

SUPERIOR COURT OF CALIFORNIA, COUNTY OF LOS ANGELES

DATE: 10/23/07

DEPT. 85

HONORABLE Dzintra Janavs

JUDGE

S. BARRETT

DEPUTY CLERK

HONORABLE
14

JUDGE PRO TEM

ELECTRONIC RECORDING MONITOR

A. GODINEZ, C.A.

Deputy Sheriff

NONE

Reporter

BS109154

Plaintiff

Counsel

NO APPEARANCES

THE ASSOCIATION OF CALIFORNIA

Defendant

VS

Counsel

VS

STEVE POIZNER ET AL

NATURE OF PROCEEDINGS:

NON-APPEARANCE;

Pursuant to Stipulation of Parties to Amend Briefing Schedule and Order filed this date, the Hearing on Petition for Writ of Mandate is set January 31, 2008 at 9:30 a.m. in Department 85.

Opposition Briefs shall be filed in Department 85 no later than December 7, 2007. Replies shall be filed in Department 85 no later than January 3, 2008.

CLERK'S CERTIFICATE OF MAILING/
NOTICE OF ENTRY OF ORDER

I, the below named Executive Officer/Clerk of the above-entitled court, do hereby certify that I am not a party to the cause herein, and that this date I served Notice of Entry of the above minute order of 10-23-07 upon each party or counsel named below by depositing in the United States mail at the courthouse in Los Angeles, California, one copy of stip and order original entered herein in a separate sealed envelope for each, addressed as shown below with the postage thereon fully prepaid.

Date: October 23, 2007

<p align="center">MINUTES ENTERED 10/23/07 COUNTY CLERK</p>

SUPERIOR COURT OF CALIFORNIA, COUNTY OF LOS ANGELES

DATE: 10/23/07

DEPT. 85

HONORABLE Dzintra Janavs

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Counsel

NO APPEARANCES

THE ASSOCIATION OF CALIFORNIA

Defendant

VS

Counsel

VS

STEVE POIZNER ET AL

NATURE OF PROCEEDINGS:

John A. Clarke, Executive Officer/Clerk

S. BARRETT

By:

S. Barrett, Judicial Assistant

Pamela Presley
The Foundation for Taxpayer and
Consumer rights
1750 Ocean Park Blvd. #200
Santa Monica, CA 90405

Intervener shall give notice.

MINUTES ENTERED
10/23/07
COUNTY CLERK

OCT 23 2007

LOS ANGELES
SUPERIOR COURT

1 HARVEY ROSENFELD (SBN 123082)
2 PAMELA M. PRESSLEY (SBN 180362)
3 TODD M. FOREMAN (SBN 229536)
4 THE FOUNDATION FOR TAXPAYER
5 AND CONSUMER RIGHTS
6 1750 Ocean Park Boulevard, Suite 200
7 Santa Monica, California 90405
8 Tel. (310) 392-0522
9 Fax (310) 392-8874

10 Attorneys for
11 The Foundation for Taxpayer and Consumer Rights

12 SUPERIOR COURT OF THE STATE OF CALIFORNIA

13 COUNTY OF LOS ANGELES

14 THE ASSOCIATION OF CALIFORNIA
15 INSURANCE COMPANIES, THE PERSONAL
16 INSURANCE FEDERATION OF CALIFORNIA,
17 THE AMERICAN INSURANCE ASSOCIATION,
18 AND THE PACIFIC ASSOCIATION OF
19 DOMESTIC INSURANCE COMPANIES

20 Petitioners and Plaintiffs,

21 v.

22 STEVE POIZNER, in his capacity as Insurance
23 Commissioner of the State of California; and
24 CALIFORNIA DEPARTMENT OF INSURANCE,

25 Respondents and Defendants.

Case No. BS109154

**STIPULATION OF PARTIES TO
AMEND BRIEFING SCHEDULE**

Date Action Filed: May 25, 2007

Dept.: 85

Judge: Dzintra Janavs

26 Petitioners/Plaintiffs The Association of California Insurance Companies, The Personal
27 Insurance Federation of California, The American Insurance Association, and The Pacific Association
28 Of Domestic Insurance Companies (collectively, "Petitioners"); Respondents Steve Poizner, in his
capacity as Insurance Commissioner of the State of California ("Commissioner") and California
Department of Insurance (collectively as "Respondents"); and The Foundation for Taxpayer and
Consumer Rights ("FTCR") through their undersigned counsel (Petitioners, Respondents, and FTCR,
collectively are referred to as the "parties"), assert and agree to the following:

1 1. Petitioners filed their Opening brief in this matter on October 1, 2007. By prior
2 Stipulation of the parties and the Court's Order approving the parties' Stipulation, Respondents' and
3 FTCR's Opposition brief was to be filed on November 2, 2007 and Petitioner's Replies to Respondents'
4 and FTCR's Opposition brief were to be filed December 3, 2007.

5 2. Due to a family medical emergency that has required the attention and absence of
6 FTCR's lead counsel in this proceeding, FTCR is unable to meet the November 2 Opposition deadline.
7 Accordingly, to accommodate this extenuating circumstance, the parties have agreed to alter the
8 remaining briefing schedule as follows:

9 Respondent's Opposition brief: December 7, 2007

10 FTCR's Opposition brief: December 7, 2007

11 Petitioner's Reply to Respondent's Opposition: January 3, 2008

12 Petitioner's Reply to FTCR's Opposition: January 3, 2008

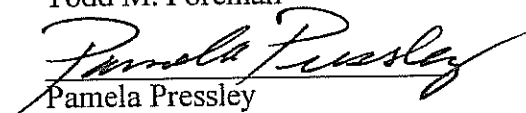
13 Hearing Date: January 31, 2008, 9:30 a.m., Dept. 85 (This date remains unchanged from the
14 date previously reserved by Petitioners and approved by this Court's prior order).

15
16 PURSUANT TO THIS STIPULATION, Petitioners, Respondents, and FTCR respectfully
17 request that the Court issue an order adopting the above amended briefing schedule.

18
19 SO STIPULATED:

20 Dated: October 22, 2007

21 THE FOUNDATION FOR TAXPAYER AND
22 CONSUMER RIGHTS
23 Harvey Rosenfield
24 Pamela Pressley
25 Todd M. Foreman

26 
27 Pamela Pressley
28 Attorneys for THE FOUNDATION FOR
 TAXPAYER AND CONSUMER RIGHTS

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Dated: October __, 2007

Robert Hogeboom
Suh Choi
Michael A.S. Newman
BARGER & WOLEN LLP

Michael A.S. Newman
Attorneys for PETITIONERS


Dated: October 18, 2007

Edmund G. Brown, Jr., Attorney General
Mark Richelson, Deputy Attorney General
Christine Zarifian, Deputy Attorney General
OFFICE OF THE ATTORNEY GENERAL

C. Zarifian
Christine Zarifian
Attorneys for RESPONDENTS


1 Dated: October 22, 2007

Robert Hogeboom
Suh Choi
Michael A.S. Newman
BARGER & WOLEN LLP

4 
5 Michael A.S. Newman
6 Attorneys for PETITIONERS

8 Dated: October __, 2007

Edmund G. Brown, Jr., Attorney General
Mark Richelson, Deputy Attorney General
Christine Zarifian, Deputy Attorney General
OFFICE OF THE ATTORNEY GENERAL

11 
12 Christine Zarifian
13 Attorneys for RESPONDENTS

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ORDER

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2 For good cause, as set forth in the foregoing stipulation of the parties, the court hereby
3 amends the remaining briefing schedule in the above-referenced matter as follows:
4

5 Respondent's Opposition brief: December 7, 2007

6 FTCR's Opposition brief: December 7, 2007

7 Petitioner's Reply to Respondent's Opposition: January 3, 2008

8 Petitioner's Reply to FTCR's Opposition: January 3, 2008

9 Hearing Date: January 31, 2008, 9:30 a.m., Dept. 85.
10

11 Dated: October 23, 2007

12 By: _____

DZINTRA J. JANAVS
13 Honorable Dzintra Janavs,
14 Superior Court of California,
15 County of Los Angeles
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PROOF OF SERVICE
[BY OVERNIGHT, U.S. OR INTRA-AGENCY MAIL, FAX
TRANSMISSION AND/OR PERSONAL SERVICE]

State of California, City Santa Monica, County of Los Angeles

I am employed in the City of Santa Monica and County of Los Angeles, State of California. I am over the age of 18 years and not a party to the within action. My business address is 1750 Ocean Park Blvd., Suite #200, Santa Monica, California 90405, and I am employed in the city and county where this service is occurring.

On October 22, 2007, I caused service of true and correct copies of these documents,

STIPULATION OF PARTIES TO AMEND BRIEFING SCHEDULE

PROOF OF SERVICE

upon the persons named in the attached service list, in the following manner:

1. If marked FAX SERVICE, by facsimile transmission this date to the FAX number stated to the person(s) named.
2. If marked U.S. MAIL or OVERNIGHT or HAND DELIVERED, by placing this date for collection for regular or overnight mailing true copies of the within document in sealed envelopes, addressed to each of the persons so listed. I am readily familiar with the regular practice of collection and processing of correspondence for mailing of U.S. Mail and for sending of Overnight mail. If mailed by U.S. Mail, these envelopes would be deposited this day in the ordinary course of business with the U.S. Postal Service. If mailed Overnight, these envelopes would be deposited this day in a box or other facility regularly maintained by the express service carrier, or delivered this day to an authorized courier or driver authorized by the express service carrier to receive documents, in the ordinary course of business, fully prepaid.

I declare under penalty of perjury that the foregoing is true and correct.

Executed on October, 2007, at Santa Monica, California.



Mark Reback

1 **SERVICE LIST**

2 **Person Served**

3 **Method of Service**

4 Mark Richelson _____ FAX
5 Christine Zefarian X U.S. MAIL
6 Deputy Attorneys General _____ OVERNIGHT MAIL
7 OFFICE OF THE ATTORNEY GENERAL _____ HAND DELIVERED
8 300 South Spring Street, Suite 1702 X EMAIL
9 Los Angeles, CA 90013
10 Tel: (213) 897-2478
11 Fax: (213) 897-5775

12 (Counsel for Respondents Insurance
13 Commissioner, Steve Poizner and California
14 Department of Insurance)

15 Robert Hogeboom _____ FAX
16 Michael A.S. Newman X U.S. MAIL
17 Suh Choi _____ OVERNIGHT MAIL
18 BARGER & WOLEN LLP _____ HAND DELIVERED
19 633 West Fifth Street, 47th Floor X EMAIL
20 Los Angeles, CA 90071
21 Tel: (213) 680-2800
22 Fax: (213) 614-7399

23 (Counsel for Petitioners ACIC, PIFC, AIA and
24 PADIC)