

1 KATHLEEN E. HEGEN, SBN 104522  
 Email: [hegen@lbbslaw.com](mailto:hegen@lbbslaw.com)  
 2 **LEWIS BRISBOIS BISGAARD & SMITH LLP**  
 One Sansome St., Suite 1400  
 3 San Francisco, CA 94104  
 Tel: 415.362.2580  
 4 Fax: 415.434.0882  
 Attorneys for Plaintiff and Counter-Defendant  
 5 AMERICAN HARDWARE MUTUAL  
 INSURANCE COMPANY

**\*E-FILED - 10/9/08\***

7 UNITED STATES DISTRICT COURT  
 8 NORTHERN DISTRICT OF CALIFORNIA  
 9 SAN JOSE DIVISION

11 AMERICAN HARDWARE MUTUAL  
 INSURANCE COMPANY,

Plaintiff,

v.

15 JUAN G. ESCAMILLA individually and  
 dba WILSON'S TIRE SERVICE and  
 16 JULIE FIGUEROA, inclusive,

Defendants.

) CASE NO. C07 01545 RMW

) **STIPULATION AND [~~PROPOSED~~] ORDER**  
 ) **CONTINUING HEARING DATE FOR**  
 ) **AMERICAN HARDWARE INSURANCE**  
 ) **COMPANY'S MOTION FOR PARTIAL**  
 ) **SUMMARY JUDGMENT**

) Date: October 10, 2008

) Time: 9:00 a.m.

) Dept. Courtroom 6, 4th Floor  
 ) [Hon. Ronald M. Whyte]

18 AND RELATED COUNTERCLAIMS.  
 19

20 The parties, by and through their respective counsel, hereby stipulate to continue the hearing  
 21 date for American Hardware Insurance Company's Motion for Partial Summary Judgment. The  
 22 hearing on the motion, currently scheduled for October 10, 2008 at 9:00 a.m. in Department 6, is to be  
 23 rescheduled to October 17, 2008 at 9:00 a.m. in Department 6. Responsive pleading deadlines will  
 24 track with the new hearing date in accordance with the USDC ND Local Rules.

25 Dated: September 10, 2008

LEWIS BRISBOIS BISGAARD & SMITH LLP

26 By: /s/ Kathleen E. Hegen

27 Kathleen E. Hegen, Esq.  
 Attorneys for Plaintiff and Counter-Defendant  
 28 AMERICAN HARDWARE MUTUAL  
 INSURANCE COMPANY

4816-5630-7458.1

STIPULATION AND [~~PROPOSED~~] ORDER CONTINUING HEARING ON AMERICAN HARDWARE'S MOTION  
 FOR PARTIAL SUMMARY JUDGMENT C07 01545 RMW

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28

Dated: September 11, 2008

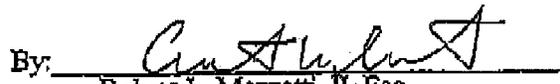
CODDINGTON, HICKS & DANFORTH

By: 

David W. Wessel, Esq.  
Attorney for Defendant  
JULIE FIGUEROA

Dated: September 10, 2008

MEZZETTI LAW FIRM, INC.

By: 

Robert L. Mezzetti, II, Esq.  
Caitlin G. Whitwell, Esq.  
Attorneys for Defendant  
JUAN G. ESCAMILLA, individually and dba  
WILSON'S TIRE SERVICE

ORDER

THE FOREGOING STIPULATION IS APPROVED AND IS SO ORDERED.

Dated: 10/9/08



Hon. Ronald M. Whyte  
JUDGE OF THE UNITED STATES  
DISTRICT COURT