

1 Becki F. Kieffer (Bar No. 197773)
TROUTMAN SANDERS LLP
 2 5 Park Plaza, Suite 1400
 Irvine, CA 92614-2545
 3 Telephone: (949) 622-2700
 Facsimile: (949) 622-2739
 4 Email: becki.kieffer@troutmansanders.com

5 *Attorneys for Defendant*
 6 *Continental Casualty Company*

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

TROUTMAN SANDERS LLP
 5 PARK PLAZA
 SUITE 1400
 IRVINE, CA 92614-2545

12 THOMAS DILLON, as Court-Appointed
 Receiver for Vesta Strategies, LLC and
 13 Excalibur 1031 Group, LLC,

14 Plaintiff,

15 v.

16 CONTINENTAL CASUALTY
 COMPANY, an Illinois corporation,

17 Defendant.
 18

Case No. C 10-05238 JW

[Signature]
**[PROPOSED] ORDER RE: DEADLINE TO
 HOLD ADR SESSION THIRTY (30) DAYS
 FROM CLOSE OF FACT DISCOVERY**

19 Upon consideration of the parties' stipulation, the Court orders as follows:

- 20 1. The Parties shall participate in private mediation with a mediator mutually
 21 agreeable to the parties;
 22 2. The mediation will take place no later than 30 days from the close of fact
 23 discovery.

24 PURSUANT TO STIPULATION, IT IS SO ORDERED

25 DATED: January 5, 2011

26 *James Ware*
 27 _____
 Hon. James Ware
 28