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10 Attorneys for Defendant APPLIED UNDERWRITERS CAPTIVE RISK ASSURANCE
COMPANY, INC.

11
12 UNITED STATES DISTRICT COURT
13 NORTHERN DISTRICT OF CALIFORNIA
14 SAN FRANCISCO DIVISION

15 MIKE ROSE'S AUTO BODY, INC.,)

16 Plaintiff,)

17 vs.)

18 APPLIED UNDERWRITERS CAPTIVE RISK)
ASSURANCE COMPANY, INC.,)

19 Defendant.)
20)
21)
22)

) Case No. 16-CV-01864-EMC

) **STIPULATION AND [PROPOSED]**
) **ORDER CONTINUING INITIAL CASE**
) **MANAGEMENT CONFERENCE AND**
) **CORRESPONDING DEADLINES**

) **[Civil Local Rules 16-2(e), 7-12]**

) Judge Edward M. Chen

) Complaint Filed: April 11, 2016

1 Plaintiff Mike Rose's Auto Body, Inc. ("Plaintiff") and Defendant Applied Underwriters
2 Captive Risk Assurance Company, Inc. ("Defendant") (collectively "the Parties"), through their
3 counsel stipulate as follows:

4 **RECITALS**

- 5 1. Plaintiff filed the Complaint initiating this action on or about April 11, 2016.
- 6 2. The Summons and Complaint were served on May 11, 2016 through a waiver of
7 service of summons.
- 8 3. By Order dated June 7, 2016, the Court set the initial Case Management Conference
9 in this matter for August 4, 2016 at 9:30 AM. Dkt. No. 8.
- 10 4. On July 8, 2016, Defendant filed a Motion to Compel Arbitration and Stay the
11 Action, which is set for hearing on August 25, 2016.
- 12 5. In light of the pending motion, the Parties agree that it is most efficient to continue
13 the initial Case Management Conference to early October so that the Court can rule on Defendant's
14 motion to compel arbitration before the Parties meet and confer about case management issues and
15 make initial disclosures.
- 16 6. This is the Parties' first request for a continuance of the initial Case Management
17 Conference and corresponding deadlines. The continuation will not affect any other scheduled dates
18 or deadlines. The Parties do not anticipate the need for a further continuance.

19 **STIPULATION**

20 The Parties hereby stipulate pursuant to Civil Local Rules 16-2(e) and 7-12 that the initial
21 Case Management Conference is continued from August 4, 2016 to October 6, 2016, or as soon
22 thereafter as is convenient for the Court, and that the corresponding deadlines are extended as
23 follows:

24 Deadline to confer as required by Federal Rule of Civil Procedure 26(f): September
25 15, 2016;

26 Deadline to submit Joint Status Report: September 29, 2016.
27
28

1 Dated: July 14, 2016

HINSHAW & CULBERTSON LLP

2
3 By: /s/ Travis Wall

SPENCER Y. KOOK
4 TRAVIS R. WALL
5 JARED W. MATHESON
Attorneys for Defendant APPLIED
6 UNDERWRITERS CAPTIVE RISK
ASSURANCE COMPANY, INC.

7 Dated: July 14, 2016

BUCHMAN PROVINE BROTHERS SMITH
8 LLP

9 By: /s/ Connor M. Day

10 ROGER J. BROTHERS
11 HORACE W. GREEN
12 CONNOR M. DAY
Attorneys for Plaintiff MIKE ROSE'S AUTO
13 BODY, INC.

14 **SIGNATURE ATTESTATION**

15 I hereby attest that I have obtained the concurrence of Connor M. Day, Esq., counsel for
16 Plaintiff Mike Rose's Auto Body, Inc., for the filing of this stipulation.

17 /s/ Travis Wall

18 TRAVIS. WALL

19 **PURSUANT TO STIPULATION, IT IS SO ORDERED.**

20
21 DATED: 7/20/16

22 EDWARD M.
23 UNITED STA

