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E-Filed 2/24/09

9 Attorneys for Defendant and
 10 Counter-Claimant
 11 MARILYN MADDEN

12 UNITED STATES DISTRICT COURT
 13 NORTHERN DISTRICT OF CALIFORNIA
 14 SAN JOSE DIVISION

15 ALLSTATE INSURANCE COMPANY, an)
 16 Illinois Corporation,)

Case No. **C08 03487 JF**

17 Plaintiff,)

18 vs.)

19 MARILYN MADDEN,)
 20)

21 Defendant.)

22 STIPULATION OF THE PARTIES
 23 REQUESTING CONTINUANCE OF THE
 24 APRIL 3, 2009 CASE MANAGEMENT
 25 CONFERENCE IN THIS MATTER;
 26 ~~PROPOSED~~ ORDER

Action Filed: July 28, 2008

27 _____)
 28 MARILYN MADDEN.)

29 Counter-Claimant
 30 and Third Party
 31 Claimant,)

32 vs.)

33 ALLSTATE INSURANCE COMPANY, and)
 34 EXCEL RESTORATION, INC. dba)
 35 STEAMATIC OF BAKERSFIELD, a)
 36 California Corporation,)

37 Counter-Defendant)
 38 and)
 39 Third Party Defendant.)

1 Plaintiff and Counter-Defendant ALLSTATE INSURANCE COMPANY, through its
2 counsel of record in this matter, Megan Dunham, Sonnenschein, Nath & Rosenthal LLP;
3 Defendant and Counter-Claimant MARILYN MADDEN, through her counsel of record in this
4 matter, Susan D. Pelmulder, Flynn, Rose & Perkins; and Third-Party Defendant EXCEL
5 RESTORATION, INC., through its counsel of record, Lisa Lenoci, Dimalanta Clark, LLP, hereby
6 enter into the following stipulation:

7 Based on the facts set forth below, the parties hereby request that the Court continue the
8 Case Management Conference (“CMC”) and deadline to complete mediation in this matter,
9 currently set for April 3, 2009, for an additional 30 days. The parties have agreed to private
10 mediation before Mr. Bening. Due to conflicts of schedules between the parties and mediator, the
11 first available date is April 23, 2009, which the parties have scheduled for mediation.

12 DATE: February 23, 2009

FLYNN, ROSE & PERKINS

13 By /S/ Susan D. Pelmulder
14 SUSAN D. PELMULDER
15 Attorney for MARILYN MADDEN

16 DATE: February 23, 2009

SONNENSCHN, NATH & ROSENTHAL

17 By /S/ Megan L. Dunham
18 MEGAN L. DUNHAM
19 Attorney for ALLSTATE INSURANCE
20 COMPANY

21 DATE: February 23, 2009

DIMALANTA CLARK LLP

22 By /S/ Lisa A. Lenoci
23 LISA A. LENOCI
24 Attorney for EXCEL RESTORATION,
25 INC. dba STEAMATIC OF
26 BAKERSFIELD

27 I hereby attest that I have on file all holograph signatures for any signatures indicated by a
28 “conformed” signature (/S/) within this e-filed document.

1 **ORDER**

2 Based on the stipulations of the parties, and good cause appearing therefor, the Case
3 Management Conference in this matter, currently set for April 3, 2009 at 10:30 a.m. is continued to
4 May 8, 2009 at 10:30 a.m, by which time the parties are required to have completed
5 mediation.

6 IT IS SO ORDERED.

7 DATE: 2/24/09

8 
9 HONORABLE JEREMY FOGEL
10 Judge, U. S. District Court