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8 UNITED STATES DISTRICT COURT  
9 SOUTHERN DISTRICT OF CALIFORNIA

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11 STATE FARM MUTUAL AUTOMOBILE  
12 INSURANCE CO.,

13 Plaintiff,

14 v.

15 MATHIAS BOERMANS, PEGGY NICKOLET,  
16 CHUBB INSURANCE CO., AVIVA INSURANCE  
CO. AND ORION TRAVEL INSURANCE CO.,

17 Defendants.

Case No.: 17CV1864-JM(BLM)


**ORDER FOLLOWING TELEPHONIC  
EARLY NEUTRAL EVALUATION  
CONFERENCE**

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19 On May 4, 2018, the Court held a telephonic, attorneys-only Early Neutral Evaluation  
20 Conference ("ENE"). See ECF No. 29. Mr. Lance Orloff appeared on behalf of Plaintiff and Mr.  
21 Robert Finnerty appeared for Defendants Mathias Boermans and Peggy Nickolet. Id. With the  
22 permission of the Court, counsel for Defendants Orion Travel Insurance Co. and Chubb  
23 Insurance Company of Canada declined to participate in light of Defendants Orion and Chubb's  
24 pending motions to dismiss pursuant to Federal Rule of Civil Procedure 12(b)(2) [see ECF Nos.  
25 8 and 13] and Defendant Chubb's pending motion to stay [see ECF No. 9]. Plaintiff and  
26 Defendants Mathias Boermans and Peggy Nickolet were unable to settle the matter without the  
27 participation of Defendants Orion and Chubb, and the Court declines to open discovery at this  
28 time. Accordingly, the parties are **ORDERED** to contact the Chambers of Judge Major within

1 five (5) days of District Judge Miller's ruling on the pending motions [see ECF Nos. 8, 9 and 13]  
2 so that the Court may open discovery and set pretrial deadlines if necessary.

3 **IT IS SO ORDERED.**

4 Dated: 5/8/2018

  
5 Hon. Barbara L. Major  
6 United States Magistrate Judge

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