

McCURDY & FULLER LLP
4300 Bohannon Drive, Suite 240
Menlo Park, CA 94025
(650) 618-3500

1 KEVIN G. McCURDY (SBN 115083)
McCURDY & FULLER LLP
2 4300 Bohannon Drive, Suite 240
Menlo Park, California 94025
3 Telephone: (650) 618-3500
Facsimile: (650) 618-3599
4 E-mail: kevin.mccurdy@mccurdylawyers.com

5 Attorneys for Defendant
LIBERTY MUTUAL FIRE INSURANCE
6 COMPANY

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9 UNITED STATES DISTRICT COURT
10 NORTHERN DISTRICT OF CALIFORNIA

11 GEGA SAENZ,

12 Plaintiff,

13 v.

14 LIBERTY MUTUAL FIRE INSURANCE
COMPANY, and DOES 1 through 20,
15 inclusive,

16 Defendants.

CASE NO. C 08-01205 EMC

**UPDATED CASE MANAGEMENT
CONFERENCE STATEMENT**

**Date: November 19, 2008
Time: 1:30 p.m.
Honorable Edward M. Chen**

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18 Plaintiff Gega Saenz and defendant Liberty Mutual Fire Insurance Company ("Liberty
19 Mutual") submit the following updated joint case management conference statement. Since the
20 September 17, 2008 case management conference, plaintiff has taken the deposition of Greg
21 Mason, an employee in Liberty Mutual's Special Investigations Unit. Plaintiff noticed the
22 deposition of Heidi Despotakis, a former Liberty Mutual employee who was involved in handling
23 of the claim. Ms. Despotakis initially agreed to voluntarily appear for her deposition, then
24 declined to do so. Therefore, plaintiff is in the process of subpoenaing Ms. Despotakis for her
25 deposition.

26 Liberty Mutual has taken the plaintiff's deposition. Liberty Mutual noticed the deposition
27 of Thomas Pearson. Plaintiff has indicated she intends to disclose Mr. Pearson as an expert
28 witness and has asked if Liberty Mutual is willing to defer his deposition until the parties conduct

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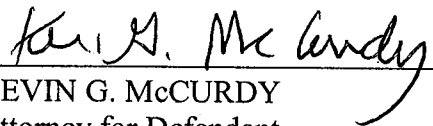
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expert depositions. Liberty Mutual is considering her request. If the deposition is not deferred, it is anticipated it will be taken during the week of November 17, 2008. The Court has precluded the parties from taking any additional depositions other than the aforementioned depositions.

Due to the delay in deposing Ms. Despotakis, the parties have not resumed settlement negotiations. Plaintiff wishes to take Ms. Despotakis' deposition before engaging in further settlement discussions.

Dated: November 12, 2008


McCURDY & FULLER LLP



KEVIN G. McCURDY
Attorney for Defendant
LIBERTY MUTUAL FIRE INSURANCE
COMPANY

Dated: November 12 2008

FLYNN, ROSE & PERKINS



GARY S. ROSE
HEATHER H. GIBSON
Attorneys for Plaintiff
GEGA SAENZ