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10 FRONTIER CONTRACTING, INC.

11 UNITED STATES DISTRICT COURT
12 EASTERN DISTRICT OF CALIFORNIA

13 FRONTIER CONTRACTING, INC.,
14 UNITED STATES GOVERNMENT,

15 Plaintiffs,

16 v.

17 ALLEN ENGINEERING CONTRACTOR,
18 INC., SAFECO INSURANCE COMPANY OF
19 AMERICA, VIGILANT INSURANCE
20 COMPANY, and DOES 1-50

21 Defendant.

CASE NO.: 1:11-CV-01590-LJO-DLB

STIPULATION TO ALLOW FILING OF
SECOND AMENDED COMPLAINT AND
ORDER THEREON

22 This stipulation is entered into by and between the parties, through their respective counsel
23 as follows: Plaintiff Frontier Contracting, Inc. by its counsel Scott L. Steever of Lanahan Steever &
24 Anderson, LLP, Allen Engineering Contracting, Inc., by its counsel Branden Timboe of Bruckner
25 & Walker LLP, and Vigilant Insurance Company, by its counsel Wayne Walton of Chubb Group.

26 It is hereby stipulated that plaintiff may file a Second Amended Complaint that is identical
27 to the present, Amended Complaint, except that Liberty Mutual Insurance Company shall be added
28 as a defendant.

It is further stipulated that plaintiff will execute a dismissal with prejudice in favor of
Vigilant Insurance Company.

In addition, the parties further stipulate that each defendant who has not yet answered, may

1 answer or otherwise respond to the Second Amended Complaint with reference to the names set
2 forth in the Second Amended Complaint and may do so in lieu of responding to the Complaint or
3 Amended Complaint.

4 Lastly, it is stipulated that defendant Vigilant Insurance will not be required to answer the
5 Complaint or Amended Complaint and that no default shall be taken against it.

6 Dated: 11/16/2011 LANAHAN STEEVER & ANDERSON LLP
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8 /s/
9 Scott L. Steever
Attorneys for Plaintiff Frontier Contracting, Inc.

10 Dated: 11/11/2011 BRUCKNER & WALKER LLP
11
12 /s/
13 Branden Timboe
14 Attorneys for Defendants Allen Engineering
Contracting, Inc. and Safeco Insurance Co.

15 Dated: 11/09/2011 /s/
16 Wayne Walton
17 Chubb Group, In-house Counsel for Defendant
Vigilant Insurance Co.

18 ORDER

19 IT IS SO ORDERED.

20 Dated: November 17, 2011 /s/ Dennis L. Beck
21 UNITED STATES MAGISTRATE JUDGE
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