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14 **UNITED STATES DISTRICT COURT**
15 **IN AND FOR THE DISTRICT OF ARIZONA**

16
17 SOILWORKS, LLC, an Arizona
corporation,

18 Plaintiff / Counterdefendant /
19 Counterclaimant,

20 v.

21 MIDWEST INDUSTRIAL SUPPLY, INC.,
an Ohio corporation authorized to do
22 business in Arizona,

23 Defendant / Counterclaimant /
24 Counterdefendant.

NO.: 2:06-CV-2141-DGC

**JOINT REPORT ON SETTLEMENT
TALKS**

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26 Pursuant to paragraph 8 of the Case Management Order entered herein the 10th day of
27 May, 2007, the parties hereto have engaged in good faith settlement talks, including an
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exchange of written proposals for comprehensive settlement of all claims and counterclaims asserted herein. Unfortunately, to date, such settlement efforts have not been successful. The parties believe that assistance from the court by reference of the case to a United States Magistrate for a settlement conference would be of assistance to the parties in seeking settlement of the case.

Dated this 7th day of December, 2007.

KUTAK ROCK LLP

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CERTIFICATE OF SERVICE

I hereby certify that on December 7, 2007, the foregoing Joint Report on Settlement Talks was filed electronically. Notice of this filing will be sent to all parties by operations of the Court's electronic filing system. Parties may access this filing through the Court's system.

/s/ Valerie J. Armstrong
Valerie J. Armstrong