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IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF ARIZONA

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CENTURY 21 REAL ESTATE ,LLC, )

No. CV 03-0053-PHX-SMM

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Plaintiff,

**ORDER**

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v.

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CENTURY SURETY CO., )

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Defendant. )

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Before the Court is the parties' Stipulated Motion to Extend Opposition Filing Deadline (Doc. 271). The parties request that the Court vacate the current deadline of March 23, 2009 for the filing of an opposition by Century 21 to the Motion for Attorney's Fees filed by Century Surety. Counsel for the parties have communicated what is believed to be a reasonable settlement offer resolving the remaining matters both in this Court and the Ninth Circuit Court of Appeals. The parties state that they will try to memorialize their settlement in writing by April 13, 2009. If the parties cannot reach an agreement on the final terms, Century 21 asks to file its Opposition by April 20, 2009.

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In reviewing the Stipulation, the Court notes that this case has been litigated for over 6 years, having begun in January 2003. Furthermore, the Court has previously granted two extensions of time for Century 21 to file its Opposition motion. Therefore, the Court will give the parties until **Friday, April 10, 2009** to memorialize their settlement agreement in writing. If an agreement is reached, the parties shall notify the Court and file any appropriate motions to stay the case by **Friday, April 10, 2009 at 5:00**

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1 **p.m.** If no agreement cannot be reached by this date, Century 21 will have until **Monday,**  
2 **April 13, 2009 at 5:00 p.m.** to file its Opposition motion with the Court.

3 Accordingly,

4 **IT IS HEREBY ORDERED** granting in part and denying in part the Stipulated  
5 Motion to Extend Opposition Filing Deadline (Doc. 271).

6 **IT IS FURTHER ORDERED** that the parties have until **Friday April 10, 2009**  
7 to memorialize their settlement agreement in writing. If an agreement is reached, the  
8 parties shall notify the Court and file any appropriate motions to stay the case by **Friday,**  
9 **April 10, 2009 at 5:00p.m.** If no agreement is reached, Century 21 will have until  
10 **Monday, April 13, 2009 at 5:00 p.m.** to file its Opposition motion.

11 **IT IS FURTHER ORDERED** that the pending Motion for Withdrawal (Doc.  
12 270) is stayed until the Court is notified of the parties' settlement or Century 21 files its  
13 Opposition.

14 DATED this 23<sup>rd</sup> day of March, 2009.

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17 Stephen M. McNamee  
18 United States District Judge  
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