

**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF OHIO
EASTERN DIVISION**

WESTFIELD NATIONAL INSURANCE COMPANY,
a/s/o SUSAN AND JAMES DONNELLY

Plaintiff,

v.

DAIMLERCHRYSLER CORPORATION

Defendant.

CASE NO. 1:02CV1589

Judge Gaughan
Magistrate Streepy

**JOINT MOTION TO CONTINUE
IN-PERSON STATUS CONFERENCE**

Plaintiff, Westfield National Insurance Company, by their attorneys, and Defendant, DaimlerChrysler Corporation, by their attorneys, jointly request that the In-Person Status Conference set for June 4, 2003 be continued for thirty (30) days, and in support of this motion, state as follows:

1. This subrogation matter arises out of a fire at the home of Plaintiff's subrogors, Susan and James Donnelly, on September 15, 2000.
2. Plaintiff commenced this action by filing its Complaint on August 13, 2002.
3. The parties participated in a Case Management Conference on October 18, 2002, pursuant to which a Case Management Order was issued, and the case was assigned to the Standard Case Management Track.

4. The parties participated in a telephone status conference with Judicial Assistant Mary Doubrava on February 27, 2003.

5. The parties advised Ms. Doubrava that they had had to cancel a series of fact depositions two weeks earlier, due to a severe snow storm that closed the Philadelphia Airport and prevented Plaintiff's attorney from attending the depositions.

6. Ms. Doubrava advised that the parties could continue fact discovery by agreement, and that they should contact the Court if they needed additional time to complete discovery.

7. Ms. Doubrava scheduled an In-Person Status Conference for June 4, 2003.

8. Since the date of the February 27, 2003 Status Conference, the parties have conducted two rounds of fact depositions, and have exchanged expert disclosures.

9. The parties anticipate that they will schedule depositions of each party's experts before the end of June 2003.

10. The parties agree that an In-Person Status Conference will be more productive and will have a greater likelihood of advancing settlement discussions if it is continued until after the expert depositions have been completed.

11. The parties therefore jointly request that the In-Person Status Conference be continued until some time in July 2003, or as soon thereafter as it convenient for the Court.

12. The parties further request that, if the Court wishes the parties to participate in a status conference on June 4, 2003, that they be permitted to attend such conference via telephone.

13. No party will be prejudiced if this Motion is granted.

Respectfully submitted,

COZEN O'CONNOR

SUTTER, O'CONNELL, MANNION &
FARCHIONE

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