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UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA  
SAN JOSE DIVISION

GOLDEN BEAR INSUR. CO.,	)	Case No.: 10-CV-01672-LHK
	)	
Plaintiff,	)	ORDER DENYING REQUEST TO
v.	)	CHANGE TIME
	)	
LEXINGTON INSUR. CO.,	)	(re: dkt. #74)
	)	
Defendant.	)	
	)	

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On July 18, 2011, the parties filed a notice of settlement [dkt. #72], representing to the Court that they have resolved this action and that they will file a stipulation of dismissal on or before August 3, 2011. The parties requested that the Court: (1) extend the deadline for filing of the joint pretrial statement from July 20, 2011 to August 3, 2011; and (2) continue the pretrial conference to August 10, 2011. Trial in this matter is set to begin August 29, 2011.

In an Order dated July 18, 2011, and in light of the parties' express representations of settlement, the Court granted the parties' request to extend the deadline for filing the pretrial statement to August 3, 2011 and to continue the pretrial conference to August 10, 2011. *See* Dkt. #73.

On August 1, 2011, the parties filed yet another request for extension of time, suggesting that the joint pretrial conference statement be due on August 10, 2011, and the pretrial conference take place on August 17, 2011. *See* Dkt. #74. Despite their express representations in the July 18, 2011 notice of settlement that they could not file a stipulation of dismissal by July 20, 2011, but


1 could file a stipulation of dismissal by August 3, 2011, the parties represent that they cannot now  
2 file a stipulation of dismissal by August 3, 2011 because “defense counsel is out of state and the  
3 client representative for Defendant is on vacation.” *Id.* at 2.

4 These reasons are insufficient to establish good cause for the parties’ failure to finalize their  
5 settlement agreement and file a stipulation of dismissal by August 3, 2011. In light of the Court’s  
6 July 18, 2011 Order granting their prior request for an extension, the parties were on notice that  
7 they should have acted promptly in order to meet the August 3, 2011 deadline. Accordingly, the  
8 parties’ current request for an extension is DENIED.

9 Pursuant to the undersigned’s Jury Pretrial Standing Order, the parties should have *already*  
10 complied with a number of deadlines, including the filing of a joint pretrial statement, the exchange  
11 of all exhibits, and the filing of jury materials. **By August 3, 2011**, the parties must either: (1) file  
12 a stipulation of dismissal; or (2) file and serve all the materials specified in the undersigned’s Jury  
13 Pretrial Standing Order.

14 **IT IS SO ORDERED.**

15  
16 Dated: August 1, 2011



LUCY H. KOH  
United States District Judge