

(MANx), **APPEAL**, DISCOVERY, PROTORD, STAYED

**UNITED STATES DISTRICT COURT, CENTRAL DISTRICT OF CALIFORNIA
(Western Division - Los Angeles)
CIVIL DOCKET FOR CASE #: 2:10-cv-02696-SVW -MAN**

Pepsi-Cola Metropolitan Bottling Company Inc v. Insurance Company of North America Inc et al
Assigned to: Judge Stephen V. Wilson
Referred to: Magistrate Judge Margaret A. Nagle
Case in other court: 9th CCA, 11-55168
Cause: 28:1332 Diversity-Breach of Contract

Date Filed: 04/14/2010
Jury Demand: Plaintiff
Nature of Suit: 110 Insurance
Jurisdiction: Diversity

Plaintiff**Pepsi-Cola Metropolitan Bottling
Company Inc**

represented by **Charles J Malaret**
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V.

Defendant

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America Inc**

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Defendant

**OneBeacon America Insurance
Company**
TERMINATED: 01/05/2011

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Cross Defendant

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Cross Defendant

**OneBeacon America Insurance
Company**
TERMINATED: 01/05/2011

represented by **Katherine W Kehr**
(See above for address)
ATTORNEY TO BE NOTICED

Jan L Pocaterra
(See above for address)
ATTORNEY TO BE NOTICED

Steven T Adams
(See above for address)
ATTORNEY TO BE NOTICED

Counter Claimant

Century Indemnity Company
Successor
CCI Insurance Company, as successor to
Insurance Company of North America

represented by **Phyllis Mariam Cantor**
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Jennifer L Elowsky
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ATTORNEY TO BE NOTICED

John Calvin Conway
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ATTORNEY TO BE NOTICED

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ATTORNEY TO BE NOTICED

V.

Counter Defendant

**Pepsi-Cola Metropolitan Bottling
Company Inc**

represented by **Charles J Malaret**
(See above for address)
ATTORNEY TO BE NOTICED

Daniel E Chefitz
(See above for address)

ATTORNEY TO BE NOTICED

David S Cox

(See above for address)

ATTORNEY TO BE NOTICED

Kathleen A Waters

(See above for address)

ATTORNEY TO BE NOTICED

Paul Anton Zevnik

(See above for address)

ATTORNEY TO BE NOTICED

Salvatore Picariello

(See above for address)

ATTORNEY TO BE NOTICED

Cross Claimant

Century Indemnity Company

as Successor to CCI Insurance

Company, as Successor to Insurance

Company of North America

represented by **Phyllis Mariam Cantor**

(See above for address)

ATTORNEY TO BE NOTICED

Robert D Goodman

(See above for address)

PRO HAC VICE

ATTORNEY TO BE NOTICED

Brandt L Wolkin

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ATTORNEY TO BE NOTICED

Jennifer L Elowsky

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ATTORNEY TO BE NOTICED

John Calvin Conway

(See above for address)

ATTORNEY TO BE NOTICED

Matthew I Farmer

(See above for address)

PRO HAC VICE

ATTORNEY TO BE NOTICED

V.

Cross Defendant

**Employers Insurance Company of
Wausau**

represented by **Mitchell B Greenberg**
(See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Stephanie L Walker
(See above for address)
ATTORNEY TO BE NOTICED

Cross Defendant

Travelers Indemnity Company

represented by **Mitchell B Greenberg**
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LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Stephanie L Walker
(See above for address)
ATTORNEY TO BE NOTICED

Cross Defendant

Argonaut Insurance Company
TERMINATED: 07/07/2010

Cross Defendant

**Northwestern National Insurance
Company of Milwaukee, Wisconsin**

represented by **Mitchell B Greenberg**
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LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Stephanie L Walker
(See above for address)
ATTORNEY TO BE NOTICED

Cross Defendant

**National Union Fire Insurance
Company of Pittsburgh, PA**

represented by **Mitchell B Greenberg**
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ATTORNEY TO BE NOTICED

Stephanie L Walker
(See above for address)
ATTORNEY TO BE NOTICED

Cross Defendant

Allstate Insurance Company

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Cross Defendant

OneBeacon Insurance Group
TERMINATED: 07/19/2010

represented by **Jan L Pocaterra**
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Cross Defendant

Does
1-10

Cross Claimant

OneBeacon America Insurance Company
TERMINATED: 01/05/2011

represented by **Katherine W Kehr**
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ATTORNEY TO BE NOTICED

Jan L Pocaterra
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ATTORNEY TO BE NOTICED

Steven T Adams
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Cross Defendant

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Cross Defendant

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Cross Defendant

Continental Insurance Company

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LEAD ATTORNEY
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Stephanie L Walker
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Cross Defendant

**Employers Insurance Company of
Wausau**

represented by **Mitchell B Greenberg**
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LEAD ATTORNEY

ATTORNEY TO BE NOTICED

Cross Defendant

**National Union Fire Insurance
Company of Pittsburgh, PA**

represented by **Mitchell B Greenberg**
(See above for address)
ATTORNEY TO BE NOTICED

Cross Defendant

**Northwestern National Insurance
Company of Milwaukee, Wisconsin**

represented by **Mitchell B Greenberg**
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LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Cross Defendant

Travelers Indemnity Company

represented by **Mitchell B Greenberg**
(See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Counter Claimant

**OneBeacon America Insurance
Company**
TERMINATED: 01/05/2011

represented by **Katherine W Kehr**
(See above for address)
ATTORNEY TO BE NOTICED

Jan L Pocaterra
(See above for address)
ATTORNEY TO BE NOTICED

Steven T Adams
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ATTORNEY TO BE NOTICED

V.

Counter Defendant

**Pepsi-Cola Metropolitan Bottling
Company Inc**

represented by **Charles J Malaret**
(See above for address)
ATTORNEY TO BE NOTICED

Daniel E Chefitz
(See above for address)
ATTORNEY TO BE NOTICED

David S Cox
(See above for address)

*ATTORNEY TO BE NOTICED***Kathleen A Waters**

(See above for address)

*ATTORNEY TO BE NOTICED***Paul Anton Zevnik**

(See above for address)

*ATTORNEY TO BE NOTICED***Salvatore Picariello**

(See above for address)

ATTORNEY TO BE NOTICED

Date Filed	#	Docket Text
04/14/2010	<u>1</u>	COMPLAINT against defendants Insurance Company of North America Inc, OneBeacon America Insurance Company. Case assigned to Judge Stephen V. Wilson for all further proceedings. Discovery referred to Magistrate Judge Margaret A Nagle;(Filing fee \$ 350 PAID); Jury Demanded; filed by plaintiff Pepsi-Cola Metropolitan Bottling Company Inc.(esa) (ds). (Entered: 04/15/2010)
04/14/2010		21 DAY Summons Issued re Complaint - (Discovery) <u>1</u> as to defendants Insurance Company of North America Inc, OneBeacon America Insurance Company. (esa) (Entered: 04/15/2010)
04/14/2010	<u>2</u>	CERTIFICATION AND NOTICE OF INTERESTED PARTIES filed by plaintiff Pepsi-Cola Metropolitan Bottling Company Inc. (esa) (ds). (Entered: 04/15/2010)
04/14/2010	<u>3</u>	CORPORATE DISCLOSURE STATEMENT filed by plaintiff Pepsi-Cola Metropolitan Bottling Company Inc identifying Corporate Parent PepsiCo Inc for Pepsi-Cola Metropolitan Bottling Company Inc. (esa) (ds). (Entered: 04/15/2010)
04/14/2010	<u>4</u>	NOTICE OF RELATED CASE filed by plaintiff Pepsi-Cola Metropolitan Bottling Company Inc. Related Case: 01-08929 GAF (PJWx) (esa) (ds). (Entered: 04/15/2010)
04/16/2010	<u>5</u>	NEW CASE ORDER by Judge Stephen V. Wilson: This case has been assigned to the calendar of Judge Stephen V. Wilson. The Court fully adheres to Rule 1 of the Federal Rules of Civil Procedure which requires that the Rules be construed to secure the just, speedy and inexpensive determination of every action.Counsel should also be guided by the following special requirements: [See document for details] (ake) (Entered: 04/16/2010)

04/22/2010	6	ORDER RE TRANSFER PURSUANT TO GENERAL ORDER 08-05 (Related Case) filed. Transfer of case declined by Judge Gary A. Feess, for the reasons set forth on this order. Related Case No. CV 01-06929 GAF(PJWx) (rn) (Entered: 04/22/2010)
04/28/2010	7	APPLICATION for attorney Daniel E. Chefitz to Appear Pro Hac Vice (PHV Fee of \$185 receipt number 0973-6876813 paid.) filed by Plaintiff Pepsi-Cola Metropolitan Bottling Company Inc. (Attachments: # 1 Proposed Order)(Waters, Kathleen) (Entered: 04/28/2010)
04/29/2010	8	ORDER by Judge Stephen V. Wilson: Granting 7 Application to Appear Pro Hac Vice by Attorney Daniel E. Chefitz on behalf of Plaintiff Pepsi-Cola Metropolitan Bottling Co., Inc., designating David S Cox as local counsel. (mg) (Entered: 04/30/2010)
04/30/2010	9	FIRST STIPULATION Extending Time to Answer the complaint as to Insurance Company of North America Inc answer now due 6/7/2010, filed by defendant Insurance Company of North America Inc.(Conway, John) (Entered: 04/30/2010)
04/30/2010	10	ORDER by Judge Stephen V. Wilson Granting APPLICATION for attorney Daniel E. Chefitz to Appear Pro Hac Vice (PHV Fee of \$185 receipt number 0973-6876813 paid.) 7 by Daniel E Chefitz to appear on behalf of Plaintiff Pepsi-Cola Metropolitan Bottling Company Inc.David S Cox is designated as local counsel. Fee PAID. (pj) (Entered: 05/03/2010)
05/05/2010	11	FIRST STIPULATION Extending Time to Answer the complaint as to OneBeacon America Insurance Company answer now due 6/7/2010, filed by defendant OneBeacon America Insurance Company.(Pocaterra, Jan) (Entered: 05/05/2010)
05/06/2010	12	PROOF OF SERVICE Executed by Plaintiff Pepsi-Cola Metropolitan Bottling Company Inc, upon Defendant Insurance Company of North America Inc served on 4/15/2010, answer due 6/7/2010. Service of the Summons and Complaint were executed upon Margaret Wilson, authorized to accept service at CT Corp. in compliance with Federal Rules of Civil Procedure by service on a domestic corporation, unincorporated association, or public entity. Original Summons returned. (Waters, Kathleen) (Entered: 05/06/2010)
05/06/2010	13	PROOF OF SERVICE Executed by Plaintiff Pepsi-Cola Metropolitan Bottling Company Inc, upon Defendant OneBeacon America Insurance Company served on 4/15/2010, answer due 6/7/2010. Service of the Summons and Complaint were executed upon Margaret Wilson, authorized to accept service at CT Corp., registered agent in compliance with Federal Rules of Civil Procedure by service on a domestic corporation, unincorporated association, or public entity. Original Summons returned. (Waters, Kathleen) (Entered: 05/06/2010)
06/07/2010	14	ANSWER to Complaint - (Discovery), Complaint - (Discovery) 1 and <i>affirmative defenses</i> filed by defendant Insurance Company of North America

		Inc.(Conway, John) (Entered: 06/07/2010)
06/07/2010	15	<i>Century Indemnity Company's</i> Certificate of Interested Parties filed by defendant Insurance Company of North America Inc, identifying ACE Ltd.. (Conway, John) (Entered: 06/07/2010)
06/07/2010	16	NOTICE OF MOTION AND MOTION to Dismiss Pursuant to FRCP Rule 12(B)(6), or in the Alternative, Motion to Strike Per Rule 12(f)(2); Memorandum of Points and Authorities; Declaration of Jan L. Pocaterra filed by Defendant OneBeacon America Insurance Company. Motion set for hearing on 7/12/2010 at 01:30 PM before Judge Stephen V. Wilson. (Attachments: # 1 Exhibit 1, # 2 Exhibit 2, # 3 Exhibit 3, # 4 Exhibit 4, # 5 Exhibit 5, # 6 Exhibit 6, # 7 Exhibit 7, # 8 Exhibit 8, # 9 Exhibit 9, # 10 Exhibit 10, # 11 Exhibit 11, # 12 Exhibit 12)(Pocaterra, Jan) (Entered: 06/07/2010)
06/07/2010	17	CERTIFICATE of Interested Parties filed by Defendant OneBeacon America Insurance Company, identifying White Mountains Insurance Group. (Pocaterra, Jan) (Entered: 06/07/2010)
06/07/2010	18	REQUEST FOR JUDICIAL NOTICE re MOTION to Dismiss Pursuant to FRCP Rule 12(B)(6), or in the Alternative, Motion to Strike Per Rule 12(f)(2); Memorandum of Points and Authorities; Declaration of Jan L. Pocaterra MOTION to Dismiss Pursuant to FRCP Rule 12(B)(6), or in the Alternative, Motion to Strike Per Rule 12(f)(2); Memorandum of Points and Authorities; Declaration of Jan L. Pocaterra MOTION to Dismiss Pursuant to FRCP Rule 12(B)(6), or in the Alternative, Motion to Strike Per Rule 12(f)(2); Memorandum of Points and Authorities; Declaration of Jan L. Pocaterra 16 filed by Defendant OneBeacon America Insurance Company. (Attachments: # 1 Exhibit 1, # 2 Exhibit 2, # 3 Exhibit 3, # 4 Exhibit 4, # 5 Exhibit 5, # 6 Exhibit 6, # 7 Exhibit 7, # 8 Exhibit 8, # 9 Exhibit 9, # 10 Exhibit 10, # 11 Exhibit 11, # 12 Exhibit 12)(Pocaterra, Jan) (Entered: 06/07/2010)
06/07/2010	19	COUNTERCLAIM against counterdefendant Pepsi-Cola Metropolitan Bottling Company Inc, filed by counterclaimant Century Indemnity Company.(esa) (pj). (Entered: 06/08/2010)
06/08/2010	20	NOTICE OF ERRATA filed by Defendant OneBeacon America Insurance Company. correcting MOTION to Dismiss Pursuant to FRCP Rule 12(B)(6), or in the Alternative, Motion to Strike Per Rule 12(f)(2); Memorandum of Points and Authorities; Declaration of Jan L. Pocaterra MOTION to Dismiss Pursuant to FRCP Rule 12(B)(6), or in the Alternative, Motion to Strike Per Rule 12(f)(2); Memorandum of Points and Authorities; Declaration of Jan L. Pocaterra MOTION to Dismiss Pursuant to FRCP Rule 12(B)(6), or in the Alternative, Motion to Strike Per Rule 12(f)(2); Memorandum of Points and Authorities; Declaration of Jan L. Pocaterra 16 (Pocaterra, Jan) (Entered: 06/08/2010)

06/08/2010	21	ORDER RE STATUS CONFERENCE by Judge Stephen V. Wilson: IT IS HEREBY ORDERED that a Status Conference be set for Monday, July 12, 2010 at 1:30 p.m. before theHonorable Stephen V. Wilson. The attorneys attending this conference MUST be those who are in charge of the conduct of the trial. Attendance is mandatory. See Order for specific details. (im) (Entered: 06/09/2010)
06/16/2010	23	CROSSCLAIM against cross defendants Employers Insurance Company of Wausau, Travelers Indemnity Company, Argonaut Insurance Company, Northwestern National Insurance Company of Milwaukee, Wisconsin, National Union Fire Insurance Company of Pittsburgh, PA, Allstate Insurance Company, OneBeacon Insurance Group, Does; Jury Demand, filed by cross claimant Century Indemnity Company.(esa) (Additional attachment(s) added on 6/18/2010: # 1 Summons as to Crossclaim) (pj). (Entered: 06/18/2010)
06/17/2010	22	NOTICE OF ERRATA filed by Defendant OneBeacon America Insurance Company. correcting MOTION to Dismiss Pursuant to FRCP Rule 12(B)(6), or in the Alternative, Motion to Strike Per Rule 12(f)(2); Memorandum of Points and Authorities; Declaration of Jan L. Pocaterra MOTION to Dismiss Pursuant to FRCP Rule 12(B)(6), or in the Alternative, Motion to Strike Per Rule 12(f)(2); Memorandum of Points and Authorities; Declaration of Jan L. Pocaterra MOTION to Dismiss Pursuant to FRCP Rule 12(B)(6), or in the Alternative, Motion to Strike Per Rule 12(f)(2); Memorandum of Points and Authorities; Declaration of Jan L. Pocaterra 16 (Attachments: # 1 Exhibit A)(Pocaterra, Jan) (Entered: 06/17/2010)
06/21/2010	24	Opposition Pepsi-Cola Metropolitan Bottling Company,Inc.'s Opposition to OneBeacon's Motion to Dismiss or Strike re: MOTION to Dismiss Pursuant to FRCP Rule 12(B)(6), or in the Alternative, Motion to Strike Per Rule 12(f)(2); Memorandum of Points and Authorities; Declaration of Jan L. Pocaterra MOTION to Dismiss Pursuant to FRCP Rule 12(B)(6), or in the Alternative, Motion to Strike Per Rule 12(f)(2); Memorandum of Points and Authorities; Declaration of Jan L. Pocaterra MOTION to Dismiss Pursuant to FRCP Rule 12(B)(6), or in the Alternative, Motion to Strike Per Rule 12(f)(2); Memorandum of Points and Authorities; Declaration of Jan L. Pocaterra 16 filed by Plaintiff Pepsi-Cola Metropolitan Bottling Company Inc. (Cox, David) (Entered: 06/21/2010)
06/21/2010	25	REQUEST FOR JUDICIAL NOTICE re MOTION to Dismiss Pursuant to FRCP Rule 12(B)(6), or in the Alternative, Motion to Strike Per Rule 12(f)(2); Memorandum of Points and Authorities; Declaration of Jan L. Pocaterra MOTION to Dismiss Pursuant to FRCP Rule 12(B)(6), or in the Alternative, Motion to Strike Per Rule 12(f)(2); Memorandum of Points and Authorities; Declaration of Jan L. Pocaterra MOTION to Dismiss Pursuant to FRCP Rule 12(B)(6), or in the Alternative, Motion to Strike Per Rule 12(f)(2); Memorandum of Points and Authorities; Declaration of Jan L. Pocaterra 16 filed by plaintiff Pepsi-Cola Metropolitan Bottling Company Inc. (Attachments: # 1

		Exhibit 1 through 5)(Cox, David) (Entered: 06/21/2010)
06/22/2010	26	NOTICE OF ERRATA filed by Plaintiff Pepsi-Cola Metropolitan Bottling Company Inc. correcting Objection/Opposition (Motion related), Objection/Opposition (Motion related), Objection/Opposition (Motion related) 24 (Attachments: # 1 Exhibit 1)(Cox, David) (Entered: 06/22/2010)
06/28/2010	27	ANSWER to Counterclaim 19 filed by plaintiff and counterdefendant Pepsi-Cola Metropolitan Bottling Company Inc.(Cox, David) (Entered: 06/28/2010)
06/28/2010	28	REPLY in support MOTION to Dismiss Pursuant to FRCP Rule 12(B)(6), or in the Alternative, Motion to Strike Per Rule 12(f)(2); Memorandum of Points and Authorities; Declaration of Jan L. Pocaterra MOTION to Dismiss Pursuant to FRCP Rule 12(B)(6), or in the Alternative, Motion to Strike Per Rule 12(f)(2); Memorandum of Points and Authorities; Declaration of Jan L. Pocaterra MOTION to Dismiss Pursuant to FRCP Rule 12(B)(6), or in the Alternative, Motion to Strike Per Rule 12(f)(2); Memorandum of Points and Authorities; Declaration of Jan L. Pocaterra 16 filed by Defendant OneBeacon America Insurance Company. (Pocaterra, Jan) (Entered: 06/28/2010)
06/28/2010	29	SECOND REQUEST FOR JUDICIAL NOTICE IN SUPPORT OF DEFENDANT ONEBEACON AMERICA INSURANCE COMPANY'S MOTION TO PARTIALLY DISMISS, OR IN THE ALTERNATIVE, STRIKE PORTIONS OF PLAINTIFF'S COMPLAINT re MOTION to Dismiss Pursuant to FRCP Rule 12(B)(6), or in the Alternative, Motion to Strike Per Rule 12(f)(2); Memorandum of Points and Authorities; Declaration of Jan L. Pocaterra MOTION to Dismiss Pursuant to FRCP Rule 12(B)(6), or in the Alternative, Motion to Strike Per Rule 12(f)(2); Memorandum of Points and Authorities; Declaration of Jan L. Pocaterra MOTION to Dismiss Pursuant to FRCP Rule 12(B)(6), or in the Alternative, Motion to Strike Per Rule 12(f)(2); Memorandum of Points and Authorities; Declaration of Jan L. Pocaterra 16 filed by Defendant OneBeacon America Insurance Company. (Pocaterra, Jan) (Entered: 06/28/2010)
07/07/2010	30	PROOF OF SERVICE Executed by Defendant and Cross-Claimant Century Indemnity Company, upon Cross-Defendant Northwestern National Insurance Company of Milwaukee, Wisconsin served on 7/1/2010, answer due 7/22/2010. Service of the Summons and Complaint were executed upon Becky DeGeorge, CSC Lawyers Incorporating Service, Registered Agent in compliance with Federal Rules of Civil Procedure by service on a domestic corporation, unincorporated association, or public entity. Original Summons NOT returned. (Conway, John) (Entered: 07/07/2010)
07/07/2010	31	PROOF OF SERVICE Executed by Defendant and Cross-Claimant Century Indemnity Company, upon Cross-Defendant National Union Fire Insurance Company of Pittsburgh, PA served on 7/1/2010, answer due 7/22/2010. Service of the Summons and Complaint were executed upon Becky DeGeorge, CSC

		Lawyers Incorporating Service, Registered Agent in compliance with Federal Rules of Civil Procedure by service on a domestic corporation, unincorporated association, or public entity. Original Summons NOT returned. (Conway, John) (Entered: 07/07/2010)
07/07/2010	32	PROOF OF SERVICE Executed by Defendant and Cross-Claimant Century Indemnity Company, upon Cross-Defendant Travelers Indemnity Company served on 7/1/2010, answer due 7/22/2010. Service of the Summons and Complaint were executed upon Becky DeGeorge, CSC Lawyers Incorporating Service, Registered Agent in compliance with Federal Rules of Civil Procedure by service on a domestic corporation, unincorporated association, or public entity. Original Summons NOT returned. (Conway, John) (Entered: 07/07/2010)
07/07/2010	33	PROOF OF SERVICE Executed by Defendant and Cross-Claimant Century Indemnity Company, upon Cross-Defendant Employers Insurance Company of Wausau served on 7/1/2010, answer due 7/22/2010. Service of the Summons and Complaint were executed upon Becky DeGeorge, CSC Lawyers Incorporating Service, Registered Agent in compliance with Federal Rules of Civil Procedure by service on a domestic corporation, unincorporated association, or public entity. Original Summons NOT returned. (Conway, John) (Entered: 07/07/2010)
07/07/2010	34	PROOF OF SERVICE Executed by Defendant and Cross-Claimant Century Indemnity Company, upon Cross-Defendant Allstate Insurance Company served on 6/30/2010, answer due 7/21/2010. Service of the Summons and Complaint were executed upon Maria Sanchez, Process Specialist, CT Corporation System, Registered Agent in compliance with Federal Rules of Civil Procedure by service on a domestic corporation, unincorporated association, or public entity. Original Summons NOT returned. (Conway, John) (Entered: 07/07/2010)
07/07/2010	35	NOTICE of Dismissal Pursuant to Federal Rules of Civil Procedure 41(a) or (c) filed by Cross-Claimant Century Indemnity Company. (<i>without prejudice</i>) (Conway, John) (Entered: 07/07/2010)
07/07/2010	36	FIRST STIPULATION Extending Time to Answer the complaint as to OneBeacon Insurance Group answer now due 8/8/2010, filed by Cross-Defendant OneBeacon Insurance Group.(Pocaterra, Jan) (Entered: 07/07/2010)
07/07/2010	37	MINUTES OF IN CHAMBERS ORDER held before Judge Stephen V. Wilson: The Court, on its own motion, continues the motion hearing and new case status conference from July 12, 2010 to August 2, 2010, at 1:30 p.m. The parties are ORDERED to notify the Court within five days of the decision of the Sonoma County Superior Court on Pepsi's Motion for Reconsideration. (im) (Entered: 07/07/2010)
07/13/2010	38	NOTICE of Decision: Notice of Sonoma County Superior Court's Decision to Grant Continuance and to Conduct Further Hearing on Pepsi's Motion for Reconsideration on August 6, 2010 filed by plaintiff Pepsi-Cola Metropolitan

		Bottling Company Inc. <i>Pepsi-Cola Metropolitan Bottling Company, Inc.</i> ' (Cox, David) (Entered: 07/13/2010)
07/15/2010	39	MINUTES OF IN CHAMBERS ORDER held before Judge Stephen V. Wilson: The Court, on its own motion, continues the motion hearing and new case status conference from August 2, 2010 to August 16, 2010, at 1:30 p.m. The parties are ORDERED to notify the Court within two days of the decision of the Sonoma County Superior Court on Pepsi's Motion for Reconsideration. (pj) (Entered: 07/15/2010)
07/19/2010	40	FIRST AMENDED CROSS COMPLAINT against Cross Defendants Employers Insurance Company of Wausau, Travelers Indemnity Company, Continental Insurance Company, Northwestern National Insurance Company of Milwaukee, Wisconsin, National Union Fire Insurance Company of Pittsburgh, PA, Allstate Insurance Company, OneBeacon America Insurance Company, and Does 1-10; amending Crossclaim 23 ; filed by Defendant and Cross-Claimant Century Indemnity Company. (gk) (pj). (Additional attachment(s) added on 7/21/2010: # 1 crossclaims) (pj). (Entered: 07/20/2010)
07/19/2010		21-Day Summons Issued re First Amended Cross Complaint 40 as to Cross Defendants Employers Insurance Company of Wausau, Travelers Indemnity Company, Continental Insurance Company, Northwestern National Insurance Company of Milwaukee, Wisconsin, National Union Fire Insurance Company of Pittsburgh, PA, Allstate Insurance Company, OneBeacon America Insurance Company, and Does 1-10.(gk) (Entered: 07/20/2010)
07/26/2010	41	STIPULATION to Continue Status Conference from August 16, 2010 to August 30, 2010 filed by Plaintiff and Counter-Defendant Pepsi-Cola Metropolitan Bottling Company Inc. (Attachments: # 1 Proposed Order on Stipulation to Continue New Case Status Conference and Motion for Partial Dismissal, Or in the Alternative, Motion to Strike)(Malaret, Charles) (Entered: 07/26/2010)
07/26/2010	42	DECLARATION of Charles Malaret re Stipulation to Continue, 41 <i>New Case Status Conference and Motion for Partial Dismissal, Or in the Alternative, Motion to Strike</i> filed by Plaintiff Pepsi-Cola Metropolitan Bottling Company Inc, Counter Defendant Pepsi-Cola Metropolitan Bottling Company Inc. (Malaret, Charles) (Entered: 07/26/2010)
07/28/2010	43	ORDER by Judge Stephen V. Wilson, re Stipulation to Continue, 41 , The New Case status conference and defendant OneBeacon America Insurance Co partial motion to dismiss or in the alternative motion to strike have been continued to August 30, 2010 at 1:30pm (pj) (Entered: 07/28/2010)
08/03/2010	44	PROOF OF SERVICE Executed by Defendant and Cross-Claimant Century Indemnity Company, upon Cross-Defendant Allstate Insurance Company served on 7/22/2010, answer due 8/12/2010. Service of the Summons and Complaint were executed upon Vivian Imperial, Process Specialist, CT Corporation System, Registered Agent in compliance with Federal Rules of Civil Procedure

		by service on a domestic corporation, unincorporated association, or public entity. Original Summons NOT returned. (Conway, John) (Entered: 08/03/2010)
08/03/2010	45	PROOF OF SERVICE Executed by Defendant and Cross-Complainant Century Indemnity Company, upon Cross-Defendant Continental Insurance Company served on 7/22/2010, answer due 8/12/2010. Service of the Summons and Complaint were executed upon Vivian Imperial, Process Specialist, CT Corporation System, Registered Agent in compliance with Federal Rules of Civil Procedure by service on a domestic corporation, unincorporated association, or public entity. Original Summons NOT returned. (Conway, John) (Entered: 08/03/2010)
08/03/2010	46	PROOF OF SERVICE Executed by Defendant and Cross-Complainant Century Indemnity Company, upon Cross-Defendant Employers Insurance Company of Wausau served on 7/23/2010, answer due 8/13/2010. Service of the Summons and Complaint were executed upon Becky DeGeorge, CSC Lawyers Incorporating Service, Registered Agent in compliance with Federal Rules of Civil Procedure by service on a domestic corporation, unincorporated association, or public entity. Original Summons NOT returned. (Conway, John) (Entered: 08/03/2010)
08/03/2010	47	PROOF OF SERVICE Executed by Defendant and Cross-Complainant Century Indemnity Company, upon Cross-Defendant Northwestern National Insurance Company of Milwaukee, Wisconsin served on 7/23/2010, answer due 8/13/2010. Service of the Summons and Complaint were executed upon Becky DeGeorge, CSC Lawyers Incorporating Service, Registered Agent in compliance with Federal Rules of Civil Procedure by service on a domestic corporation, unincorporated association, or public entity. Original Summons NOT returned. (Conway, John) (Entered: 08/03/2010)
08/03/2010	48	PROOF OF SERVICE Executed by Defendant and Cross-Complainant Century Indemnity Company, upon Cross-Defendant National Union Fire Insurance Company of Pittsburgh, PA served on 7/23/2010, answer due 8/13/2010. Service of the Summons and Complaint were executed upon Becky DeGeorge, CSC Lawyers Incorporating Service, Registered Agent in compliance with Federal Rules of Civil Procedure by service on a domestic corporation, unincorporated association, or public entity. Original Summons NOT returned. (Conway, John) (Entered: 08/03/2010)
08/03/2010	49	PROOF OF SERVICE Executed by Defendant and Cross-Complainant Century Indemnity Company, upon Cross-Defendant Travelers Indemnity Company served on 7/23/2010, answer due 8/13/2010. Service of the Summons and Complaint were executed upon Becky DeGeorge, CSC Lawyers Incorporating Service, Registered Agent in compliance with Federal Rules of Civil Procedure by service on a domestic corporation, unincorporated association, or public entity. Original Summons NOT returned. (Conway, John) (Entered: 08/03/2010)

08/06/2010	50	NOTICE of Decision: Sonoma County Superior Court on Pepsi's Motion for Reconsideration filed by Defendant OneBeacon America Insurance Company. (Attachments: # 1 Exhibit A)(Pocaterra, Jan) (Entered: 08/06/2010)
08/09/2010	51	NOTICE of Decision: Sonoma County Superior Court Proceeding Regarding Pepsi's Motion for Reconsideration filed by Plaintiff Pepsi-Cola Metropolitan Bottling Company Inc. (Cox, David) (Entered: 08/09/2010)
08/10/2010	52	NOTICE OF IMPACT OF SONOMA COUNTY COURT DECISION; REQUEST FOR HEARING ON PENDING MOTION TO PARTIALLY DISMISS, OR STRIKE, COMPLAINT filed by Defendant OneBeacon America Insurance Company. (Attachments: # 1 Exhibit A)(Pocaterra, Jan) (Entered: 08/10/2010)
08/10/2010	53	First STIPULATION for Extension of Time to File Answer to 9/13/10 filed by Defendant and Cross-Claimant Century Indemnity Company. (Attachments: # 1 Proposed Order)(Conway, John) (Entered: 08/10/2010)
08/13/2010	54	ORDER granting Stipulation to Extend Time to Answer (More than 30 days) 53 , Defendants Continental Insurance Company answer due 9/13/2010; Employers Insurance Company of Wausau answer due 9/13/2010; National Union Fire Insurance Company of Pittsburgh, PA answer due 9/13/2010; Northwestern National Insurance Company of Milwaukee, Wisconsin answer due 9/13/2010; OneBeacon America Insurance Company answer due 9/13/2010; Travelers Indemnity Company answer due 9/13/2010 by Judge Stephen V. Wilson (pj) (Entered: 08/13/2010)
08/27/2010	55	<i>Certification</i> Filed and Served of Interested Parties filed by Cross-Defendant Continental Insurance Company, (Greenberg, Mitchell) (Entered: 08/27/2010)
08/27/2010	56	<i>Certification</i> Filed and Served of Interested Parties filed by Cross-Defendant National Union Fire Insurance Company of Pittsburgh, PA, (Greenberg, Mitchell) (Entered: 08/27/2010)
08/27/2010	57	<i>Certification</i> Filed and Served of Interested Parties filed by Cross-Defendant Northwestern National Insurance Company of Milwaukee, Wisconsin, (Greenberg, Mitchell) (Entered: 08/27/2010)
08/27/2010	58	<i>Certification</i> Filed and Served of Interested Parties filed by Cross-Defendant Employers Insurance Company of Wausau, (Greenberg, Mitchell) (Entered: 08/27/2010)
08/27/2010	59	<i>Certification</i> Filed and Served of Interested Parties filed by Cross-Defendant Travelers Indemnity Company, (Greenberg, Mitchell) (Entered: 08/27/2010)
08/30/2010	60	NOTICE of Change of Firm Name filed by Defendant and Cross-Claimant Century Indemnity Company. (Conway, John) (Entered: 08/30/2010)
08/30/2010	62	MINUTES OF Motion Hearing 16 ; NEW CASE STATUS CONFERENCE held before Judge Stephen V. Wilson. Hearing and conference held. The motion is

		submitted. Order to issue. The Court sets the following dates: Pretrial Conference set January 3, 2011 at 3:30 p.m.; Jury Trial set January 4, 2011 at 9:00 a.m. Court Reporter: Deborah Gackle. (rs) (Entered: 08/31/2010)
08/31/2010	61	CIVIL TRIAL PREPARATION ORDER by Judge Stephen V. Wilson. Jury Trial set for 1/4/2011 at 09:00 AM; Pretrial Conference set for 1/31/2011 at 03:30 PM. The above-mentioned cause of action is set for trial before the Honorable Stephen V. Wilson. Counsel preparing for trial before this Court shall comply with this Order. Non-compliance will be subject to sanctions. SEE ATTACHED ORDER. (rs) (Entered: 08/31/2010)
09/01/2010	63	ORDER by Judge Stephen V. Wilson: 16 ORDER DENYING DEFENDANTS MOTION FOR PARTIAL DISMISSAL PURSUANT TO FRCP 12(B)(6), OR IN THE ALTERNATIVE, MOTION TO STRIKE PER RULE 12(f)(2). Trial is set for January 11, 2011 at 9:00 a.m. The pretrial conference will be held on January 3, 2011 at 3:30 p.m. (im) (Entered: 09/02/2010)
09/10/2010	64	STIPULATION for Extension of Time to File Answer to September 17, 2010 filed by Defendant and Cross-Complainant Century Indemnity Company. (Attachments: # 1 Proposed Order)(Conway, John) (Entered: 09/10/2010)
09/14/2010	65	STIPULATION for Extension of Time to File Response to Cross-Complaint of Century Indemnity Company filed by cross-defendant OneBeacon America Insurance Company. (Attachments: # 1 Proposed Order One Beacon's Proposed Order to Stipulation to Extend Time to Respond to Cross Complaint of Century Indemnity)(Pocaterra, Jan) (Entered: 09/14/2010)
09/14/2010	66	ANSWER to Amended Crossclaim,, 40 (<i>To First Amended Cross Complaint Of Century Indemnity Company For Declaratory Relief, Contribution, Subrogation And Equitable Indemnity</i>) filed by Defendant Travelers Indemnity Company. (Greenberg, Mitchell) (Entered: 09/14/2010)
09/14/2010	67	ANSWER to Amended Crossclaim,, 40 (<i>To First Amended Cross Complaint Of Century Indemnity Company For Declaratory Relief, Contribution, Subrogation And Equitable Indemnity</i>) filed by Defendant Continental Insurance Company. (Greenberg, Mitchell) (Entered: 09/14/2010)
09/14/2010	68	ANSWER to Amended Crossclaim,, 40 (<i>To First Amended Cross Complaint Of Century Indemnity Company For Declaratory Relief, Contribution, Subrogation And Equitable Indemnity</i>) filed by Defendant Northwestern National Insurance Company of Milwaukee, Wisconsin.(Greenberg, Mitchell) (Entered: 09/14/2010)
09/14/2010	69	ANSWER to Amended Crossclaim,, 40 (<i>To First Amended Cross Complaint Of Century Indemnity Company For Declaratory Relief, Contribution, Subrogation And Equitable Indemnity</i>) filed by Defendant National Union Fire Insurance Company of Pittsburgh, PA.(Greenberg, Mitchell) (Entered: 09/14/2010)

09/14/2010	70	ANSWER to Amended Crossclaim,, 40 (To First Amended Cross Complaint Of Century Indemnity Company For Declaratory Relief, Contribution, Subrogation And Equitable Indemnity) filed by Defendant Employers Insurance Company of Wausau.(Greenberg, Mitchell) (Entered: 09/14/2010)
09/14/2010	71	ANSWER to Amended Crossclaim,, 40 to First Amended Cross Complaint of Century Indemnity Company for Declaratory Relief, Contribution, Subrogation and Equitable Indemnity filed by Cross-defendant Allstate Insurance Company. (Attachments: # 1 Proof of Service)(McCabe, Louise) (Entered: 09/14/2010)
09/15/2010	72	NOTICE TO FILER OF DEFICIENCIES in Electronically Filed Documents RE: Answer to Complaint, 71 . The following error(s) was found: Local Rule 7.1-1 No Certification of Interested Parties and or no copies. In response to this notice the court may order (1) an amended or correct document to be filed (2) the document stricken or (3) take other action as the court deems appropriate. You need not take any action in response to this notice unless and until the court directs you to do so. (vh) (Entered: 09/15/2010)
09/15/2010	76	ORDER by Judge Stephen V. Wilson, re Stipulation to Extend the time in which Allstate Insurance Company is required to respond to the Crossclaim 65 , and good cause appearing therefore, that Allstate Insurance Company shall have until 9/17/2010, to respond tot he Amended Crossclaim. (jp) (Entered: 09/20/2010)
09/17/2010	73	ANSWER to Amended Crossclaim,, 40 filed by cross-defendant OneBeacon America Insurance Company.(Pocaterra, Jan) (Entered: 09/17/2010)
09/17/2010	74	CERTIFICATE of Interested Parties filed by Cross-Defendant Allstate Insurance Company, identifying Allstate Corporation. (McCabe, Louise) (Entered: 09/17/2010)
09/17/2010	75	CROSS COMPLAINT against Cross Defendants Allstate Insurance Company, Continental Insurance Company, Employers Insurance Company of Wausau, National Union Fire Insurance Company of Pittsburgh, PA, Northwestern National Insurance Company of Milwaukee, Wisconsin, Travelers Indemnity Company, Pneumo Abex Corporation filed by Cross Complainant OneBeacon America Insurance Company.(lc) (lc). (Additional attachment(s) added on 9/21/2010: # 1 Summons issued as to Crossclaim) (pj). (Entered: 09/20/2010)
09/20/2010		21 days DAY Summons Issued re Crossclaim, 75 as to Cross- Allstate Insurance Company, Continental Insurance Company, Employers Insurance Company of Wausau, National Union Fire Insurance Company of Pittsburgh, PA, Northwestern National Insurance Company of Milwaukee, Wisconsin, Pneumo Abex Corporation, Travelers Indemnity Company. (pj) (Entered: 09/21/2010)
09/21/2010	77	ANSWER to Complaint - (Discovery), Complaint - (Discovery) 1 filed by Defendant OneBeacon America Insurance Company.(Pocaterra, Jan) (Entered: 09/21/2010)

09/21/2010	78	COUNTERCLAIM against Counter defendant Pepsi-Cola Metropolitan Bottling Company Inc, filed by Counter defendant OneBeacon America Insurance Company.(lc) (pj). (Entered: 09/22/2010)
09/22/2010	79	NOTICE of Association of Counsel associating attorney Steven T. Adams of Musick, Peeler & Garrett LLP on behalf of Defendant OneBeacon America Insurance Company. Filed by Defendant OneBeacon America Insurance Company (Pocaterra, Jan) (Entered: 09/22/2010)
10/04/2010	80	NOTICE OF ERRATA filed by Defendant OneBeacon America Insurance Company. correcting Crossclaim, 75 (Attachments: # 1 Exhibit 1 - Corrected Cross-Complaint)(Pocaterra, Jan) (Entered: 10/04/2010)
10/04/2010	82	CORRECTED CROSS-COMPLAINT against Cross Defendants Allstate Insurance Company, Continental Insurance Company, Employers Insurance Company of Wausau, National Union Fire Insurance Company of Pittsburgh, PA, Northwestern National Insurance Company of Milwaukee, Wisconsin, Pneumo Abex Corporation, Travelers Indemnity Company correcting Crossclaim, 75 ,filed by Cross-Claimant OneBeacon America Insurance Company (pj) (Entered: 10/05/2010)
10/05/2010	81	PROOF OF SERVICE Executed by Defendant and Cross-Complainant OneBeacon America Insurance Company, upon Cross-Defendant Pneumo Abex Corporation served on 9/21/2010, answer due 10/12/2010. Service of the Summons and Complaint were executed upon Cross-Defendant PNEUMO ABEX CORPORATION, Amy Schultz, Agent Authorized to Accept Service in compliance with Federal Rules of Civil Procedure by service on a domestic corporation, unincorporated association, or public entity. Original Summons NOT returned. (Pocaterra, Jan) (Entered: 10/05/2010)
10/06/2010	83	ORIGINAL SUMMONS RETURNED filed by Cross Claimants Century Indemnity Company, OneBeacon America Insurance Company. (jp) (Entered: 10/07/2010)
10/08/2010	84	<i>PEPSI'S ANSWER TO COUNTER CLAIM OF ONEBEACON AMERICA INSURANCE COMPANY</i> filed by Plaintiff and Counter-Defendant Pepsi-Cola Metropolitan Bottling Company Inc.(Cox, David) (Entered: 10/08/2010)
10/08/2010	85	ANSWER to <i>Cross-Complaint</i> filed by Cross-Defendant Century Indemnity Company.(Conway, John) (Entered: 10/08/2010)
10/12/2010	86	NOTICE OF MOTION AND MOTION to Dismiss ONEBEACON AMERICA INSURANCE COMPANY'S CROSSCLAIM FOR UNJUST ENRICHMENT filed by Cross-Defendant Pneumo Abex Corporation. Motion set for hearing on 11/15/2010 at 01:30 PM before Judge Stephen V. Wilson. (Attachments: # 1 Declaration DECLARATION OF SALVATORE PICARIELLO IN SUPPORT OF PNEUMO ABEX'S MOTION TO DISMISS ONEBEACON AMERICA INSURANCE COMPANY'S CROSSCLAIM FOR UNJUST ENRICHMENT, # 2 Proposed Order [PROPOSED] ORDER GRANTING PNEUMO ABEX'S

		MOTION TO DISMISS ONEBEACON AMERICA INSURANCE COMPANYS CROSSCLAIM FOR UNJUST ENRICHMENT, # 3 Supplement CERTIFICATION AND NOTICE OF INTERESTED PARTIES)(Cox, David) (Entered: 10/12/2010)
10/12/2010	87	<i>Employers Insurance Company Of Wausau's ANSWER To Corrected Cross-Complaint Of Defendant OneBeacon America Insurance Company</i> filed by Defendant Employers Insurance Company of Wausau.(Greenberg, Mitchell) (Entered: 10/12/2010)
10/12/2010	88	<i>Northwestern National Insurance Company Of Milwaukee, Wisconsin's ANSWER To Corrected Cross-Complaint Of Defendant OneBeacon America Insurance Company</i> filed by Defendant Northwestern National Insurance Company of Milwaukee, Wisconsin.(Greenberg, Mitchell) (Entered: 10/12/2010)
10/12/2010	89	<i>National Union Fire Insurance Company Of Pittsburgh, PA's ANSWER To Corrected Cross-Complaint Of Defendant OneBeacon America Insurance Company</i> filed by Defendant National Union Fire Insurance Company of Pittsburgh, PA.(Greenberg, Mitchell) (Entered: 10/12/2010)
10/12/2010	90	PROOF OF SERVICE filed by Cross-Defendant Pneumo Abex Corporation, re MOTION to Dismiss ONEBEACON AMERICA INSURANCE COMPANY'S CROSSCLAIM FOR UNJUST ENRICHMENT 86 ; <i>DECLARATION OF SALVATORE PICARIELLO IN SUPPORT OF PNEUMO ABEX'S MOTION TO DISMISS ONEBEACON AMERICA INSURANCE COMPANY'S CROSSCLAIM FOR UNJUST ENRICHMENT; [PROPOSED] ORDER GRANTING PNEUMO ABEXS MOTION TO DISMISS ONEBEACON AMERICA INSURANCE COMPANYS CROSSCLAIM FOR UNJUST ENRICHMENT; CERTIFICATION AND NOTICE OF INTERESTED PARTIES</i> served on October 12, 2010. (Cox, David) (Entered: 10/12/2010)
10/12/2010	91	<i>The Continental Insurance Company's ANSWER To Corrected Cross-Complaint Of Defendant OneBeacon America Insurance Company</i> filed by Defendant Continental Insurance Company.(Greenberg, Mitchell) (Entered: 10/12/2010)
10/12/2010	92	ANSWER to Corrected Complaint, 82 of <i>OneBeacon America Insurance Company</i> filed by Cross-defendant Allstate Insurance Company.(McCabe, Louise) (Entered: 10/12/2010)
10/13/2010	93	<i>The Travelers Indemnity Company's ANSWER To Corrected Cross-Complaint Of Defendant OneBeacon America Insurance Company</i> filed by Defendant Travelers Indemnity Company.(Greenberg, Mitchell) (Entered: 10/13/2010)
10/14/2010	94	NOTICE TO FILER OF DEFICIENCIES in Electronically Filed Documents RE: MOTION to Dismiss ONEBEACON AMERICA INSURANCE COMPANY'S CROSSCLAIM FOR UNJUST ENRICHMENT 86 . The following error(s) was found: Certification and Notice of Interested Parties

		should be filed as a separate document and not as an attachment to the Motion. In response to this notice the court may order (1) an amended or correct document to be filed (2) the document stricken or (3) take other action as the court deems appropriate. You need not take any action in response to this notice unless and until the court directs you to do so. (vh) (Entered: 10/14/2010)
10/21/2010	95	STIPULATION to Stay Case pending resolution of underlying claims filed by plaintiff, counter-defendant and cross-defendant Pepsi-Cola Metropolitan Bottling Company Inc, Pneumo Abex Corporation. (Attachments: # 1 Proposed Order)(Cox, David) (Entered: 10/21/2010)
10/21/2010	96	STIPULATION for Protective Order filed by plaintiff, counter-defendant, cross-defendant Pepsi-Cola Metropolitan Bottling Company Inc, Pneumo Abex Corporation. (Attachments: # 1 Proposed Order)(Cox, David) (Entered: 10/21/2010)
10/22/2010	97	PROTECTIVE ORDER by Magistrate Judge Margaret A. Nagle re Stipulation for Protective Order 96 (ec) (Entered: 10/22/2010)
10/25/2010	98	CROSS-COMPLAINANT ONEBEACON AMERICA INSURANCE COMPANY'S OPPOSITION TO MOTION OF CROSS-DEFENDANT PNEUMO ABEX FOR DISMISSAL PURSUANT TO FRCP RULE 12(B)(6) OPPOSITION re: MOTION to Dismiss ONEBEACON AMERICA INSURANCE COMPANY'S CROSSCLAIM FOR UNJUST ENRICHMENT 86 filed by Counter Claimant OneBeacon America Insurance Company. (Pocaterra, Jan) (Entered: 10/25/2010)
10/25/2010	99	REQUEST FOR JUDICIAL NOTICE re MOTION to Dismiss ONEBEACON AMERICA INSURANCE COMPANY'S CROSSCLAIM FOR UNJUST ENRICHMENT 86 filed by Defendant and Cross-Complainant OneBeacon America Insurance Company. (Attachments: # 1 Exhibit A, # 2 Exhibit B, # 3 Exhibit C, # 4 Exhibit D, # 5 Exhibit E, # 6 Exhibit F)(Pocaterra, Jan) (Entered: 10/25/2010)
10/25/2010	100	DECLARATION of JAN L. POCATERRA IN OPPOSITION TO MOTION to Dismiss ONEBEACON AMERICA INSURANCE COMPANY'S CROSSCLAIM FOR UNJUST ENRICHMENT 86 filed by Cross Claimant OneBeacon America Insurance Company. (Attachments: # 1 Exhibit 1, # 2 Exhibit 2, # 3 Exhibit 3, # 4 Exhibit 4, # 5 Exhibit 5, # 6 Exhibit 6)(Pocaterra, Jan) (Entered: 10/25/2010)
11/01/2010	101	REPLY in support of MOTION to Dismiss ONEBEACON AMERICA INSURANCE COMPANY'S CROSSCLAIM FOR UNJUST ENRICHMENT 86 filed by Cross Defendant Pneumo Abex Corporation. (Cox, David) (Entered: 11/01/2010)
11/03/2010	102	ORDER by Judge Stephen V. Wilson, re Stipulation to Stay Case pending resolution of underlying claims 95 , and good cause appearing therefore, All indemnity-related claims, counterclaims, and crossclaims, including all

		discovery related thereto, are hereby STAYED, pursuant to <i>Montrose Chemical Corp. v. Superior Court</i> , 6 Cal.4th 293(1993). This stay shall be lifted only by Order of the Court upon its own motion, the parties stipulation thereto, or upon the motion of any party. (jp) (Entered: 11/04/2010)
11/10/2010	103	NOTICE of Association of Counsel associating attorney Brandt L. Wolkin, Esq., Phyllis M. Cantor, Esq., and Jennifer L. Elowsky, Esq. on behalf of Cross Claimant Century Indemnity Company, Counter Claimant Century Indemnity Company. Filed by Cross Claimant Century Indemnity Company, Counter Claimant Century Indemnity Company (Cantor, Phyllis) (Entered: 11/10/2010)
11/15/2010	104	APPLICATION for attorney Matthew I. Farmer to Appear Pro Hac Vice (PHV FEE NOT PAID.) filed by Defendant and Cross-Claimant Century Indemnity Company. (Attachments: # 1 Proposed Order)(Conway, John) (Entered: 11/15/2010)
11/15/2010	105	Proceedings: MOTION to Dismiss ONEBEACON AMERICA INSURANCE COMPANY'S CROSS CLAIM FOR UNJUST ENRICHMENT 86 held before Judge Stephen V. Wilson. Hearing held. The motion is granted with leave to amend. Dispositive motions shall be filed by November 19, 2010. Court Reporter: Deborah Gackle. (ag) (Entered: 11/16/2010)
11/17/2010	106	ORDER by Judge Stephen V. Wilson granting Application to Appear Pro Hac Vice by Attorney Matthew I Farmer on behalf of Defendant Century Indemnity Company, designating John C Conway as local counsel (PHV FEE NOT PAID) 104 . (jp) (Entered: 11/18/2010)
11/18/2010	107	ORDER GRANTING CROSS-DEFENDANT PNEUMO ABEXS MOTION TO DISMISS WITH LEAVE TO AMEND 86 by Judge Stephen V. Wilson. *See Order for Specifics* (ag) (Entered: 11/19/2010)
11/19/2010	108	NOTICE OF MOTION AND MOTION to Compel Arbitration filed by Defendant/Counterclaimant Century Indemnity Company. Motion set for hearing on 12/20/2010 at 01:30 PM before Judge Stephen V. Wilson. (Cantor, Phyllis) (Entered: 11/19/2010)
11/19/2010	109	MEMORANDUM in Support of MOTION to Compel Arbitration 108 filed by Counter Claimant Century Indemnity Company. (Cantor, Phyllis) (Entered: 11/19/2010)
11/19/2010	110	REQUEST FOR JUDICIAL NOTICE re MOTION to Compel Arbitration 108 filed by Defendant/Counterclaimant Century Indemnity Company. (Attachments: # 1 Exhibit Exhibits A-F to Request for Judicial Notice, # 2 Exhibit Exhibits G-K to Request for Judicial Notice)(Cantor, Phyllis) (Entered: 11/19/2010)
11/19/2010	111	DECLARATION of John C. Conway in support of MOTION to Compel Arbitration 108 filed by Counter Claimant Century Indemnity Company. (Attachments: # 1 Exhibit L-M to Declaration of John C. Conway)(Cantor,

		Phyllis) (Entered: 11/19/2010)
11/19/2010	112	DECLARATION of Kevin Winey in support of MOTION to Compel Arbitration 108 filed by Counter Claimant Century Indemnity Company. (Attachments: # 1 Exhibit N-S to Declaration of Kevin Winey, # 2 Exhibit T (Part 1 of 3) to Declaration of Kevin Winey, # 3 Exhibit T (Part 2 of 3) to Declaration of Kevin Winey, # 4 Exhibit T (Part 3 of 3) to Declaration of Kevin Winey, # 5 Exhibit U-V to Declaration of Kevin Winey)(Cantor, Phyllis) (Entered: 11/19/2010)
11/19/2010	113	CERTIFICATE OF SERVICE filed by Defendant/Counterclaimant Century Indemnity Company, re Declaration (Motion related) 111 , Declaration (Motion related), Declaration (Motion related) 112 , Memorandum in Support of Motion 109 , Request for Judicial Notice, Request for Relief,, 110 , MOTION to Compel Arbitration 108 served on 11/19/2010. (Cantor, Phyllis) (Entered: 11/19/2010)
11/19/2010	114	NOTICE OF MOTION AND MOTION for Partial Summary Judgment as to CROSS-DEFENDANTS filed by Defendant Century Indemnity Company. Motion set for hearing on 12/13/2010 at 01:30 PM before Judge Stephen V. Wilson. (Conway, John) (Entered: 11/19/2010)
11/19/2010	115	MEMORANDUM in Support of MOTION for Partial Summary Judgment as to CROSS-DEFENDANTS 114 filed by Cross Claimant Century Indemnity Company. (Conway, John) (Entered: 11/19/2010)
11/19/2010	116	STATEMENT of UNCONTROVERTED FACTS AND CONCLUSIONS OF LAW MOTION for Partial Summary Judgment as to CROSS-DEFENDANTS 114 filed by Cross Claimant Century Indemnity Company. (Conway, John) (Entered: 11/19/2010)
11/19/2010	117	REQUEST FOR JUDICIAL NOTICE re MOTION for Partial Summary Judgment as to CROSS-DEFENDANTS 114 filed by Defendant Century Indemnity Company. (Attachments: # 1 Exhibits A thru B, # 2 Exhibit C - Part 1 of 3, # 3 Exhibit C - Part 2 of 3, # 4 Exhibit C - Part 3 of 3, # 5 Exhibit D, # 6 Exhibit E - Part 1 of 3, # 7 Exhibit E - Part 2 of 3, # 8 Exhibit E - Part 3 of 3, # 9 Exhibits F thru H, # 10 Exhibits I thru J)(Conway, John) (Entered: 11/19/2010)
11/19/2010	118	DECLARATION of JOHN C. CONWAY IN SUPPORT OF MOTION for Partial Summary Judgment as to CROSS-DEFENDANTS 114 filed by Cross Claimant Century Indemnity Company. (Conway, John) (Entered: 11/19/2010)
11/19/2010	119	DECLARATION of DAVID YOUNG IN SUPPORT OF MOTION for Partial Summary Judgment as to CROSS-DEFENDANTS 114 filed by Cross Claimant Century Indemnity Company. (Conway, John) (Entered: 11/19/2010)
11/19/2010	120	DECLARATION of KEVIN WINEY IN SUPPORT OF MOTION for Partial Summary Judgment as to CROSS-DEFENDANTS 114 filed by Cross Claimant Century Indemnity Company. (Attachments: # 1 Exhibits K thru N)(Conway,

		John) (Entered: 11/19/2010)
11/19/2010	121	NOTICE OF MOTION AND MOTION for Partial Summary Judgment as to Applicability of California Civil Code Section 2860 filed by Defendant/Counterclaimant Century Indemnity Company. Motion set for hearing on 12/13/2010 at 01:30 PM before Judge Stephen V. Wilson. (Cantor, Phyllis) (Entered: 11/19/2010)
11/19/2010	122	MEMORANDUM in Support of MOTION for Partial Summary Judgment as to Applicability of California Civil Code Section 2860 121 filed by Counter Claimant Century Indemnity Company. (Cantor, Phyllis) (Entered: 11/19/2010)
11/19/2010	123	STATEMENT of Uncontroverted Facts and Conclusions of Law in Support of MOTION for Partial Summary Judgment as to Applicability of California Civil Code Section 2860 121 filed by Counter Claimant Century Indemnity Company. (Cantor, Phyllis) (Entered: 11/19/2010)
11/19/2010	124	OF SERVICE filed by Defendant Century Indemnity Company, re Declaration (Motion related) 119 , Memorandum in Support of Motion 115 , Statement (Motion related) 116 , Declaration (Motion related) 118 , Request for Judicial Notice, Request for Relief,, 117 , Declaration (Motion related) 120 , MOTION for Partial Summary Judgment as to CROSS-DEFENDANTS 114 served on 11/19/2010. (Conway, John) (Entered: 11/19/2010)
11/19/2010	125	REQUEST FOR JUDICIAL NOTICE re MOTION for Partial Summary Judgment as to Applicability of California Civil Code Section 2860 121 filed by Defendant/Counterclaimant Century Indemnity Company. (Attachments: # 1 Exhibit A-C to Request for Judicial Notice)(Cantor, Phyllis) (Entered: 11/19/2010)
11/19/2010	126	NOTICE OF MOTION AND MOTION for Partial Summary Judgment as to DECLARATORY RELIEF RE: ALLOCATION OF DEFENSE COSTS AGAINST PLAINTIFF filed by Defendant Century Indemnity Company. Motion set for hearing on 12/13/2010 at 01:30 PM before Judge Stephen V. Wilson. (Conway, John) (Entered: 11/19/2010)
11/19/2010	127	MEMORANDUM in Support of MOTION for Partial Summary Judgment as to DECLARATORY RELIEF RE: ALLOCATION OF DEFENSE COSTS AGAINST PLAINTIFF 126 filed by Cross Claimant Century Indemnity Company. (Conway, John) (Entered: 11/19/2010)
11/19/2010	128	DECLARATION of Kevin Winey in support of MOTION for Partial Summary Judgment as to Applicability of California Civil Code Section 2860 121 filed by Counter Claimant Century Indemnity Company. (Attachments: # 1 Exhibit D-I to Declaration of Kevin Winey, # 2 Exhibit J (Part 1 of 3) to Declaration of Kevin Winey, # 3 Exhibit J (Part 2 of 3) to Declaration of Kevin Winey, # 4 Exhibit J (Part 3 of 3) to Declaration of Kevin Winey, # 5 Exhibit K to Declaration of Kevin Winey)(Cantor, Phyllis) (Entered: 11/19/2010)

11/19/2010	129	STATEMENT of UNCONTROVERTED FACTS AND CONCLUSIONS OF LAW IN SUPPORT OF MOTION for Partial Summary Judgment as to DECLARATORY RELIEF RE: ALLOCATION OF DEFENSE COSTS AGAINST PLAINTIFF 126 filed by Cross Claimant Century Indemnity Company. (Conway, John) (Entered: 11/19/2010)
11/19/2010	130	DECLARATION of John C. Conway in support of MOTION for Partial Summary Judgment as to Applicability of California Civil Code Section 2860 121 filed by Counter Claimant Century Indemnity Company. (Cantor, Phyllis) (Entered: 11/19/2010)
11/19/2010	131	CERTIFICATE OF SERVICE filed by Defendant/Counterclaimant Century Indemnity Company, re Declaration (Motion related) 130 , Statement (Motion related) 123 , MOTION for Partial Summary Judgment as to Applicability of California Civil Code Section 2860 121 , Declaration (Motion related), Declaration (Motion related), Declaration (Motion related) 128 , Memorandum in Support of Motion 122 , Request for Judicial Notice, Request for Relief,, 125 served on 11/19/2010. (Cantor, Phyllis) (Entered: 11/19/2010)
11/19/2010	132	REQUEST FOR JUDICIAL NOTICE re MOTION for Partial Summary Judgment as to DECLARATORY RELIEF RE: ALLOCATION OF DEFENSE COSTS AGAINST PLAINTIFF 126 filed by Defendant Century Indemnity Company. (Attachments: # 1 Exhibits A thru B, # 2 Exhibit C - Part 1 of 3, # 3 Exhibit C - Part 2 of 3, # 4 Exhibit C - Part 3 of 3, # 5 Exhibit D, # 6 Exhibit E - Part 1 of 3, # 7 Exhibit E - Part 2 of 3, # 8 Exhibit E - Part 3 of 3, # 9 Exhibits F thru J, # 10 Exhibit K)(Conway, John) (Entered: 11/19/2010)
11/19/2010	133	DECLARATION of JOHN C. CONWAY IN SUPPORT OF MOTION for Partial Summary Judgment as to DECLARATORY RELIEF RE: ALLOCATION OF DEFENSE COSTS AGAINST PLAINTIFF 126 filed by Cross Claimant Century Indemnity Company. (Conway, John) (Entered: 11/19/2010)
11/19/2010	134	DECLARATION of DAVID YOUNG IN SUPPORT OF MOTION for Partial Summary Judgment as to DECLARATORY RELIEF RE: ALLOCATION OF DEFENSE COSTS AGAINST PLAINTIFF 126 filed by Cross Claimant Century Indemnity Company. (Conway, John) (Entered: 11/19/2010)
11/19/2010	135	DECLARATION of KEVIN WINEY IN SUPPORT OF MOTION for Partial Summary Judgment as to DECLARATORY RELIEF RE: ALLOCATION OF DEFENSE COSTS AGAINST PLAINTIFF 126 filed by Cross Defendant Continental Insurance Company. (Attachments: # 1 Exhibits L thru N, # 2 Exhibits O thru Q)(Conway, John) (Entered: 11/19/2010)
11/19/2010	136	OF SERVICE filed by Defendant Century Indemnity Company, re Declaration (Motion related), Declaration (Motion related) 135 , Request for Judicial Notice, Request for Relief,, 132 , MOTION for Partial Summary Judgment as to DECLARATORY RELIEF RE: ALLOCATION OF DEFENSE COSTS

		AGAINST PLAINTIFF 126 , Declaration (Motion related) 134 , Memorandum in Support of Motion 127 , Declaration (Motion related) 133 , Statement (Motion related), Statement (Motion related) 129 served on 11/19/2010. (Conway, John) (Entered: 11/19/2010)
11/19/2010	137	NOTICE OF LODGING filed <i>re Proposed Order Ruling re MOTION for Partial Summary Judgment as to Applicability of California Civil Code Section 2860</i> 121 (Attachments: # 1 Proposed Order Ruling on Motion of Century Indemnity Company for Partial Summary Judgment re Applicability of California Civil Code Section 2860)(Cantor, Phyllis) (Entered: 11/19/2010)
11/19/2010	138	NOTICE OF LODGING filed <i>re Proposed Order Ruling on Century Indemnity Company's Motion to Compel Arbitration re MOTION to Compel Arbitration</i> 108 (Attachments: # 1 Proposed Order Ruling on Century Indemnity Company's Motion to Compel Arbitration)(Cantor, Phyllis) (Entered: 11/19/2010)
11/19/2010	139	NOTICE OF LODGING filed <i>re Proposed Order Ruling on Motion of Century Indemnity Company and OneBeacon America Insurance Company for Partial Summary Judgment Against Cross Defendant Insurers re MOTION for Partial Summary Judgment as to CROSS-DEFENDANTS</i> 114 (Attachments: # 1 Proposed Order Ruling on Motion of Century Indemnity Company and OneBeacon America Insurance Company for Partial Summary Judgment Against Cross Defendant Insurers)(Conway, John) (Entered: 11/19/2010)
11/19/2010	140	NOTICE OF LODGING filed <i>re Proposed Order Ruling on Motion of Century Indemnity Company and OneBeacon America Insurance Company for Partial Summary Judgment of Declaratory Relief re: Allocation of Defense Costs Against Plaintiff re MOTION for Partial Summary Judgment as to DECLARATORY RELIEF RE: ALLOCATION OF DEFENSE COSTS AGAINST PLAINTIFF</i> 126 (Attachments: # 1 Proposed Order Ruling on Motion of Century Indemnity Company and OneBeacon America Insurance Company for Partial Summary Judgment of Declaratory Relief re: Allocation of Defense Costs Against Plaintiff)(Conway, John) (Entered: 11/19/2010)
11/19/2010	141	NOTICE OF MOTION AND MOTION for Partial Summary Judgment as to Declaration re: Duty to Defend and Related Affirmative Defenses <i>against INA and OneBeacon</i> filed by plaintiff, counter-defendant and cross-defendants Pepsi-Cola Metropolitan Bottling Company Inc, Pneumo Abex Corporation. Motion set for hearing on 12/13/2010 at 01:30 PM before Judge Stephen V. Wilson. (Cox, David) (Entered: 11/19/2010)
11/19/2010	142	MEMORANDUM in Support of MOTION for Partial Summary Judgment as to Declaration re: Duty to Defend and Related Affirmative Defenses <i>against INA and OneBeacon</i> 141 filed by Plaintiff Pepsi-Cola Metropolitan Bottling Company Inc, Counter Defendants Pepsi-Cola Metropolitan Bottling Company Inc, Pepsi-Cola Metropolitan Bottling Company Inc. (Attachments: # 1 Proposed Order)(Cox, David) (Entered: 11/19/2010)

11/19/2010	143	STATEMENT of Uncontroverted Facts and Conclusions of Law MOTION for Partial Summary Judgment as to Declaration re: Duty to Defend and Related Affirmative Defenses <i>against INA and OneBeacon</i> 141 filed by Plaintiff Pepsi-Cola Metropolitan Bottling Company Inc, Counter Defendants Pepsi-Cola Metropolitan Bottling Company Inc, Pepsi-Cola Metropolitan Bottling Company Inc. (Cox, David) (Entered: 11/19/2010)
11/19/2010	144	NOTICE OF MOTION AND MOTION for Partial Summary Judgment as to Breach of Duty to Defend filed by plaintiff and counter-defendant Pepsi-Cola Metropolitan Bottling Company Inc. Motion set for hearing on 12/13/2010 at 01:30 PM before Judge Stephen V. Wilson. (Cox, David) (Entered: 11/19/2010)
11/19/2010	145	MEMORANDUM in Support of MOTION for Partial Summary Judgment as to Breach of Duty to Defend 144 filed by Plaintiff Pepsi-Cola Metropolitan Bottling Company Inc, Counter Defendants Pepsi-Cola Metropolitan Bottling Company Inc, Pepsi-Cola Metropolitan Bottling Company Inc. (Attachments: # 1 Proposed Order)(Cox, David) (Entered: 11/19/2010)
11/19/2010	146	STATEMENT of Uncontroverted Facts and Conclusions of Law MOTION for Partial Summary Judgment as to Breach of Duty to Defend 144 filed by Plaintiff Pepsi-Cola Metropolitan Bottling Company Inc, Counter Defendants Pepsi-Cola Metropolitan Bottling Company Inc, Pepsi-Cola Metropolitan Bottling Company Inc. (Cox, David) (Entered: 11/19/2010)
11/19/2010	147	DECLARATION of Evy M. Wild in support of MOTION for Partial Summary Judgment as to Breach of Duty to Defend 144 , MOTION for Partial Summary Judgment as to Declaration re: Duty to Defend and Related Affirmative Defenses <i>against INA and OneBeacon</i> 141 filed by Plaintiff Pepsi-Cola Metropolitan Bottling Company Inc, Counter Defendants Pepsi-Cola Metropolitan Bottling Company Inc, Pepsi-Cola Metropolitan Bottling Company Inc. (Attachments: # 1 Exhibit 1-64)(Cox, David) (Entered: 11/19/2010)
11/19/2010	148	DECLARATION of Troy L. Chute in support of MOTION for Partial Summary Judgment as to Breach of Duty to Defend 144 , MOTION for Partial Summary Judgment as to Declaration re: Duty to Defend and Related Affirmative Defenses <i>against INA and OneBeacon</i> 141 filed by Plaintiff Pepsi-Cola Metropolitan Bottling Company Inc, Counter Defendants Pepsi-Cola Metropolitan Bottling Company Inc, Pepsi-Cola Metropolitan Bottling Company Inc. (Attachments: # 1 Exhibit 1-12, # 2 Exhibit 13-21, # 3 Exhibit 22, # 4 Exhibit 23-26)(Cox, David) (Entered: 11/19/2010)
11/19/2010	149	DECLARATION of David S. Cox in support of MOTION for Partial Summary Judgment as to Breach of Duty to Defend 144 , MOTION for Partial Summary Judgment as to Declaration re: Duty to Defend and Related Affirmative Defenses <i>against INA and OneBeacon</i> 141 filed by Plaintiff Pepsi-Cola Metropolitan Bottling Company Inc, Counter Defendants Pepsi-Cola Metropolitan Bottling Company Inc, Pepsi-Cola Metropolitan Bottling Company Inc.

		Company Inc. (Attachments: # 1 Exhibit 1-9)(Cox, David) (Entered: 11/19/2010)
11/19/2010	150	OF SERVICE filed by plaintiff and counter-defendant Pepsi-Cola Metropolitan Bottling Company Inc, re MOTION for Partial Summary Judgment as to Breach of Duty to Defend 144 , Statement (Motion related), Statement (Motion related) 143 , MOTION for Partial Summary Judgment as to Declaration re: Duty to Defend and Related Affirmative Defenses <i>against INA and OneBeacon</i> 141 , Declaration (Motion related), Declaration (Motion related), Declaration (Motion related) 148 , Memorandum in Support of Motion, 145 , Declaration (Motion related), Declaration (Motion related) 149 , Statement (Motion related), Statement (Motion related) 146 , Declaration (Motion related), Declaration (Motion related) 147 , Memorandum in Support of Motion, 142 served on November 19, 2010. (Cox, David) (Entered: 11/19/2010)
11/19/2010	151	NOTICE OF MOTION AND MOTION for Order for to stay or to bifurcate claims filed by OneBeacon and Century filed by defendant Allstate Insurance Company. Motion set for hearing on 12/20/2010 at 01:30 PM before Judge Stephen V. Wilson. (Attachments: # 1 Memorandum, # 2 Declaration, # 3 Proposed Order, # 4 Exhibit)(McCabe, Louise) (Entered: 11/19/2010)
11/22/2010	152	NOTICE OF ERRATA filed by Plaintiff Pepsi-Cola Metropolitan Bottling Company Inc, Counter Defendants Pepsi-Cola Metropolitan Bottling Company Inc, Pepsi-Cola Metropolitan Bottling Company Inc. correcting Declaration (Motion related), Declaration (Motion related) 149 (Attachments: # 1 Exhibit 1 (and proof of service))(Cox, David) (Entered: 11/22/2010)
11/22/2010	153	CORRECTED CERTIFICATE OF SERVICE filed by Defendant/Counterclaimant Century Indemnity Company, re Proof of Service (subsequent documents), Proof of Service (subsequent documents) 113 , MOTION to Compel Arbitration 108 served on 11/19/2010. (Cantor, Phyllis) (Entered: 11/22/2010)
11/22/2010	154	CORRECTED CERTIFICATE OF SERVICE filed by Defendant/Counterclaimant Century Indemnity Company, re Proof of Service (subsequent documents), Proof of Service (subsequent documents) 131 , MOTION for Partial Summary Judgment as to Applicability of California Civil Code Section 2860 121 served on 11/19/2010. (Cantor, Phyllis) (Entered: 11/22/2010)
11/22/2010	155	CORRECTED CERTIFICATE OF SERVICE filed by Defendant/Cross-Claimant Century Indemnity Company, re Proof of Service (subsequent documents), Proof of Service (subsequent documents) 124 , MOTION for Partial Summary Judgment as to CROSS-DEFENDANTS 114 served on 11/19/2010. (Cantor, Phyllis) (Entered: 11/22/2010)
11/23/2010	156	NOTICE of Errata filed by Plaintiff Pepsi-Cola Metropolitan Bottling Company Inc. <i>Notice of Errata To Declaration of Evy Wild In Support of Pepsi's Motions</i>

		<i>for Partial Summary Judgment</i> (Attachments: # 1 Exhibit 1)(Cox, David) (Entered: 11/23/2010)
11/23/2010	157	STIPULATION for Extension of Time to File responsive papers to dispositive motions filed by plaintiff and counter-defendant Pepsi-Cola Metropolitan Bottling Company Inc. (Attachments: # 1 Proposed Order)(Cox, David) (Entered: 11/23/2010)
11/23/2010	158	NOTICE OF FILING FEE DUE on Pro Hac Vice Application filed 11/15/10 by attorney Matthew I Farmer for Cross Claimant Century Indemnity Company, Counter Claimant Century Indemnity Company. As of todays date, the court has not yet receivedthe application fee of \$275.00. Please remit the fee and this notice immediately. (vh) (Entered: 11/23/2010)
11/29/2010	159	MEMORANDUM in Opposition <i>re Allstate's Motion to Stay, or in the Alternative Bifurcate, Cross-Claims filed by OneBeacon America Insurance and Century Indemnity Company</i> filed by Cross Claimant Century Indemnity Company. (Conway, John) (Entered: 11/29/2010)
11/29/2010	160	REQUEST FOR JUDICIAL NOTICE <i>in Support of Century's and OneBeacon's Response re Allstate's Motion to Stay, or in the Alternative to Bifurcate</i> filed by Cross-Claimant Century Indemnity Company. (Attachments: # 1 Exhibit A - Part 1 of 3 parts, # 2 Exhibit A- Part 2 of 3 parts, # 3 Exhibit A- Part 3 of 3 parts)(Conway, John) (Entered: 11/29/2010)
11/29/2010	161	CERTIFICATE OF SERVICE filed by Cross-Claimant Century Indemnity Company, re MEMORANDUM in Opposition to Motion 159 , Request for Judicial Notice, 160 served on November 29, 2010. (Conway, John) (Entered: 11/29/2010)
11/29/2010	162	DECLARATION of EVY M. WILD MOTION for Partial Summary Judgment as to Breach of Duty to Defend 144 <i>SUPPLEMENTAL DECLARATION OF EVY M. WILD IN SUPPORT OF MOTIONS FOR PARTIAL SUMMARY JUDGMENT</i> filed by Plaintiff Pepsi-Cola Metropolitan Bottling Company Inc, Counter Defendant Pepsi-Cola Metropolitan Bottling Company Inc, Cross Defendant Pneumo Abex Corporation. (Picariello, Salvatore) (Entered: 11/29/2010)
11/29/2010	163	MEMORANDUM in Opposition to MOTION to Compel Arbitration 108 <i>Pepsi's Memorandum of Points and Authorities in Opposition to Century Indemnity Company's Motion to Compel Arbitration Pursuant to California Civil Code § 2860</i> filed by Plaintiff Pepsi-Cola Metropolitan Bottling Company Inc, Counter Defendants Pepsi-Cola Metropolitan Bottling Company Inc, Pepsi-Cola Metropolitan Bottling Company Inc. (Cox, David) (Entered: 11/29/2010)
11/29/2010	164	DECLARATION of Noelle B. McCall in opposition to MOTION to Compel Arbitration 108 filed by Plaintiff Pepsi-Cola Metropolitan Bottling Company Inc, Counter Defendants Pepsi-Cola Metropolitan Bottling Company Inc, Pepsi-Cola Metropolitan Bottling Company Inc. (Attachments: # 1 Exhibit

		1-27)(Cox, David) (Entered: 11/29/2010)
11/29/2010	165	JOINDER in MOTION for Order for to stay or to bifurcate claims filed by OneBeacon and Century 151 <i>Pepsi-Cola Metropolitan Bottling Company, Inc.'s Notice of Non-Opposition to and Joinder in Motion to Stay or Bifurcate</i> filed by Plaintiff Pepsi-Cola Metropolitan Bottling Company Inc, Counter Defendants Pepsi-Cola Metropolitan Bottling Company Inc, Pepsi-Cola Metropolitan Bottling Company Inc. (Cox, David) (Entered: 11/29/2010)
11/29/2010	166	NOTICE OF NON-OPPOSITION to MOTION for Order for to stay or to bifurcate claims filed by OneBeacon and Century 151 <i>AND JOINDER In Allstate Insurance Company's Motion To Stay, Or In The Alternative, To Bifurcate Issues</i> filed by Cross Defendants Continental Insurance Company, Employers Insurance Company of Wausau, National Union Fire Insurance Company of Pittsburgh, PA, Northwestern National Insurance Company of Milwaukee, Wisconsin, Travelers Indemnity Company. (Greenberg, Mitchell) (Entered: 11/29/2010)
11/29/2010	167	CERTIFICATE OF SERVICE re MOTION for Partial Summary Judgment as to Breach of Duty to Defend 144 <i>SUPPLEMENTAL DECLARATION OF EVY M. WILD IN SUPPORT OF MOTIONS FOR PARTIAL SUMMARY JUDGMENT</i> filed by Plaintiff Pepsi-Cola Metropolitan Bottling Company Inc, Counter Defendants Pepsi-Cola Metropolitan Bottling Company Inc, Pepsi-Cola Metropolitan Bottling Company Inc, Cross Defendant Pneumo Abex Corporation. (Picariello, Salvatore) (Entered: 11/29/2010)
11/30/2010	168	MEMORANDUM in Opposition to MOTION for Partial Summary Judgment as to Breach of Duty to Defend 144 filed by Counter Claimant Century Indemnity Company. (Cantor, Phyllis) (Entered: 11/30/2010)
11/30/2010	169	OBJECTION IN OPPOSITION TO re: MOTION for Partial Summary Judgment as to Breach of Duty to Defend 144 <i>Evidence Offered by Pepsi in Support of their Motion for Partial Summary Judgment</i> filed by Counter Claimant Century Indemnity Company. (Cantor, Phyllis) (Entered: 11/30/2010)
11/30/2010	170	OBJECTION IN OPPOSITION TO re: MOTION for Partial Summary Judgment as to Breach of Duty to Defend 144 <i>re Supplemental Declaration of Evy M. Wild Offered by Pepsi in Support of their Motion for Partial Summary Judgment</i> filed by Counter Claimant Century Indemnity Company. (Cantor, Phyllis) (Entered: 11/30/2010)
11/30/2010	171	STATEMENT of Genuine Issues in Opposition to Pepsi's Statement of Uncontroverted Facts and Conclusions of Law Filed in Support of Motion for Partial Summary Judgment MOTION for Partial Summary Judgment as to Breach of Duty to Defend 144 filed by Counter Claimant Century Indemnity Company. (Cantor, Phyllis) (Entered: 11/30/2010)
11/30/2010	172	REQUEST FOR JUDICIAL NOTICE re MOTION for Partial Summary Judgment as to Breach of Duty to Defend 144 <i>in Support of Century Indemnity</i>

		<i>Company's Opposition</i> filed by Defendant/Counterclaimant Century Indemnity Company. (Attachments: # 1 Exhibit A to Request for Judicial Notice, # 2 Exhibit B to Request for Judicial Notice, # 3 Exhibit C (Part 1 of 4) to Request for Judicial Notice, # 4 Exhibit C (Part 2 of 4) to Request for Judicial Notice, # 5 Exhibit C (Part 3 of 4) to Request for Judicial Notice, # 6 Exhibit C (Part 4 of 4) to Request for Judicial Notice)(Cantor, Phyllis) (Entered: 11/30/2010)
11/30/2010	173	MEMORANDUM in Opposition to MOTION for Partial Summary Judgment as to Applicability of California Civil Code Section 2860 121 filed by Plaintiff Pepsi-Cola Metropolitan Bottling Company Inc, Counter Defendants Pepsi-Cola Metropolitan Bottling Company Inc, Pepsi-Cola Metropolitan Bottling Company Inc. (Cox, David) (Entered: 11/30/2010)
11/30/2010	174	MEMORANDUM in Opposition to MOTION for Partial Summary Judgment as to Declaration re: Duty to Defend and Related Affirmative Defenses <i>against INA and OneBeacon</i> 141 filed by Counter Claimant Century Indemnity Company. (Cantor, Phyllis) (Entered: 11/30/2010)
11/30/2010	175	MEMORANDUM in Opposition to MOTION for Partial Summary Judgment as to CROSS-DEFENDANTS 114 <i>Third Party Defendants Points And Authorities</i> filed by Cross Defendants Continental Insurance Company, Employers Insurance Company of Wausau, National Union Fire Insurance Company of Pittsburgh, PA, Northwestern National Insurance Company of Milwaukee, Wisconsin, Travelers Indemnity Company. (Greenberg, Mitchell) (Entered: 11/30/2010)
11/30/2010	176	STATEMENT of Genuine Issues in Response to Statement of Uncontroverted Facts and Conclusions of Law MOTION for Partial Summary Judgment as to Applicability of California Civil Code Section 2860 121 filed by Plaintiff Pepsi-Cola Metropolitan Bottling Company Inc, Counter Defendants Pepsi-Cola Metropolitan Bottling Company Inc, Pepsi-Cola Metropolitan Bottling Company Inc. (Cox, David) (Entered: 11/30/2010)
11/30/2010	177	OBJECTION IN OPPOSITION re: MOTION for Partial Summary Judgment as to Declaration re: Duty to Defend and Related Affirmative Defenses <i>against INA and OneBeacon</i> 141 <i>re Evidence Offered by Pepsi in Support of their Motion for Partial Summary Judgment</i> filed by Counter Claimant Century Indemnity Company. (Cantor, Phyllis) (Entered: 11/30/2010)
11/30/2010	178	OBJECTIONS in opposition to re: MOTION for Partial Summary Judgment as to Applicability of California Civil Code Section 2860 121 <i>Pepsi's Objections to Evidence in Opposition to Motion of Century Indemnity Company for Partial Summary Judgment re Applicability of Claifornia Civil Code Section 2860</i> filed by Plaintiff Pepsi-Cola Metropolitan Bottling Company Inc, Counter Defendants Pepsi-Cola Metropolitan Bottling Company Inc, Pepsi-Cola Metropolitan Bottling Company Inc. (Cox, David) (Entered: 11/30/2010)

11/30/2010	179	STATEMENT of Genuine Issues in Opposition to Pepsi's Statement of Uncontroverted Facts and Conclusions of Law Filed in Support of Motion for Partial Summary Judgment MOTION for Partial Summary Judgment as to Declaration re: Duty to Defend and Related Affirmative Defenses <i>against INA and OneBeacon</i> 141 filed by Counter Claimant Century Indemnity Company. (Cantor, Phyllis) (Entered: 11/30/2010)
11/30/2010	180	OBJECTION IN OPPOSITION re: MOTION for Partial Summary Judgment as to Declaration re: Duty to Defend and Related Affirmative Defenses <i>against INA and OneBeacon</i> 141 <i>re Supplemental Declaration of Evy M. Wild Offered by Pepsi in Support of their Motion for Partial Summary Judgment</i> filed by Counter Claimant Century Indemnity Company. (Cantor, Phyllis) (Entered: 11/30/2010)
11/30/2010	181	DECLARATION of Noelle B. McCall in opposition to MOTION for Partial Summary Judgment as to Applicability of California Civil Code Section 2860 121 <i>Supplemental Declaration of Noelle B. McCall</i> filed by Plaintiff Pepsi-Cola Metropolitan Bottling Company Inc, Counter Defendants Pepsi-Cola Metropolitan Bottling Company Inc, Pepsi-Cola Metropolitan Bottling Company Inc. (Cox, David) (Entered: 11/30/2010)
11/30/2010	182	MEMORANDUM in Opposition to MOTION for Partial Summary Judgment as to DECLARATORY RELIEF RE: ALLOCATION OF DEFENSE COSTS AGAINST PLAINTIFF 126 filed by Plaintiff Pepsi-Cola Metropolitan Bottling Company Inc, Counter Defendants Pepsi-Cola Metropolitan Bottling Company Inc, Pepsi-Cola Metropolitan Bottling Company Inc. (Cox, David) (Entered: 11/30/2010)
11/30/2010	183	STATEMENT of Genuine Issues in Response to Statement of Uncontroverted Facts and Conclusions of Law MOTION for Partial Summary Judgment as to DECLARATORY RELIEF RE: ALLOCATION OF DEFENSE COSTS AGAINST PLAINTIFF 126 filed by Plaintiff Pepsi-Cola Metropolitan Bottling Company Inc, Counter Defendants Pepsi-Cola Metropolitan Bottling Company Inc, Pepsi-Cola Metropolitan Bottling Company Inc. (Cox, David) (Entered: 11/30/2010)
11/30/2010	184	OBJECTIONS in opposition to re: MOTION for Partial Summary Judgment as to DECLARATORY RELIEF RE: ALLOCATION OF DEFENSE COSTS AGAINST PLAINTIFF 126 filed by Plaintiff Pepsi-Cola Metropolitan Bottling Company Inc, Counter Defendants Pepsi-Cola Metropolitan Bottling Company Inc, Pepsi-Cola Metropolitan Bottling Company Inc. (Cox, David) (Entered: 11/30/2010)
11/30/2010	185	REQUEST FOR JUDICIAL NOTICE re MOTION for Partial Summary Judgment as to Declaration re: Duty to Defend and Related Affirmative Defenses <i>against INA and OneBeacon</i> 141 <i>in Support of Century Indemnity Company's Opposition to Pepsi's Motion for Partial Summary Judgment</i> filed by Defendant/Counterclaimant Century Indemnity Company. (Attachments: # 1

		Exhibit A to Request for Judicial Notice, # 2 Exhibit B to Request for Judicial Notice, # 3 Exhibit C (Part 1 of 4) to Request for Judicial Notice, # 4 Exhibit C (Part 2 of 4) to Request for Judicial Notice, # 5 Exhibit C (Part 3 of 4) to Request for Judicial Notice, # 6 Exhibit C (Part 4 of 4) to Request for Judicial Notice)(Cantor, Phyllis) (Entered: 11/30/2010)
11/30/2010	186	DECLARATION of Daniel E. Chefitz in opposition to MOTION for Partial Summary Judgment as to DECLARATORY RELIEF RE: ALLOCATION OF DEFENSE COSTS AGAINST PLAINTIFF 126 filed by Plaintiff Pepsi-Cola Metropolitan Bottling Company Inc, Counter Defendants Pepsi-Cola Metropolitan Bottling Company Inc, Pepsi-Cola Metropolitan Bottling Company Inc. (Attachments: # 1 Exhibit 1-13 and proof of service)(Cox, David) (Entered: 11/30/2010)
11/30/2010	187	CERTIFICATE OF SERVICE filed by Defendant/Counterclaimant Century Indemnity Company, re Statement (Motion related), Statement (Motion related) 179 , MEMORANDUM in Opposition to Motion 174 , Objection/Opposition (Motion related), Objection/Opposition (Motion related) 177 , Request for Judicial Notice, Request for Relief,,,, 185 , Objection/Opposition (Motion related), Objection/Opposition (Motion related) 180 served on 11/30/2010. (Cantor, Phyllis) (Entered: 11/30/2010)
11/30/2010	188	DECLARATION of Troy L. Chute in opposition to MOTION for Partial Summary Judgment as to DECLARATORY RELIEF RE: ALLOCATION OF DEFENSE COSTS AGAINST PLAINTIFF 126 filed by Plaintiff Pepsi-Cola Metropolitan Bottling Company Inc, Counter Defendants Pepsi-Cola Metropolitan Bottling Company Inc, Pepsi-Cola Metropolitan Bottling Company Inc. (Cox, David) (Entered: 11/30/2010)
11/30/2010	189	114 re MOTION for Partial Summary Judgment as to CROSS-DEFENDANTS 114 <i>Third Party Defendants' Request For Judicial Notice</i> filed by Cross Defendants Continental Insurance Company, Employers Insurance Company of Wausau, National Union Fire Insurance Company of Pittsburgh, PA, Northwestern National Insurance Company of Milwaukee, Wisconsin, Travelers Indemnity Company. (Attachments: # 1 Exhibit Continued A-1, # 2 Exhibit A-2 and A-3, # 3 Exhibit A-4, # 4 Exhibit B, C and D, # 5 Exhibit Exhibit E, # 6 Exhibit Continued E, # 7 Exhibit Continued E, # 8 Exhibit F, G and H, # 9 Exhibit I and J)(Greenberg, Mitchell) (Entered: 11/30/2010)
11/30/2010	190	DECLARATION of Timothy T. Greene in opposition to MOTION for Partial Summary Judgment as to DECLARATORY RELIEF RE: ALLOCATION OF DEFENSE COSTS AGAINST PLAINTIFF 126 filed by Plaintiff Pepsi-Cola Metropolitan Bottling Company Inc, Counter Defendants Pepsi-Cola Metropolitan Bottling Company Inc, Pepsi-Cola Metropolitan Bottling Company Inc. (Attachments: # 1 Exhibit 1-13 and proof of service)(Cox, David) (Entered: 11/30/2010)

11/30/2010	191	MEMORANDUM in Opposition to MOTION for Partial Summary Judgment as to Declaration re: Duty to Defend and Related Affirmative Defenses <i>against INA and OneBeacon</i> 141 filed by Defendant OneBeacon America Insurance Company. (Attachments: # 1 Declaration Declaration of Barbora Pulmanova in Support of OneBeacon's Opposition to Pepsi's Motions for Partial Summary Judgment and Exhibits A through D, # 2 Exhibit Declaration of Barbora Pulmanova Exhibits E through O, # 3 Exhibit Declaration of Barbora Pulmanova Exhibits P through X, # 4 Supplement OneBeacon's Response to Pepsi's Statement of Uncontroverted Facts and Conclusions of Law in Support of Pepsi's Motion for Partial Summary Judgment on the Duty to Defend, # 5 Supplement OneBeacon's Statement of Undisputed Facts and Conclusions of Law in Support of the Opposition to Pepsi's Motion for Partial Summary Judgment on the Duty to Defend, # 6 Supplement Defendant's Evidentiary Objections to Declaration of Troy L. Chute; [Proposed] Order Thereon, # 7 Supplement Defendant's Evidentiary Objections to Declaration of Evy M. Wild in Support of Motions for Partial Summary Judgment, # 8 Appendix Appendix of Foreign Authorities Cited in Support of OneBeacon's Opposition to Pepsi's Motion for Partial Summary Judgment Regarding the Duty to Defend and Related Affirmative Defenses and Exhibits A through E, # 9 Exhibit Appendix of Foreign Authorities Exhibits F through I)(Pulmanova, Barbora) (Entered: 11/30/2010)
11/30/2010	192	STATEMENT of Statement of Uncontroverted Facts and Conclusions of Law MOTION for Partial Summary Judgment as to CROSS-DEFENDANTS 114 (<i>By Third Party Defendants</i>) filed by Cross Defendants Continental Insurance Company, Employers Insurance Company of Wausau, National Union Fire Insurance Company of Pittsburgh, PA, Northwestern National Insurance Company of Milwaukee, Wisconsin, Travelers Indemnity Company. (Greenberg, Mitchell) (Entered: 11/30/2010)
11/30/2010	193	Opposition Opposition re: MOTION for Partial Summary Judgment as to Breach of Duty to Defend 144 filed by Defendant OneBeacon America Insurance Company. (Attachments: # 1 Declaration Declaration of Barbora Pulmanova in Support of OneBeacon's Opposition to Pepsi's Motions for Partial Summary Judgment and Exhibits A through D, # 2 Exhibit Declaration of Barbora Pulmanova - Exhibits E through O, # 3 Exhibit Declaration of Barbora Pulmanova - Exhibits P through X, # 4 Supplement OneBeacon's Response to Pepsi's Statement of Uncontroverted Facts and Conclusions of Law in Support of Pepsi's Motion for Partial Summary Judgment on the Breach of the Duty to Defend, # 5 Supplement OneBeacon's Statement of Undisputed Facts and Conclusions of Law in Support of the Opposition to Pepsi's Motion for Partial Summary Judgment on Breach of the Duty to Defend, # 6 Supplement Defendant's Evidentiary Objections to Declaration of Troy L. Chute; [Proposed] Order Thereon, # 7 Supplement Defendant's Evidentiary Objections to Declaration of Evy M. Wild in Support of Motions for Partial Summary Judgment, # 8 Appendix Appendix of Foreign Authorities Cited in Support of

		OneBeacon's Opposition to Pepsi's Motion for Partial Summary Judgment Regarding Breach of the Duty to Defend and Exhibits A through E, # 9 Exhibit Appendix of Foreign Authorities - Exhibits F through H, # 10 Exhibit Appendix of Foreign Authorities - Exhibits I through M)(Pulmanova, Barbora) (Entered: 11/30/2010)
11/30/2010	194	CERTIFICATE OF SERVICE filed by Defendant/Counterclaimant Century Indemnity Company, re Objection/Opposition (Motion related), Objection/Opposition (Motion related) 170 , Objection/Opposition (Motion related), Objection/Opposition (Motion related) 169 , MEMORANDUM in Opposition to Motion 168 , Statement (Motion related), Statement (Motion related) 171 , Request for Judicial Notice, Request for Relief,,, 172 served on 11/30/10. (Cantor, Phyllis) (Entered: 11/30/2010)
12/01/2010	195	NOTICE of Change of Attorney Information for attorney Barbora Pulmanova counsel for Defendant OneBeacon America Insurance Company. Adding Barbora Pulmanova as attorney as counsel of record for OneBeacon America Insurance Company for the reason indicated in the G-06 Notice. Filed by Defendant OneBeacon (Pulmanova, Barbora) (Entered: 12/01/2010)
12/01/2010	196	NOTICE of Change of Attorney Information for attorney Barbora Pulmanova counsel for Defendant OneBeacon America Insurance Company. Adding Steven T. Adams as attorney as counsel of record for OneBeacon America Insurance Company for the reason indicated in the G-06 Notice. Filed by Defendant OneBeacon America Insurance Company (Pulmanova, Barbora) (Entered: 12/01/2010)
12/03/2010	197	STIPULATION for Extension of Time to File Pre-Trial Motions and Documents filed by Defendant Century Indemnity Company. (Attachments: # 1 Proposed Order)(Conway, John) (Entered: 12/03/2010)
12/03/2010	198	STIPULATION to Stay Case pending Motion to stay or bifurcate claims filed by Cross-Defendant Allstate Insurance Company. (Attachments: # 1 Proposed Order)(McCabe, Louise) (Entered: 12/03/2010)
12/06/2010	199	DECLARATION of Tyrone R. Childress in Support of MOTION for Partial Summary Judgment as to Breach of Duty to Defend 144 filed by Plaintiff Pepsi-Cola Metropolitan Bottling Company Inc, Counter Defendants Pepsi-Cola Metropolitan Bottling Company Inc, Pepsi-Cola Metropolitan Bottling Company Inc. (Picariello, Salvatore) (Entered: 12/06/2010)
12/06/2010	200	DECLARATION of Amy J. Fink in Support of MOTION for Partial Summary Judgment as to Breach of Duty to Defend 144 filed by Plaintiff Pepsi-Cola Metropolitan Bottling Company Inc, Counter Defendants Pepsi-Cola Metropolitan Bottling Company Inc, Pepsi-Cola Metropolitan Bottling Company Inc. (Picariello, Salvatore) (Entered: 12/06/2010)
12/06/2010	201	REPLY in support of <i>Motion for Partial Summary Summary Judgment of Declaratory Relief Re: Allocation of Defense Costs Against Plaintiff</i> filed by

		Cross Claimant Century Indemnity Company. (Conway, John) (Entered: 12/06/2010)
12/06/2010	202	REPLY statement of genuine issues in reply to Pepsi's additional material facts in support of <i>Motion for Partial Summary Judgment of Declaratory Relief Re: Allocation of Defense Costs Against Plaintiff</i> filed by Cross Claimant Century Indemnity Company. (Conway, John) (Entered: 12/06/2010)
12/06/2010	203	Objections in support of re: MOTION for Partial Summary Judgment as to DECLARATORY RELIEF RE: ALLOCATION OF DEFENSE COSTS AGAINST PLAINTIFF 126 as to evidence offered by Pepsi in Opposition filed by Cross Claimant Century Indemnity Company. (Conway, John) (Entered: 12/06/2010)
12/06/2010	204	REPLY TO OPPOSITION MOTION to Compel Arbitration 108 filed by Cross Claimant Century Indemnity Company. (Cantor, Phyllis) (Entered: 12/06/2010)
12/06/2010	205	OBJECTION TO EVIDENCE OFFERED BY PEPSI IN OPPOSITION TO CENTURYYS re: MOTION to Compel Arbitration 108 filed by Cross Claimant Century Indemnity Company. (Cantor, Phyllis) (Entered: 12/06/2010)
12/06/2010	206	DECLARATION of JOHN C. CONWAY IN SUPPORT OF MOTION to Compel Arbitration 108 filed by Cross Claimant Century Indemnity Company. (Attachments: # 1 Exhibits A thru C)(Cantor, Phyllis) (Entered: 12/06/2010)
12/06/2010	207	REPLY IN SUPPORT OF MOTION for Partial Summary Judgment as to Applicability of California Civil Code Section 2860 121 filed by Cross Claimant Century Indemnity Company. (Cantor, Phyllis) (Entered: 12/06/2010)
12/06/2010	208	DECLARATION of JOHN C. CONWAY IN SUPPORT OF MOTION for Partial Summary Judgment as to Applicability of California Civil Code Section 2860 121 filed by Cross Claimant Century Indemnity Company. (Attachments: # 1 Exhibits H thru J)(Cantor, Phyllis) (Entered: 12/06/2010)
12/06/2010	209	DECLARATION of KEVIN WINEY IN SUPPORT OF MOTION for Partial Summary Judgment as to Applicability of California Civil Code Section 2860 121 filed by Cross Claimant Century Indemnity Company. (Attachments: # 1 Exhibits A thru G)(Cantor, Phyllis) (Entered: 12/06/2010)
12/06/2010	210	STATEMENT of GENUINE ISSUES IN REPLY TO PEPSIS ADDITIONAL UNCONTROVERTED FACTS OFFERED IN OPPOSITION TO MOTION for Partial Summary Judgment as to Applicability of California Civil Code Section 2860 121 filed by Cross Claimant Century Indemnity Company. (Cantor, Phyllis) (Entered: 12/06/2010)
12/06/2010	211	OBJECTION TO EVIDENCE OFFERED BY PEPSI IN OPPOSITION TO CENTURYYS re: MOTION for Partial Summary Judgment as to Applicability of California Civil Code Section 2860 121 filed by Cross Claimant Century Indemnity Company. (Cantor, Phyllis) (Entered: 12/06/2010)

12/06/2010	212	REPLY MOTION for Partial Summary Judgment as to DECLARATORY RELIEF RE: ALLOCATION OF DEFENSE COSTS AGAINST PLAINTIFF 126 filed by Defendant OneBeacon America Insurance Company. (Attachments: # 1 Declaration Supplemental Declaration of Barbora Pulmanova in Rebuttal to Third Party Defendants Opposition to OneBeacon's and Century's Motion for Partial Summary Judgment, # 2 Supplement Response to Third Party Defendants' Additional Material Facts Offered in Opposition to Century and OneBeacon's Motion for Partial Summary Judgment, # 3 Supplement Defendant's Evidentiary Objections to Declaration of Troy L. Chute in Support of Pepsi's Opposition to Motion of Century Indemnity Company and OneBeacon America Insurance Company for Partial Summary Judgment of Declaratory Relief re: Allocation of Defense Costs Against Plaintiff, # 4 Appendix Appendix of Foreign Authorities Cited in Support of Reply and Exhibits 1 through 4, # 5 Appendix Appendix - Exhibits 5 through 8, # 6 Appendix Appendix - Exhibits 9 through 13, # 7 Appendix Appendix - Exhibits 14 through 16, # 8 Appendix Appendix - Exhibits 17 through 19, # 9 Appendix Appendix - Exhibits 20 through 23)(Pulmanova, Barbora) (Entered: 12/06/2010)
12/06/2010	213	REPLY in support of MOTION for Partial Summary Judgment as to Breach of Duty to Defend 144 filed by Plaintiff Pepsi-Cola Metropolitan Bottling Company Inc, Counter Defendants Pepsi-Cola Metropolitan Bottling Company Inc, Pepsi-Cola Metropolitan Bottling Company Inc. (Cox, David) (Entered: 12/06/2010)
12/06/2010	214	RESPONSE IN SUPPORT of MOTION for Partial Summary Judgment as to Breach of Duty to Defend 144 <i>Plaintiff's Response to Defendant OneBeacon's Objections to Declaration of Evy Wild in Support of Pepsi's Motions for Partial Summary Judgment</i> filed by Plaintiff Pepsi-Cola Metropolitan Bottling Company Inc, Counter Defendants Pepsi-Cola Metropolitan Bottling Company Inc, Pepsi-Cola Metropolitan Bottling Company Inc. (Cox, David) (Entered: 12/06/2010)
12/06/2010	215	REPLY in support of MOTION for Partial Summary Judgment as to Breach of Duty to Defend 144 <i>Pepsi's Reply to Century Indemnity Company's Statement of Genuine Issues in Oposition to Pepsi's Statement of Uncontroverted Facts and Conclusions of Law Filed in Support of Motion for Partial Summary Judgment (Breach of the Duty to Defend)</i> filed by Plaintiff Pepsi-Cola Metropolitan Bottling Company Inc, Counter Defendants Pepsi-Cola Metropolitan Bottling Company Inc, Pepsi-Cola Metropolitan Bottling Company Inc. (Cox, David) (Entered: 12/06/2010)
12/06/2010	216	REPLY in support of MOTION for Partial Summary Judgment as to Breach of Duty to Defend 144 <i>Pepsi's Reply to OneBeacon's Response to Pepsi's Statement of Uncontroverted Facts and Conclusiosn of Law in Support of Pepsi's Motio for Partial Summary Judgment (Breach of the Duty to Defend)</i> filed by Plaintiff Pepsi-Cola Metropolitan Bottling Company Inc, Counter Defendants Pepsi-Cola Metropolitan Bottling Company Inc, Pepsi-Cola

		Metropolitan Bottling Company Inc. (Cox, David) (Entered: 12/06/2010)
12/06/2010	217	RESPONSE IN SUPPORT of MOTION for Partial Summary Judgment as to Breach of Duty to Defend 144 <i>Pepsi-Cola Metropolitan Bottling Company, Inc.'s Response to OneBeacon's Evidentiary Objections to Declaration of Troy L. Chute</i> filed by Plaintiff Pepsi-Cola Metropolitan Bottling Company Inc, Counter Defendants Pepsi-Cola Metropolitan Bottling Company Inc, Pepsi-Cola Metropolitan Bottling Company Inc. (Cox, David) (Entered: 12/06/2010)
12/06/2010	218	RESPONSE IN SUPPORT of MOTION for Partial Summary Judgment as to Breach of Duty to Defend 144 <i>Plaintiff's Response to Defendant Century Indmenity Company's Objections to Supplemental Declaratio of Evy Wild in Support of Pepsi's Motions for Partial Summary Judgment</i> filed by Plaintiff Pepsi-Cola Metropolitan Bottling Company Inc, Counter Defendants Pepsi-Cola Metropolitan Bottling Company Inc, Pepsi-Cola Metropolitan Bottling Company Inc. (Cox, David) (Entered: 12/06/2010)
12/06/2010	219	REPLY in support of MOTION for Partial Summary Judgment as to Declaration re: Duty to Defend and Related Affirmative Defenses <i>against INA and OneBeacon</i> 141 <i>Pepsi's Consolidated Reply Memorandum of Points and Authorities in Further Support of Pepsi's Motion for Partial Summary Judgment (Declaration re: Duty to Defend and Related Affirmative Defenses) against INA and OneBeacon</i> filed by Plaintiff Pepsi-Cola Metropolitan Bottling Company Inc, Counter Defendants Pepsi-Cola Metropolitan Bottling Company Inc, Pepsi-Cola Metropolitan Bottling Company Inc. (Cox, David) (Entered: 12/06/2010)
12/06/2010	220	REPLY IN SUPPORT OF MOTION MOTION for Order for to stay or to bifurcate claims filed by OneBeacon and Century 151 filed by Cross Defendants Allstate Insurance Company, Allstate Insurance Company. (Attachments: # 1 Declaration, # 2 Exhibit)(McCabe, Louise) (Entered: 12/06/2010)
12/06/2010	221	DECLARATION of Noelle B. McCall in support of MOTION for Partial Summary Judgment as to Declaration re: Duty to Defend and Related Affirmative Defenses <i>against INA and OneBeacon</i> 141 <i>Supplemental Declaration of Noelle B. McCall</i> filed by Plaintiff Pepsi-Cola Metropolitan Bottling Company Inc, Counter Defendants Pepsi-Cola Metropolitan Bottling Company Inc, Pepsi-Cola Metropolitan Bottling Company Inc. (Attachments: # 1 Exhibit 1-3)(Cox, David) (Entered: 12/06/2010)
12/06/2010	222	RESPONSE IN SUPPORT of MOTION for Partial Summary Judgment as to Declaration re: Duty to Defend and Related Affirmative Defenses <i>against INA and OneBeacon</i> 141 <i>Pepsi's Response to OneBeacon's Statement of Uncontroverted Facts and Conclusions of Law in Opposition to Pepsi's Motion for Partial Summary Judgment, etc.</i> filed by Plaintiff Pepsi-Cola Metropolitan Bottling Company Inc, Counter Defendants Pepsi-Cola Metropolitan Bottling Company Inc, Pepsi-Cola Metropolitan Bottling Company Inc. (Cox, David) (Entered: 12/06/2010)

12/06/2010	223	REPLY in support of MOTION for Partial Summary Judgment as to Declaration re: Duty to Defend and Related Affirmative Defenses <i>against INA and OneBeacon</i> 141 <i>Pepsi's Reply to OneBeacon's Response to Pepsi's Statement of Uncontroverted Facts and Conclousions of Law, etc.</i> filed by Plaintiff Pepsi-Cola Metropolitan Bottling Company Inc, Counter Defendants Pepsi-Cola Metropolitan Bottling Company Inc, Pepsi-Cola Metropolitan Bottling Company Inc. (Cox, David) (Entered: 12/06/2010)
12/06/2010	224	REPLY in support of MOTION for Partial Summary Judgment as to Declaration re: Duty to Defend and Related Affirmative Defenses <i>against INA and OneBeacon</i> 141 <i>Pepsi's Reply to Century's Statement of Genuine Issues in Opposition to Pepsi's Statement of Uncontroverted Facts, etc.</i> filed by Plaintiff Pepsi-Cola Metropolitan Bottling Company Inc, Counter Defendants Pepsi-Cola Metropolitan Bottling Company Inc, Pepsi-Cola Metropolitan Bottling Company Inc. (Cox, David) (Entered: 12/06/2010)
12/06/2010	225	Objection in support of re: MOTION for Partial Summary Judgment as to Declaration re: Duty to Defend and Related Affirmative Defenses <i>against INA and OneBeacon</i> 141 <i>Pepsi's Objections to Evidence Submitted by INA and OneBeacon in Opposition to Pepsi's Motion for Partial Summary Judgment</i> filed by Plaintiff Pepsi-Cola Metropolitan Bottling Company Inc, Counter Defendants Pepsi-Cola Metropolitan Bottling Company Inc, Pepsi-Cola Metropolitan Bottling Company Inc. (Cox, David) (Entered: 12/06/2010)
12/06/2010	226	RESPONSE IN SUPPORT of MOTION for Partial Summary Judgment as to Declaration re: Duty to Defend and Related Affirmative Defenses <i>against INA and OneBeacon</i> 141 <i>Plaintiff's Response to Century's Objections to Evidence Offered in Support of MOTion for Partial Summary Judgment, etc.</i> filed by Plaintiff Pepsi-Cola Metropolitan Bottling Company Inc, Counter Defendants Pepsi-Cola Metropolitan Bottling Company Inc, Pepsi-Cola Metropolitan Bottling Company Inc. (Cox, David) (Entered: 12/06/2010)
12/06/2010	227	NOTICE Errata re Declaration of Helen Forrester filed by Defendant Allstate Insurance Company. (McCabe, Louise) (Entered: 12/06/2010)
12/08/2010	228	AMENDED OBJECTION TO EVIDENCE OFFERED BY PEPSI IN SUPPORT OF re: MOTION for Partial Summary Judgment as to Declaration re: Duty to Defend and Related Affirmative Defenses <i>against INA and OneBeacon</i> 141 filed by Cross Claimant Century Indemnity Company. (Cantor, Phyllis) (Entered: 12/08/2010)
12/08/2010	229	AMENDED OBJECTION TO EVIDENCE OFFERED BY PEPSI IN SUPPORT OF re: MOTION for Partial Summary Judgment as to Breach of Duty to Defend 144 filed by Cross Claimant Century Indemnity Company. (Cantor, Phyllis) (Entered: 12/08/2010)
12/08/2010	230	AMENDED OBJECTIONS TO EVIDENCE OFFERED BY PEPSI IN OPPOSITION TO re: MOTION to Compel Arbitration 108 filed by Cross

		Claimant Century Indemnity Company. (Cantor, Phyllis) (Entered: 12/08/2010)
12/08/2010	231	AMENDED OBJECTIONS TO EVIDENCE OFFERED BY PEPSI IN OPPOSITION TO CENTURY'S re: MOTION for Partial Summary Judgment as to Applicability of California Civil Code Section 2860 121 filed by Cross Claimant Century Indemnity Company. (Cantor, Phyllis) (Entered: 12/08/2010)
12/08/2010	232	AMENDED OBJECTIONS TO EVIDENCE OFFERED BY PEPSI IN OPPOSITION TO re: MOTION for Partial Summary Judgment as to DECLARATORY RELIEF RE: ALLOCATION OF DEFENSE COSTS AGAINST PLAINTIFF 126 filed by Cross Claimant Century Indemnity Company. (Cantor, Phyllis) (Entered: 12/08/2010)
12/10/2010	233	ORDER by Judge Stephen V. Wilson, IT IS HEREBY ORDERED: 1. Allstates Motion to Stay, or in the Alternative Bifurcate, Cross-Claims Filed by Century and OneBeacon shall be set for hearing on December 13, 2010 at 1:30 p.m. (pj) (Entered: 12/10/2010)
12/10/2010	234	NOTICE Settlement between Pepsi-Cola Metropolitan Bottling Company, Inc. and Defendant OneBeacon America Insurance Company filed by Plaintiff Pepsi-Cola Metropolitan Bottling Company Inc. (Cox, David) (Entered: 12/10/2010)
12/13/2010	236	MINUTES OF 1. MOTION for Partial Summary Judgment as to CROSS-DEFENDANTS filed by Defendant Century Indemnity Company 114 2. MOTION for Partial Summary Judgment as to Applicability of California Civil Code Section 2860 filed by Defendant/Counterclaimant Century Indemnity Company 121 3. MOTION for Partial Summary Judgment as to DECLARATORY RELIEF RE: ALLOCATION OF DEFENSE COSTS AGAINST PLAINTIFF filed by Defendant Century Indemnity Company 126 4. MOTION for Partial Summary Judgment as to Declaration re: Duty to Defend and Related Affirmative Defenses against INA and OneBeacon filed by plaintiff, counter-defendant and cross-defendants Pepsi-Cola Metropolitan Bottling Company Inc, Pneumo Abex Corporation 141 5. MOTION for Partial Summary Judgment as to Breach of Duty to Defend filed by plaintiff and counter-defendant Pepsi-Cola Metropolitan Bottling Company Inc 144 6. MOTION for Order for to stay or to bifurcate claims filed by OneBeacon and Century filed by defendant Allstate Insurance Company 151 7. JOINDER in MOTION for Order for to stay or to bifurcate claims filed by OneBeacon and Century 165 114 121 126 141 144 151 held before Judge Stephen V. Wilson:Hearing held. The Court is advised that defendant One Beacon is settled, and will dismiss all cross-claims and counter-claims. Motion to Stay 151 is granted as to defendant Allstate only. All other motions are submitted. Order to issue. Court Reporter: Deborah Gackle. (pj) (Entered: 12/17/2010)
12/16/2010	235	IN CHAMBERS ORDER re Vacating December 20, 2010 Hearing by Judge Stephen V. Wilson. The Hearing on December 13, 2010 addressed the Motion scheduled for hearing on December 20, 2010. As such, the December 20, 2010

		hearing is VACATED. (rs) (Entered: 12/17/2010)
12/21/2010	237	STIPULATION to Continue TRIAL to 90-day continuance filed by Defendant/Counterclaimant/Cross-Defendant Century Indemnity Company. (Attachments: # 1 [PROPOSED] ORDER RULING ON STIPULATION FOR HEARING ON SHORTENED TIME CENTURYS MOTION TO CONTINUE TRIAL)(Cantor, Phyllis) (Entered: 12/21/2010)
12/21/2010	238	NOTICE OF MOTION AND MOTION to Continue TRIAL from January 11, 2011 to 90-day continuance filed by Defendant/Counterclaimant/Cross-Defendant Century Indemnity Company. Motion set for hearing on 1/3/2011 at 03:30 PM before Judge Stephen V. Wilson. (Attachments: # 1 [PROPOSED] ORDER RULING ON CENTURY INDEMNITY COMPANY'S MOTION TO CONTINUE TRIAL)(Cantor, Phyllis) (Entered: 12/21/2010)
12/21/2010	239	MEMORANDUM in Support of MOTION to Continue TRIAL from January 11, 2011 to 90-day continuance 238 filed by Cross Claimant Century Indemnity Company. (Cantor, Phyllis) (Entered: 12/21/2010)
12/21/2010	240	DECLARATION of BRANDT L. WOLKIN IN SUPPORT OF MOTION to Continue TRIAL from January 11, 2011 to 90-day continuance 238 filed by Cross Claimant Century Indemnity Company. (Cantor, Phyllis) (Entered: 12/21/2010)
12/21/2010	241	DECLARATION of JOHN C. CONWAY IN SUPPORT OF MOTION to Continue TRIAL from January 11, 2011 to 90-day continuance 238 filed by Cross Claimant Century Indemnity Company. (Attachments: # 1 Exhibit A, # 2 Exhibit B, # 3 Exhibit C, # 4 Exhibit D, # 5 Exhibit E, # 6 Exhibit F, # 7 Exhibit G)(Cantor, Phyllis) (Entered: 12/21/2010)
12/21/2010	242	DECLARATION of BRAND COOPER IN SUPPORT OF MOTION to Continue TRIAL from January 11, 2011 to 90-day continuance 238 filed by Cross Claimant Century Indemnity Company. (Attachments: # 1 Exhibit A, # 2 Exhibit B)(Cantor, Phyllis) (Entered: 12/21/2010)
12/22/2010	243	ORDER RULING ON STIPULATION FOR HEARING ON SHORTENED TIME CENTURY'S MOTION TO CONTINUE TRIAL by Judge Stephen V. Wilson, re Stipulation to Continue 237 . The Court orders as follows: 1. Centurys Motion to Continue Trial shall be heard on shortened time; 2. The hearing on Centurys Motion to Continue Trial will take place on January 3, 2011 at 3:30 p.m.; 3. Century will file the Motion on December 21, 2010; 4. Response(s) to the Motion must be filed on Monday, December 27, 2010; 5. Reply to any response(s) must be filed on Thursday, December 30, 2010. (rs) (Entered: 12/22/2010)
12/23/2010	244	REQUEST to Dismiss Defendant, Counter-Claimant and Cross-Claimant Allstate Insurance Company, Continental Insurance Company, Employers Insurance Company of Wausau, National Union Fire Insurance Company of Pittsburgh, PA, Northwestern National Insurance Company of Milwaukee,

		Wisconsin, Pepsi-Cola Metropolitan Bottling Company Inc, Pneumo Abex Corporation, Travelers Indemnity Company <i>Request for Dismissal</i> filed by Defendant, Counter-Claimant, Cross-Claimant OneBeacon America Insurance Company. (Attachments: # 1 Proposed Order Granting OneBeacon's Request for Dismissal)(Pulmanova, Barbora) (Entered: 12/23/2010)
12/23/2010	245	STATUS REPORT <i>Pepsi-Cola Metropolitan Bottling Company, Inc.'s and Century Indemnity Company's Joint Submission Regarding [Proposed] Final Pre-Trial Conference Order</i> filed by Plaintiff Pepsi-Cola Metropolitan Bottling Company Inc, Counter Defendants Pepsi-Cola Metropolitan Bottling Company Inc, Pepsi-Cola Metropolitan Bottling Company Inc. (Cox, David) (Entered: 12/23/2010)
12/27/2010	246	RESPONSE IN SUPPORT of MOTION to Continue TRIAL from January 11, 2011 to 90-day continuance 238 filed by Cross Defendants Continental Insurance Company, Employers Insurance Company of Wausau, National Union Fire Insurance Company of Pittsburgh, PA, Northwestern National Insurance Company of Milwaukee, Wisconsin, Travelers Indemnity Company. (Greenberg, Mitchell) (Entered: 12/27/2010)
12/27/2010	247	RESPONSE IN SUPPORT of MOTION to Continue TRIAL from January 11, 2011 to 90-day continuance 238 <i>Declaration Of Mitchell B. Greenberg In Support Of Defendants' Response To Century Indemnity Company's Motion To Continue Trial</i> filed by Cross Defendants Continental Insurance Company, Employers Insurance Company of Wausau, National Union Fire Insurance Company of Pittsburgh, PA, Northwestern National Insurance Company of Milwaukee, Wisconsin, Travelers Indemnity Company. (Greenberg, Mitchell) (Entered: 12/27/2010)
12/27/2010	248	OPPOSITION to MOTION to Continue TRIAL from January 11, 2011 to 90-day continuance 238 filed by Plaintiff Pepsi-Cola Metropolitan Bottling Company Inc, Counter Defendants Pepsi-Cola Metropolitan Bottling Company Inc, Pepsi-Cola Metropolitan Bottling Company Inc. (Attachments: # 1 Declaration Declaration of D. Cox in Support of Pepsi's Opposition to Century's Motion to Continue, # 2 Exhibit Exhibit 1, # 3 Exhibit Exhibit 2, # 4 Exhibit Exhibit 3, # 5 Exhibit Exhibit 4)(Cox, David) (Entered: 12/27/2010)
12/27/2010	249	REQUEST FOR JUDICIAL NOTICE re MOTION to Continue TRIAL from January 11, 2011 to 90-day continuance 238 filed by Plaintiff and Counter-Defendant Pepsi-Cola Metropolitan Bottling Company Inc. (Attachments: # 1 Exhibit Exhibit 1, # 2 Exhibit Exhibit 2)(Cox, David) (Entered: 12/27/2010)
12/28/2010	250	STIPULATION to Dismiss Defendant OneBeacon America Insurance Company filed by Plaintiff and Counter-Defendant Pepsi-Cola Metropolitan Bottling Company Inc. (Attachments: # 1 Proposed Order Re: Stipulation of Dismissal with Prejudice (One Beacon))(Picariello, Salvatore) (Entered: 12/28/2010)

12/28/2010	251	ORDER by Judge Stephen V. Wilson: The Court DENIES two of Centurys Motions for Partial Summary Judgment as addressed in this opinion (Doc. Nos. 114 and 126). The Court GRANTS Centurys Motions for Partial Summary Judgment to compel arbitration under § 2860(c) in accordance with this opinion. (Doc. Nos. 108 and 121). The Court GRANTS Pepsis Motion for Partial Summary Judgment on Breach of Duty to Defend and GRANTS Pepsis Motion for Partial Summary Judgment on Centurys Affirmative Defenses to the extent that the Motion raises the same issues already addressed in this opinion and conform to this opinion (Doc. Nos. 144 and 141, respectively). The Court purposefully does not address issues of self-insurance and allocation raised in Pepsis Motion for Partial Summary Judgment on Centurys Affirmative Defenses. (pj) (Entered: 12/28/2010)
12/29/2010	252	Joint STIPULATION to Reschedule Pre-Trial Deadlines filed by Plaintiff and Counter-Defendant Pepsi-Cola Metropolitan Bottling Company Inc. (Attachments: # 1 Proposed Order)(Cox, David) (Entered: 12/29/2010)
12/29/2010	258	ORDER GRANTING STIPULATION FOR HEARING ON SHORTENED TIME CENTURY'S MOTION TO CONTINUE TRIAL by Judge Stephen V. Wilson, re Stipulation 237 . Century's Motion to Continue Trial shall be heard on shortened time. The hearing on Century's Motion to Continue Trial will take place on 1/3/11 at 3:30 pm. Century will file the Motion on 12/21/10. Response(s) to the Motion must be filed on 12/27/10. Reply to any response(s) must be filed on 12/30/10. (im) (Entered: 01/05/2011)
12/30/2010	253	REPLY IN SUPPORT OF MOTION to Continue TRIAL from January 11, 2011 to 90-day continuance 238 filed by Cross Claimant Century Indemnity Company. (Cantor, Phyllis) (Entered: 12/30/2010)
12/30/2010	254	OBJECTIONS TO EVIDENCE OFFERED BY PEPSI'S IN OPPOSITION re: MOTION to Continue TRIAL from January 11, 2011 to 90-day continuance 238 filed by Cross Claimant Century Indemnity Company. (Cantor, Phyllis) (Entered: 12/30/2010)
12/30/2010	255	REQUEST FOR JUDICIAL NOTICE IN SUPPORT OF CENTURY INDEMNITY COMPANY'S REPLY TO PEPSIS OPPOSITION re MOTION to Continue TRIAL from January 11, 2011 to 90-day continuance 238 filed by Cross Claimant Century Indemnity Company. (Attachments: # 1 Exhibit A, # 2 Exhibit B)(Cantor, Phyllis) (Entered: 12/30/2010)
12/30/2010	256	DECLARATION of JOHN C. CONWAY N SUPPORT OF CENTURY INDEMNITY COMPANY'S REPLY TO PEPSIS OPPOSITION TO MOTION to Continue TRIAL from January 11, 2011 to 90-day continuance 238 filed by Cross Defendant Continental Insurance Company. (Attachments: # 1 Exhibit C, # 2 Exhibit D, # 3 Exhibit E, # 4 Exhibit F)(Cantor, Phyllis) (Entered: 12/30/2010)

01/03/2011	257	MINUTES OF PRETRIAL CONFERENCE (JT 01/11/11) 2. MOTION to Continue TRIAL 238 held before Judge Stephen V. Wilson:Conference held. The Motion to Continue Trial is granted. The Court resets the trial as follows: Jury Trial. March 8, 2011 at 9:00 a.m. Pretrial Conference.. February 28, 2011 at 2:30 p.m. Within ten days, each side is to submit a list for four potential arbitrators with their corresponding curriculum vitae. No arbitrator is to have any prior dealings with either party and the parties must perform conflicts checks. The parties must confer prior to filing the list of potential arbitrators to ensure there are no conflicts.As a point of clarification for matters raised during the hearing, the Court refers the entire Cumisfee dispute to the arbitrator. The Court rejects the argument that the fees remaining to be paid byCentury under the Courts earlier Order finding a breach of the duty to defend for limiting defense feesto 12.9% remain with the Court. These fees must also be arbitrated under § 2860 (c). Court Reporter: Margaret Babykin. (pj) (Entered: 01/04/2011)
01/05/2011	259	ORDER GRANTING ONEBEACON'S REQUEST FOR DISMISSAL by Judge Stephen V. Wilson 244 . (rs) (Entered: 01/05/2011)
01/12/2011	260	STIPULATION for Extension of Time to File -EXTEND DATE FOR DISCLOSURE OF POTENTIAL ARBITRATORS filed by Defendant/Counterclaimant/Cross-Defendant Century Indemnity Company. (Attachments: # 1 [PROPOSED] ORDER)(Cantor, Phyllis) (Entered: 01/12/2011)
01/13/2011	261	TRANSCRIPT for proceedings held on 11/15/2010 2:20 pm. Court Reporter: Deborah K. Gackle, phone number (213) 620-1149. Transcript may be viewed at the court public terminal or purchased through the Court Reporter before the deadline for Release of Transcript Restriction. After that date it may be obtained through COURT REPORTER DEBORAH K. GACKLE or PACER. Notice of Intent to Redact due within 7 days of this date. Redaction Request due 2/3/2011. Redacted Transcript Deadline set for 2/13/2011. Release of Transcript Restriction set for 4/13/2011. (Gackle, Deborah) (Entered: 01/13/2011)
01/14/2011	262	NOTICE OF FILING TRANSCRIPT filed for proceedings 11/15/10 2:20pm (mw) (Entered: 01/14/2011)
01/14/2011	263	ORDER RULING ON STIPULATION TO EXTEND DATE FOR DISCLOSURE OF POTENTIAL ARBITRATORS by Judge Stephen V. Wilson, re Stipulation 260 . The Court having considered the Stipulation of the parties and good cause being shown therein, orders: The parties shall have until 1-21-11 to file their disclosures of potential arbitrators. (im) (Entered: 01/18/2011)
01/19/2011	264	TRANSCRIPT for proceedings held on 12/13/2010 2:20 pm. Court Reporter: Deborah K. Gackle, phone number (213) 620-1149. Transcript may be viewed at the court public terminal or purchased through the Court Reporter before the deadline for Release of Transcript Restriction. After that date it may be obtained through COURT REPORTER DEBORAH K. GACKLE or PACER. Notice of Intent to Redact due within 7 days of this date. Redaction Request due 2/9/2011.

		Redacted Transcript Deadline set for 2/19/2011. Release of Transcript Restriction set for 4/19/2011. (Gackle, Deborah) (Entered: 01/19/2011)
01/20/2011	265	NOTICE OF FILING TRANSCRIPT filed for proceedings 12-13-10 2:20 p.m. (dc) (Entered: 01/20/2011)
01/21/2011	266	JOINT REPORT of REGARDING SELECTION OF "CUMIS" ARBITRATOR filed by Plaintiff Pepsi-Cola Metropolitan Bottling Company Inc. (Cox, David) (Entered: 01/21/2011)
01/27/2011	267	NOTICE OF APPEAL to the 9th CCA filed by Defendant and Cross-Complainant Century Indemnity Company. Appeal of Order on Motion to Compel Arbitration, Order on Motion for Partial Summary Judgment,,,,,,,,,,,,,,,,,,,,, 251 (Appeal fee FEE NOT PAID.) (Conway, John) (Entered: 01/27/2011)
01/27/2011	268	REPRESENTATION STATEMENT re Notice of Appeal to 9th Circuit Court of Appeals, 267 . (Conway, John) (Entered: 01/27/2011)
01/27/2011	269	Civil Appeals Docketing Statement received from forwarded to 9th CCA. RE: Notice of Appeal to 9th Circuit Court of Appeals, 267 (Conway, John) (Entered: 01/27/2011)
01/27/2011	270	STIPULATION to Alter Judgment re Order on Motion to Continue, Pretrial Conference - Interim, Motion Hearing, Link Motions to Minutes,,,,,,,,,,,,,,,,,,,,, 257 . filed by plaintiff and counter-defendant Pepsi-Cola Metropolitan Bottling Company Inc. (Attachments: # 1 Proposed Order Re: Stipulation Regarding Pre-Trial Deadlines for March 8, 2011 Trial Date)(Cox, David) (Entered: 01/27/2011)
01/27/2011	272	APPEAL FEE PAID: re Notice of Appeal to 9th Circuit Court of Appeals, 267 as to Counter Claimant Century Indemnity Company; Receipt Number: LA008467, PAID in the amount of \$455. (lr) (Entered: 01/31/2011)
01/28/2011	271	NOTIFICATION by Circuit Court of Appellate Docket Number 11-55168, 9th CCA regarding Notice of Appeal to 9th Circuit Court of Appeals, 267 as to Defendant Cross Complainant Century Indemnity Company. (lr) (Entered: 01/31/2011)
01/28/2011	288	ORDER by Judge Stephen V. Wilson, re Stipulation Regarding pretrial Deadlines for 3/8/2011 Trial Date 270 , and good cause appearing therefore: The last day to file witness lists is 2/7/2011. Memorandum of Contentions of Law and Fact is 2/10/2011. Exchange exhibits is 2/10/2011. Joint Exhibit list is 2/17/2011. Objections to exhibits 2/24/2011. last day to file Motions in limine is 2/14/2011. Oppositions to Motions in limine is 2/22/2011. Last day to lodge the Final pretrial Conference order is 2/24/2011. (See attached Order for further information). (jp) (Entered: 02/01/2011)
01/31/2011	273	<i>LETTER TO THE HONORABLE JUDGE STEPHEN V. WILSON DATED JANUARY 31, 2011</i> (Cantor, Phyllis) (Entered: 01/31/2011)

01/31/2011	274	NOTICE OF MOTION AND MOTION for Partial Summary Judgment as to REGARDING THE BREACH OF THE COVENANT OF GOOD FAITH AND FAIR DEALING filed by Defendant/Counter-Claimant/Cross-Defendant Century Indemnity Company. Motion set for hearing on 2/28/2011 at 02:30 PM before Judge Stephen V. Wilson. (Cantor, Phyllis) (Entered: 01/31/2011)
01/31/2011	275	MEMORANDUM in Support of MOTION for Partial Summary Judgment as to REGARDING THE BREACH OF THE COVENANT OF GOOD FAITH AND FAIR DEALING 274 filed by Cross Claimant Century Indemnity Company. (Cantor, Phyllis) (Entered: 01/31/2011)
01/31/2011	276	STATEMENT of UNCONTROVERTED FACTS AND CONCLUSIONS OF LAW MOTION for Partial Summary Judgment as to REGARDING THE BREACH OF THE COVENANT OF GOOD FAITH AND FAIR DEALING 274 filed by Cross Claimant Century Indemnity Company. (Cantor, Phyllis) (Entered: 01/31/2011)
01/31/2011	277	REQUEST FOR JUDICIAL NOTICE re MOTION for Partial Summary Judgment as to REGARDING THE BREACH OF THE COVENANT OF GOOD FAITH AND FAIR DEALING 274 filed by Defendant/Counter-Claimant/Cross-Defendant Century Indemnity Company. (Attachments: # 1 Exhibit A, # 2 Exhibit B - Part 1 of 4, # 3 Exhibit B - Part 2 of 4, # 4 Exhibit B - Part 3 of 4, # 5 Exhibit B - Part 4 of 4, # 6 Exhibit C, # 7 Exhibit D, # 8 Exhibit E, # 9 Exhibit F)(Cantor, Phyllis) (Entered: 01/31/2011)
01/31/2011	278	DECLARATION of KEVIN WINEY IN SUPPORT OF MOTION for Partial Summary Judgment as to REGARDING THE BREACH OF THE COVENANT OF GOOD FAITH AND FAIR DEALING 274 filed by Cross Claimant Century Indemnity Company. (Attachments: # 1 Exhibit G, # 2 Exhibit H, # 3 Exhibit I)(Cantor, Phyllis) (Entered: 01/31/2011)
01/31/2011	279	NOTICE OF LODGMENT RE [PROPOSED] ORDER GRANTING CENTURY INDEMNITY COMPANYS MOTION FOR PARTIAL SUMMARY JUDGMENT REGARDING THE BREACH OF THE COVENANT OF GOOD FAITH AND FAIR DEALING re MOTION for Partial Summary Judgment as to REGARDING THE BREACH OF THE COVENANT OF GOOD FAITH AND FAIR DEALING 274 filed by Cross Claimant Century Indemnity Company. (Attachments: # 1 [Proposed] Order)(Cantor, Phyllis) (Entered: 01/31/2011)
01/31/2011	280	NOTICE OF MOTION AND MOTION for Partial Summary Judgment as to Tortious Breach of Implied Covenant of Good Faith and Fair Dealing filed by Plaintiff and Counter-Defendant Pepsi-Cola Metropolitan Bottling Company Inc. Motion set for hearing on 2/28/2011 at 01:30 PM before Judge Stephen V. Wilson. (Attachments: # 1 Proposed Order)(Cox, David) (Entered: 01/31/2011)
01/31/2011	281	MEMORANDUM in Support of MOTION for Partial Summary Judgment as to Tortious Breach of Implied Covenant of Good Faith and Fair Dealing 280 filed

		by Plaintiff Pepsi-Cola Metropolitan Bottling Company Inc, Counter Defendants Pepsi-Cola Metropolitan Bottling Company Inc, Pepsi-Cola Metropolitan Bottling Company Inc. (Cox, David) (Entered: 01/31/2011)
01/31/2011	282	STATEMENT of Uncontroverted Facts and Conclusions of Law MOTION for Partial Summary Judgment as to Tortious Breach of Implied Covenant of Good Faith and Fair Dealing 280 filed by Plaintiff Pepsi-Cola Metropolitan Bottling Company Inc, Counter Defendants Pepsi-Cola Metropolitan Bottling Company Inc, Pepsi-Cola Metropolitan Bottling Company Inc. (Cox, David) (Entered: 01/31/2011)
01/31/2011	283	NOTICE OF MOTION AND MOTION for Partial Summary Judgment as to Pepsi-Cola Metropolitan Bottling Company, Inc.'s Third Claim for Relief Against Insurance Company of North America filed by Plaintiff and Counter-Defendant Pepsi-Cola Metropolitan Bottling Company Inc. Motion set for hearing on 2/28/2011 at 01:30 PM before Judge Stephen V. Wilson. (Attachments: # 1 Proposed Order)(Cox, David) (Entered: 01/31/2011)
01/31/2011	284	MEMORANDUM in Support of MOTION for Partial Summary Judgment as to Pepsi-Cola Metropolitan Bottling Company, Inc.'s Third Claim for Relief Against Insurance Company of North America 283 filed by Plaintiff Pepsi-Cola Metropolitan Bottling Company Inc, Counter Defendants Pepsi-Cola Metropolitan Bottling Company Inc, Pepsi-Cola Metropolitan Bottling Company Inc. (Cox, David) (Entered: 01/31/2011)
01/31/2011	285	STATEMENT of Uncontroverted Facts and Conclusions of Law MOTION for Partial Summary Judgment as to Pepsi-Cola Metropolitan Bottling Company, Inc.'s Third Claim for Relief Against Insurance Company of North America 283 filed by Plaintiff Pepsi-Cola Metropolitan Bottling Company Inc, Counter Defendants Pepsi-Cola Metropolitan Bottling Company Inc, Pepsi-Cola Metropolitan Bottling Company Inc. (Cox, David) (Entered: 01/31/2011)
01/31/2011	286	REQUEST FOR JUDICIAL NOTICE re MOTION for Partial Summary Judgment as to Pepsi-Cola Metropolitan Bottling Company, Inc.'s Third Claim for Relief Against Insurance Company of North America 283 filed by Plaintiff Pepsi-Cola Metropolitan Bottling Company Inc. (Attachments: # 1 Exhibit 1, # 2 Exhibit 2)(Cox, David) (Entered: 01/31/2011)
01/31/2011	287	DECLARATION of David S. Cox in support of MOTION for Partial Summary Judgment as to Pepsi-Cola Metropolitan Bottling Company, Inc.'s Third Claim for Relief Against Insurance Company of North America 283 , MOTION for Partial Summary Judgment as to Tortious Breach of Implied Covenant of Good Faith and Fair Dealing 280 filed by Plaintiff Pepsi-Cola Metropolitan Bottling Company Inc, Counter Defendants Pepsi-Cola Metropolitan Bottling Company Inc, Pepsi-Cola Metropolitan Bottling Company Inc. (Attachments: # 1 Exhibit 1-4, # 2 Exhibit 5-16)(Cox, David) (Entered: 01/31/2011)

02/01/2011	289	STIPULATION to Stay Case pending Appeal re motion for stay heard on shortened time filed by Defendant and Counterclaimant Century Indemnity Company. (Attachments: # 1 Proposed Order)(Conway, John) (Entered: 02/01/2011)
02/01/2011	290	NOTICE OF MOTION AND MOTION to Stay Case pending District Court Proceeding Pending Disposition of Interlocutory Appeal filed by Defendant and Cross-Claimant Century Indemnity Company. Motion set for hearing on 2/7/2011 at 01:30 PM before Judge Stephen V. Wilson. (Attachments: # 1 Memorandum, # 2 Declaration, # 3 Exhibit, # 4 Proposed Order)(Conway, John) (Entered: 02/01/2011)
02/02/2011	291	ORDER by Judge Stephen V. Wilson, re Stipulation to Stay Case 289 , Century shall file a Motion for Stay pending appeal on 2/1/11. Opposition 2/4/11. The Motion set for hearing on 2/14/2011 at 01:30 PM before Judge Stephen V. Wilson.) (pj) (Entered: 02/02/2011)
02/04/2011	292	MEMORANDUM in Opposition to MOTION to Stay Case pending District Court Proceeding Pending Disposition of Interlocutory Appeal 290 <i>Pepsi's Memorandum of Points and Authorities in Opposition to Motion by Century Indemnity Company to Stay Proceedings</i> filed by Plaintiff Pepsi-Cola Metropolitan Bottling Company Inc, Counter Defendants Pepsi-Cola Metropolitan Bottling Company Inc, Pepsi-Cola Metropolitan Bottling Company Inc. (Cox, David) (Entered: 02/04/2011)
02/04/2011	293	DECLARATION of Troy L. Chute in opposition to MOTION to Stay Case pending District Court Proceeding Pending Disposition of Interlocutory Appeal 290 filed by Plaintiff Pepsi-Cola Metropolitan Bottling Company Inc, Counter Defendants Pepsi-Cola Metropolitan Bottling Company Inc, Pepsi-Cola Metropolitan Bottling Company Inc. (Cox, David) (Entered: 02/04/2011)
02/07/2011	294	APPLICATION for attorney Robert D. Goodman to Appear Pro Hac Vice (PHV FEE NOT PAID.) filed by defendant Century Indemnity Company. (Attachments: # 1 Proposed Order)(Conway, John) (Entered: 02/07/2011)
02/07/2011	295	MEMORANDUM in Opposition to MOTION for Partial Summary Judgment as to Pepsi-Cola Metropolitan Bottling Company, Inc.'s Third Claim for Relief Against Insurance Company of North America 283 filed by Cross Claimant Century Indemnity Company. (Wolkin, Brandt) (Entered: 02/07/2011)
02/07/2011	296	Witness List filed by Defendant/Counterclaimant/Cross-Defendant Century Indemnity Company.. (Conway, John) (Entered: 02/07/2011)
02/07/2011	297	STATEMENT of Genuine Issues in Opposition to MOTION for Partial Summary Judgment as to Pepsi-Cola Metropolitan Bottling Company, Inc.'s Third Claim for Relief Against Insurance Company of North America 283 filed by Cross Claimant Century Indemnity Company. (Wolkin, Brandt) (Entered: 02/07/2011)

02/07/2011	298	Witness List filed by plaintiff Pepsi-Cola Metropolitan Bottling Company Inc.. (Cox, David) (Entered: 02/07/2011)
02/07/2011	299	APPENDIX filed by Cross Claimant Century Indemnity Company. Re: MEMORANDUM in Opposition to Motion, 295 of <i>Unreported Authorities in support of Century's Opposition to Pepsi-Cola Metropolitan Bottling Company's Motion for Partial Summary Judgment on its Third Claim for Relief Against INA</i> (Wolkin, Brandt) (Entered: 02/07/2011)
02/07/2011	300	DECLARATION of William Dove in opposition to MOTION for Partial Summary Judgment as to Pepsi-Cola Metropolitan Bottling Company, Inc.'s Third Claim for Relief Against Insurance Company of North America 283 filed by Cross Claimant Century Indemnity Company. (Attachments: # 1 Exhibit A to Declaration of William Dove, # 2 Exhibit B to Declaration of William Dove, # 3 Exhibit C to Declaration of William Dove, # 4 Exhibit D to Declaration of William Dove, # 5 Exhibit E to Declaration of William Dove, # 6 Exhibit F to Declaration of William Dove)(Wolkin, Brandt) (Entered: 02/07/2011)
02/07/2011	301	DECLARATION of William H. Clark, Jr. in opposition to MOTION for Partial Summary Judgment as to Pepsi-Cola Metropolitan Bottling Company, Inc.'s Third Claim for Relief Against Insurance Company of North America 283 filed by Cross Claimant Century Indemnity Company. (Attachments: # 1 Exhibit 1-6 to Declaration of William H. Clark, Jr.)(Wolkin, Brandt) (Entered: 02/07/2011)
02/07/2011	302	MEMORANDUM in Opposition to MOTION for Partial Summary Judgment as to Tortious Breach of Implied Covenant of Good Faith and Fair Dealing 280 filed by Cross Claimant Century Indemnity Company. (Cantor, Phyllis) (Entered: 02/07/2011)
02/07/2011	303	DECLARATION of KEVIN WINEY IN SUPPORT OF OPPOSITION TO MOTION for Partial Summary Judgment as to Tortious Breach of Implied Covenant of Good Faith and Fair Dealing 280 filed by Cross Claimant Century Indemnity Company. (Attachments: # 1 Exhibit A, # 2 Exhibit B - Part 1, # 3 Exhibit B - Part 2, # 4 Exhibit B - Part 3, # 5 Exhibit - Part 4, # 6 Exhibits C to R)(Cantor, Phyllis) (Entered: 02/07/2011)
02/07/2011	304	DECLARATION of JOHN C. CONWAY IN SUPPORT OF OPPOSITION TO MOTION for Partial Summary Judgment as to Tortious Breach of Implied Covenant of Good Faith and Fair Dealing 280 filed by Cross Claimant Century Indemnity Company. (Attachments: # 1 Exhibit S, # 2 Exhibit T, # 3 Exhibit U)(Cantor, Phyllis) (Entered: 02/07/2011)
02/07/2011	305	DECLARATION of BRANDT L. WOLKIN IN SUPPORT OF OPPOSITION TO MOTION for Partial Summary Judgment as to Tortious Breach of Implied Covenant of Good Faith and Fair Dealing 280 filed by Cross Claimant Century Indemnity Company. (Cantor, Phyllis) (Entered: 02/07/2011)
02/07/2011	306	MEMORANDUM in Opposition to MOTION for Partial Summary Judgment as to REGARDING THE BREACH OF THE COVENANT OF GOOD FAITH

		AND FAIR DEALING 274 <i>Pepsi's Memorandum of Points and Authorities in Opposition to Century Indemnity Company's Motion for Partial Summary Judgment Regarding The Breach of The Covenant of Good Faith and Fair Dealing</i> filed by Plaintiff Pepsi-Cola Metropolitan Bottling Company Inc, Counter Defendants Pepsi-Cola Metropolitan Bottling Company Inc, Pepsi-Cola Metropolitan Bottling Company Inc. (Cox, David) (Entered: 02/07/2011)
02/07/2011	307	STATEMENT of GENUINE ISSUES IN OPPOSITION TO PEPSIS STATEMENT OF UNCONTROVERTED FACTS AND CONCLUSIONS OF LAW FILED IN SUPPORT OF MOTION for Partial Summary Judgment as to Tortious Breach of Implied Covenant of Good Faith and Fair Dealing 280 filed by Cross Claimant Century Indemnity Company. (Cantor, Phyllis) (Entered: 02/07/2011)
02/07/2011	308	OPPOSITION to MOTION for Partial Summary Judgment as to REGARDING THE BREACH OF THE COVENANT OF GOOD FAITH AND FAIR DEALING 274 <i>Plaintiff Pepsi-Cola Metropolitan Bottling Company, Inc.'s Response to Statement of Uncontroverted Facts and Conclusions of Law in Support of Century Indemnity Company's Motion for Partial Summary Judgment Regarding The Breach of the Covenant of Good Faith and Fair Dealing</i> filed by Plaintiff Pepsi-Cola Metropolitan Bottling Company Inc. (Cox, David) (Entered: 02/07/2011)
02/07/2011	309	OBJECTIONS IN SUPPORT OF OPPOSITIONS TO re: MOTION for Partial Summary Judgment as to Pepsi-Cola Metropolitan Bottling Company, Inc.'s Third Claim for Relief Against Insurance Company of North America 283 , MOTION for Partial Summary Judgment as to Tortious Breach of Implied Covenant of Good Faith and Fair Dealing 280 filed by Cross Claimant Century Indemnity Company. (Cantor, Phyllis) (Entered: 02/07/2011)
02/07/2011	310	DECLARATION of David S. Cox in Opposition to MOTION for Partial Summary Judgment as to REGARDING THE BREACH OF THE COVENANT OF GOOD FAITH AND FAIR DEALING 274 filed by Plaintiff Pepsi-Cola Metropolitan Bottling Company Inc, Counter Defendants Pepsi-Cola Metropolitan Bottling Company Inc, Pepsi-Cola Metropolitan Bottling Company Inc. (Attachments: # 1 Exhibit 1, # 2 Exhibit 2)(Cox, David) (Entered: 02/07/2011)
02/08/2011	311	TRANSCRIPT DESIGNATION AND ORDERING FORM For Dates: 8/30/10, 11/15/10, 12/13/10, 1/3/11; Court Reporter: Deborah Gackle, Margaret Babykin; Court of Appeals Case Number: 11-55168; Re: 267 (Conway, John) (Entered: 02/08/2011)
02/08/2011	312	NOTICE of Errata to Declaration of Brandt L. Wolkin in support of Century's Opposition to Pepsi's Motion for Partial Summary Judgment (Tortious Breach of Implied Covenant of Good Faith and Fair Dealing) filed by Defendant/Counter-Claimant/Cross-Defendant Century Indemnity Company. (Cantor, Phyllis) (Entered: 02/08/2011)

02/08/2011	313	MINUTES (IN CHAMBERS): ORDER by Judge Stephen V. Wilson: denying 290 Century's Motion to Stay Case Pending Disposition of Interlocutory Appeal (Doc No. 290) is DENIED and will proceed with trial on March 8, 2011. As such the February 14, 2011 hearing set for this motion is VACATED. (pj) (Entered: 02/08/2011)
02/08/2011	315	ORDER by Judge Stephen V. Wilson: granting 294 Application to Appear Pro Hac Vice by Attorney Robert D. Goodman on behalf of Century Indemnity Company, designating John C. Conway as local counsel. (lt) (Entered: 02/10/2011)
02/09/2011	314	NOTICE of Settlement <i>Between Plaintiff Pepsi-Cola Metropolitan Bottling Company, Inc. and Defendant Century Indemnity Company</i> filed by Defendant Century Indemnity Company. (Conway, John) (Entered: 02/09/2011)