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7 **UNITED STATES DISTRICT COURT**
 8 **DISTRICT OF ARIZONA**

9 DELTA MECHANICAL, INC., an Arizona
 corporation,

10 Plaintiff,

11 v.

12 PLUMB-IN-TIME, PLUMBING
 13 SERVICES, INC. d/b/a METRO
 14 MECHANICAL, INC., a Delaware
 corporation,

15 Defendant.

No. CV-06-1633-PHX-FJM

**STIPULATION TO VACATE
 SETTLEMENT CONFERENCE
 SCHEDULED FOR JUNE 28, 2007**

**(U.S. Magistrate Judge Mark E.
 Aspey)**

**(Assigned to the Hon. Frederick J.
 Martone)**

17 Plaintiff and Defendant, by and through their counsel undersigned, hereby stipulate that the
 18 settlement conference presently scheduled for June 28, 2007, may be continued in order to allow the
 19 parties to complete discovery. The parties agree that additional discovery needs to be completed to
 20 ensure that this matter is heard on the merits of the case.

21 WHEREFORE, for the foregoing reasons, the parties hereby request that the Court approve
 22 this stipulation, and continue the settlement conference from June 28, 2007 for some time in the
 23 future.

24 RESPECTFULLY this _____ day of June, 2007.

25 UDALL, SHUMWAY & LYONS, P.L.C.

26 By _____
 27 Roger C. Decker
 Erin H. Walz
 30 West First Street
 Mesa, Arizona 85201
 Attorneys for Plaintiff

JENNINGS, STROUSS & SALMON, P.L.C.

By _____
David B. Earl, Esq.
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8 ORIGINAL of the foregoing
9 filed electronically this _____
day of June, 2007.

10 COPY of the foregoing hand-delivered
11 this _____ day of June, 2007, to:

12 Hon. Frederick J. Martone
13 U.S. District Court Judge
401 W. Washington
Phoenix, Arizona 85003

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15 By _____
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23 3248092.1 \ June 20, 2007
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