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7	COMPANY OF AMERICA		
8	UNITED STATES DISTRICT COURT		
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10	EASTERN DISTRICT OF CALIFORNIA		
11	SACRAMENTO DIVISION		
12	TRAVELERS CASUALTY AND SURETY COMPANY OF AMERICA, a Connecticut	Case No. 2:08-cv-02715-JAM-JFM [lead case]	
	corporation,	,	
13	Plaintiff,	STIPULATION TO RESCHEDULE HEARING AND ORDER	
14	v.		
15	NATOMA VALLEY RIDGE, LLC, a California	Hearing Information	
16	limited liability company; GSJ COMPANY, LLC	Date: March 17, 2010	
17	dba DUNMORE COMMUNITIES, a California limited liability company; GRANT AVENUE,	Time: 9:30 a.m. Courtroom: 6	
18	LLC, a California limited liability company; CREEKSIDE 18, LLC, a California limited	The Honorable Judge John A. Mendez	
19	liability company; JEREMY A. DUNMORE, an individual; SIDNEY D. DUNMORE, an		
	individual; RUTH DUNMORE, an individual;		
20	CHADY EVETTE DUNMORE, an individual; THOMAS E. MARTIN, an individual; DIANE		
21	CAROL MARTIN, an individual; STEPHEN K. PARKINSON, an individual; SUSAN C.		
22	PARKINSON, an individual; GSJ COMPANY, LLC dba DUNMORE COMMUNITIES, as		
23	trustee, for THE DUNMORE FAMILY TRUST		
24	dated February 24, 1977, as amended; RUTH DUNMORE, as trustee, for THE DUNMORE		
25	FAMILY TRUST dated February 24, 1977, as amended; WESTERN SIERRA NATIONAL		
26	BANK, a California corporation; WESTERN SIERRA BANCORP, a California corporation;		
	UMPQUA HOLDINGS CORPORATION, an		
27	Oregon corporation; and UMPQUA BANK, an Oregon corporation, GSJ COMPANY, LP, a		
28	California limited partnership, DUNMAR, LLC, a California limited liability company, FAIR		
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1 2 3 4 5 6	OAKS VILLAGE, LLC, a California limited liability company, SIBLEY SQUARE, LLC, a California limited liability company, PENRYN COUNTRY ESTATES, LLC, a California limited liability company, Hillgate Estates, LLC, a California limited liability company, STEVENSON AVENUE, LLC, a California limited liability company, SHASTA OAK COURT, LLC, a California limited liability company,  Defendants.	
7 8	TRAVELERS CASUALTY AND SURETY COMPANY OF AMERICA, a Connecticut	Case No. 2:09-CV-02147-JAM-JFM
9	corporation,	
10	Plaintiff,	
11	v.	
12	THOMAS E. MARTIN, an individual; DIANE CAROL MARTIN, an individual; THOMAS E.	
13	MARTIN, as trustee for the THOMAS E. MARTIN TRUST, established December 26,	
14	2002; DIANE CAROL MARTIN, as trustee for the THOMAS E. MARTIN TRUST, established	
15	December 26, 2002; BARBERRY LANE, LLC, a California limited liability company; EVAN	
16	ESTATES, LLC, a California limited liability company; GV INVESTMENTS, LLC, a	
17	California limited liability company; LAKERIDGE COTTAGES, LLC, a California	
18	limited liability company; PINE GROVE, LLC, a California limited liability company;	
19	STEVENSON AVENUE, LLC, a California limited liability company; TDM	
20	INVESTMENTS, LLC, a California limited liability company; and DOES 1-20.	
21	Defendants.	
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23		
24	WHEREAS Plaintiff TRAVELERS CASU	JALTY AND SURETY COMPANY OF AMERICA
25	("Plaintiff") has noticed a Motion for Summary Judgment as against Defendants WESTERN SIERRA	
26	NATIONAL BANK, WESTERN SIERRA BANCORP, UMPQUA HOLDINGS CORPORATION and	
27	UMPQUA BANK (collectively "Umpqua"), which is set for hearing on March 17, 2010 at 9:30 a.m. in	
28	Courtroom 6 of the above-captioned court;	

1	WHEREAS Plaintiff and Umpqua are actively attempting to reach a resolution of the claims and		
2	disputes between them, which will be significantly hindered if the aforementioned Motion for Summary		
3	Judgment remains set for hearing on March 17, 2010;		
4	WHEREAS counsel for Plaintiff and Umpqua have met and conferred and agree that		
5	rescheduling the hearing for Plaintiff's Motion for Summary Judgment to a later date would allow		
6 7	Plaintiff and Umpqua to continue their efforts to resolve their claims and disputes between them;		
8	WHEREAS if Plaintiff and Umpqua are able to resolve the claims and disputes between them,		
9	the Motion for Summary Judgment would be rendered moot;		
10	WHEREAS the clerk for the Honorable Judge John A. Mendez has advised that the next		
11	available date for a hearing on a Motion for Summary Judgment before the Honorable Judge John A.		
12	Mendez would be May 5, 2010;  THEREFORE, counsel for Plaintiff and Umpqua stipulate as follows: to vacated the hearing on		
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15	Plaintiff's Motion for Summary Judgment currently set for March 17, 2010, and reschedule the hearing to		
16	May 5, 2010, or such later date as is convenient for the Court.		
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18 19	February 24, 2010  /s/ Nicholas A. Merrell		
20	NICHOLAS A. MERRELL Counsel for Plaintiff TRAVELERS		
21	CASUALTY AND SURETY COMPANY OF AMERICA		
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23	February 24, 2010		
24	February 24, 2010  /s/ Darrell C. Martin		
25	DARRELL C. MARTIN Counsel for Defendants WESTERN		
26	SIERRA NATIONAL BANK, WESTERN SIERRA BANCORP, UMPQUA HOLDINGS CORPORATION and UMPQUA		
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28	BANK		
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1	<u>ORDER</u>			
2	IT	TIS HEREBY ORDERED as follows:		
3	1.	The hearing on Plaintiff's Motion for Summary Judgment which is currently scheduled for		
4		March 17, 2010 is hereby VACATED AND RESCHEDULED for May 5, 2010 at 9:30		
5		a.m. in Courtroom 6 of the United States District Court for the Eastern District of		
6		California;		
7	2.	All filing deadlines for (1) any opposition to the Motion for Summary Judgment, and/or		
8		(2) any reply brief in support of the Motion for Summary Judgment shall be governed by		
9		the Federal Rules of Civil Procedure and Local Rules for the United States District Court		
10		for the Eastern District of California, and based upon the new hearing date of May 5,		
11		2010.		
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14	DATED:	February 25, 2010 /s/ John A. Mendez JOHN A. MENDEZ		
15		UNITED STATES DISTRICT COURT JUDGE		
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