/10 Out	I			
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7	TRAVELERS CASUALTY AND SURETY COMPANY OF AMERICA			
8	UNITED STATES DISTRICT COURT			
9	EASTERN DISTRICT OF CALIFORNIA			
10	SACRAMENTO DIVISION			
11	TRAVELERS CASUALTY AND SURETY			
12	COMPANY OF AMERICA, a Connecticut corporation,	[case]		
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: June 2, 2010		
	dba DUNMORE COMMUNITIES, a California limited liability company; GRANT AVENUE,	Time: 9:30 a.m. Courtroom: 6		
17	LLC, a California limited liability company; CREEKSIDE 18, LLC, a California limited	The Honorable Judge John A. Mendez		
18	liability company; JEREMY A. DUNMORE, an individual; SIDNEY D. DUNMORE, an	The Honorable Judge John M. Mendez		
19	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 trustee, for THE DUNMORE FAMILY TRUST			
23	dated February 24, 1977, as amended; RUTH DUNMORE, as trustee, for THE DUNMORE			
24	FAMILY TRUST dated February 24, 1977, as			
25	amended; WESTERN SIERRA NATIONAL BANK, a California corporation; WESTERN			
26	SIERRA BANCORP, a California corporation;			
	UMPQUA HOLDINGS CORPORATION, an Oregon corporation; and UMPQUA BANK, an			
27	Oregon corporation, GSJ COMPANY, LP, a California limited partnership, DUNMAR, LLC,			
28	a California limited liability company, FAIR			
	OAKS VILLAGE, LLC, a California limited			

1 2 3 4 5	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,		
6	Defendants.		
7 8	TRAVELERS CASUALTY AND SURETY COMPANY OF AMERICA, a Connecticut corporation,	Case No. 2:09-CV-02147-JAM-JFM	
9	Plaintiff,		
10	v.		
11	THOMAS E. MARTIN, an individual; DIANE CAROL MARTIN, an individual; THOMAS E.		
12	MARTIN, as trustee for the THOMAS E.		
13	MARTIN TRUST, established December 26, 2002; DIANE CAROL MARTIN, as trustee for		
14	the THOMAS E. MARTIN TRUST, established December 26, 2002; BARBERRY LANE, LLC, a		
15	California limited liability company; EVAN ESTATES, LLC, a California limited liability company; GV INVESTMENTS, LLC, a		
16	California limited liability company; LAKERIDGE COTTAGES, LLC, a California		
17	limited liability company; PINE GROVE, LLC, a		
18	California limited liability company; STEVENSON AVENUE, LLC, a California		
19	limited liability company; TDM INVESTMENTS, LLC, a California limited		
20	liability company; and DOES 1-20.		
21	Defendants.		
22			
23	WHEREAS Plaintiff TRAVELERS CASU	UALTY AND SURETY COMPANY OF AMERICA	
24	("Plaintiff") has noticed a Motion for Summary Judgment as against Defendants WESTERN SIERRA		
25	NATIONAL BANK, WESTERN SIERRA BANCORP, UMPQUA HOLDINGS CORPORATION and		
26			
27	UMPQUA BANK (collectively "Umpqua"), which is set for hearing on June 2, 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 June 2, 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			
12	available date for a hearing on a Motion for Summary Judgment before the Honorable Judge John A. Mendez would be July 21, 2010; THEREFORE, counsel for Plaintiff and Umpqua stipulate as follows: to vacated the hearing on		
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14			
15	Plaintiff's Motion for Summary Judgment currently set for June 2, 2010, and reschedule the hearing to		
16	July 21, 2010, or such later date as is convenient for the Court.		
17			
18	May 14, 2010		
19	/s/ Nicholas A. Merrell NICHOLAS A. MERRELL		
20	Counsel for Plaintiff TRAVELERS CASUALTY AND SURETY		
21	COMPANY OF AMERICA		
22 23			
23	May 14, 2010 _/s/ Darrell C. Martin		
25	DARRELL C. MARTIN		
26	Counsel for Defendants WESTERN SIERRA NATIONAL BANK,		
27	WESTERN SIERRA BANCORP, UMPQUA HOLDINGS		
28	CORPORATION and UMPQUA BANK		

1	<u>ORDER</u>		
2	IT IS HEREBY ORDERED as follows:		
3	1.	The hearing on Plaintiff's Motion for Summary Judgment which is currently scheduled for	
4		June 2, 2010 is hereby VACATED AND RESCHEDULED for July 21, 2010 at 9:30	
5		a.m. in Courtroom 6 of the United States District Court for the Eastern District o	
6		California;	
7	2.	All filing deadlines for (1) any opposition to the Motion for Summary Judgment, and/o	
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 Cour	
10		for the Eastern District of California, and based upon the new hearing date of July 21,	
11		2010.	
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13			
14	DATED:	May 17, 2010 /s/ John A. Mendez	
15		JOHN A. MENDEZ UNITED STATES DISTRICT COURT JUDGE	
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