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United States District Court
Northern District of California

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

JULIA E. VARGAS,
Plaintiff,
v.
ALLSTATE INSURANCE COMPANY,
INC,
Defendant.

Case No. [15-cv-04041-JSW](#)

**ORDER REGARDING DISCOVERY
AND MOTIONS FOR SUMMARY
JUDGMENT AND SETTING CASE
MANAGEMENT DEADLINES**

Re: Docket No. 18

The Court has received and considered the parties' joint proposed discovery plan. The Court HEREBY ORDERS as follows:

1. Having considered the parties' positions as set forth in their joint discovery plan, the Court concludes that it will permit Defendant to file a motion for summary adjudication on the issue of the duty to defend. Defendant may file its motion for summary judgment on the issue of the duty to defend by no later than March 11, 2016, and it shall notice the motion on an open and available date on the Court's calendar in accordance with Northern District Civil Local Rule 7-2(a). Plaintiff's opposition and Defendant's reply shall be due in accordance with the Northern District Local Rules.

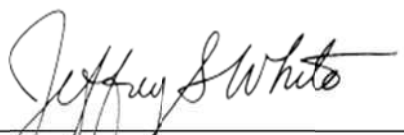
2. The Court also concludes on this record, and without benefit of briefing on the motion for summary adjudication, that Plaintiff has not demonstrated that discovery on the issue of the duty to defend is necessary. However, the Court's ruling is without prejudice to Plaintiff from renewing her request after she receives Defendant's motion. If Plaintiff in good faith believes discovery is required to respond to the motion, before the deadline to respond to the motion expires, she may move for discovery in accordance with Federal Rule of Civil Procedure 56(d).

1 3. If the Court's ruling on the motion for summary adjudication of the issue of the
2 duty to defend does not resolve the case, the parties shall adhere to the following deadlines:

- 3 a. Submit a stipulation and proposed order regarding ADR by April 29, 2016.
4 b. Fact discovery cut off: December 9, 2016.
5 c. Deadline to hear dispositive motions: Friday, December 16, 2016 at 9:00
6 a.m.
7 d. Expert disclosure deadline: December 9, 2016
8 e. Rebuttal Expert disclosure deadline: December 30, 2017.
9 f. Expert discovery cut-off: January 9, 2017
10 g. Pretrial Conference: Monday, February 27, 2017 at 2:00 p.m. The parties
11 are reminded to review this Court's Guidelines for Civil Jury Trials, which sets forth the
12 requirements and deadlines for pretrial filings, including deadlines for exchanging motions
13 in limine.
14 h. Jury Selection: Wednesday, March 17, 2017 at 8:00 a.m.
15 i. Trial: Monday, March 20, 2017 at 8:00 a.m.

16 **IT IS SO ORDERED.**

17 Dated: January 20, 2016

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21 JEFFREY S. WHITE
22 United States District Judge
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