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 6
 7 UNITED STATES DISTRICT COURT
 8 FOR THE EASTERN DISTRICT OF CALIFORNIA
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10 SPAN CONSTRUCTION &
11 ENGINEERING, INC.,

12 Plaintiffs,

13 v.

14 IRONCLAD METALS, INC.,

15 Defendants.

CASE NO.: 1:13-CV-01490-AWI-SMS

**STIPULATION TO STAY FEDERAL
 ACTION PENDING AAA ARBITRATION
 AND ORDER THEREON**

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 17 Plaintiff Span Construction & Engineering, Inc., a California corporation, by and through their
 18 counsel of record David Douglas Doyle of Doyle & Schallert and Defendant Ironclad Metals, Inc., a
 19 Canadian corporation, with the advice of Canadian counsel Douglas Conolly of McQuarrie Hunter,
 20 LLP., and by and through California counsel Stewart H. Foreman, CSB # 61149, Freeland Cooper &
 21 Foreman LLP, 150 Spear Street, Suite 1800, San Francisco, California 94105, tel: (415) 541-0200, e-
 22 mail: foreman@freelandlaw.com. Hereby stipulates as follows:

23 1. WHEREAS, Plaintiff and Defendant are engaged in arbitration through the American
 24 Arbitration Association in the matter of Span Construction v. Ironclad Metals, Inc., case number 50
 25 110 T 00813 13, for claims made by Plaintiff in this federal action; and

26 2. WHEREAS, by entering into this stipulation, Plaintiff and Defendant have not waived
 27 any legal or equitable rights that do, or may, exist; and
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1 3. WHEREAS, Plaintiff and Defendant due to the pending arbitration, request that this
2 federal action be stayed until the AAA proceeding is completed, or abandoned or is otherwise
3 terminated; and

4 4. WHEREAS, Plaintiff and Defendant agree to provide to the court periodic reports as
5 scheduled and/or as requested regarding the status of the AAA proceeding identified above; and

6 5. WHEREAS, Plaintiff and Defendant respectfully request that the Court find good
7 cause to stay this action as requested.

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9 Dated: January 7, 2014

DOYLE & SCHALLERT

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11 By: /S/ DAVID DOUGLAS DOYLE

12 _____
DAVID DOUGLAS DOYLE
Attorneys for Plaintiff

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15 Dated: January 8, 2014

FREELAND COOPER & FOREMAN LLP

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17 By: /S/ STEWART H. FOREMAN

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STEWART H. FOREMAN
Attorneys for Defendant

ORDER OF THE COURT

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3 Good cause appearing, this matter is stayed during the pendency of the AAA arbitration
4 proceeding identified above. The parties are directed to provide a status report on or before 6/30/2014,
5 and every six months thereafter until the arbitration has been resolved or the case has been dismissed.

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7 IT IS SO ORDERED.

8 DATED: 1/13/2014

/s/ SANDRA M. SNYDER
UNITED STATES MAGISTRATE JUDGE