

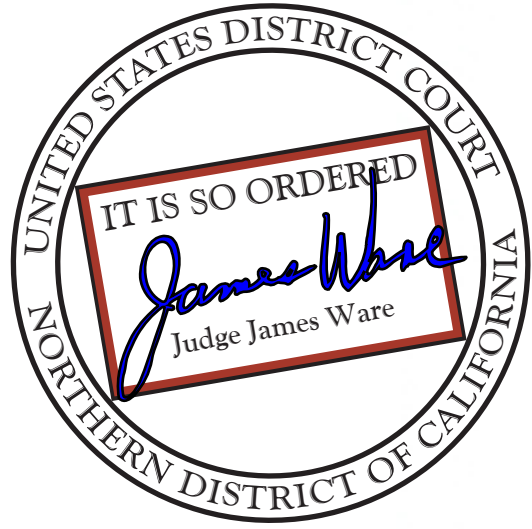
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Attorneys for Defendant Continental Casualty Company



UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION

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

Plaintiff,

v.

CONTINENTAL CASUALTY
COMPANY, an Illinois corporation,

Defendant.

Case No. C 10-05238 JW

**STIPULATION AND ~~PROPOSED~~
ORDER CONTINUING CASE
MANAGEMENT CONFERENCE**

Old Date: September 19, 2011

New Date: October 17, 2011
Time: 10:00 a.m.

1 Plaintiff Thomas Dillon, as the Court-Appointed Receiver for Vesta Strategies, LLC and
2 Excalibur Group, LLC (“Plaintiff” or “Receiver”), and Defendant Continental Casualty Company
3 (“Continental”) submit the following stipulation to continue the September 19, 2011 Case
4 Management Conference in the above-captioned matter to October 17, 2011 at 10:00 a.m.

5 **RECITALS**

6 A. The Court scheduled a Case Management Conference in the above-captioned
7 matter for September 19, 2011 (Doc. No. 43, p. 12);

8 B. A Case Management Conference has also been scheduled for September 19, 2011
9 in the related case, *United States Fire Insurance Company v. Vesta Strategies, LLC, et al.*; Case
10 No. C 09-02388 (the “*U.S. Fire Action*”);

11 C. The Receiver is a party to both this action and the *U.S. Fire Action*, and is
12 represented by Hollister & Brace in both actions;

13 D. Counsel for Continental has a scheduling conflict and cannot attend the Case
14 Management Conference scheduled for September 19, 2011;

15 E. The parties in this action and the *U.S. Fire Action* have met and conferred, and all
16 counsel are available on October 17, 2011 for Case Management Conferences in both this action
17 and the *U.S. Fire Action*; and

18 F. The parties to the *U.S. Fire Action*, the Receiver and United States Fire Insurance
19 Company, will also be submitting a stipulation and proposed order to continue the September 19,
20 2011 Case Management Conference in that action to October 17, 2011 at 10:00 a.m.

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STIPULATION

Based on the foregoing, the Receiver and Continental hereby stipulate to the continuance of the September 19, 2011 Case Management Conference in the above-captioned matter to October 17, 2011 at 10:00 a.m. The parties further stipulate that the deadline to file a Joint Case Management Statement is continued from September 9, 2011 to October 7, 2011.

Dated: August 31, 2011

HOLLISTER & BRACE

By: /s/ Robert L. Brace
Robert L. Brace
Peter L. Candy
Attorneys for Plaintiff
Thomas Dillon

Dated: August 31, 2011

TROUTMAN SANDERS, LLP

By: /s/ Ryan C. Tuley
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Eileen King Bower, *Pro Hac Vice*
Brian P. Cummings, *Pro Hac Vice*

Attorneys for Defendant
Continental Casualty Company


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ORDER

The Court, having considered the stipulation of Plaintiff Thomas Dillon, as the Court-Appointed Receiver for Vesta Strategies, LLC and Excalibur Group, LLC, and Defendant Continental Casualty Company, and good cause appearing therefore, hereby ORDERS that:

1. The September 19, 2011 Case Management Conference in the above-captioned matter is continued to October 17, 2011 at 10:00 a.m.; and
2. The deadline to file a Joint Case Management Statement is continued from September 9, 2011 to October 7, 2011.

Dated: September 1, 2011


James Ware, United States District Court
Judge