011

Claudia Wilken
CLAUDIA WILKEN
United States District Judge