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 SURETEC INSURANCE COMPANY

8  
 9 UNITED STATES DISTRICT COURT  
 10 EASTERN DISTRICT OF CALIFORNIA

12 SURETEC INSURANCE COMPANY,  
 a Texas Corporation  
 13  
 Plaintiff,  
 14  
 v.  
 15 NEW FAZE DEVELOPMENT, INC.,  
 16 a California Corporation; NEW FAZE  
 INVESTMENT FUND I, LLC, a  
 17 California Limited Liability Company;  
 ALLEN W. WARREN, an individual;  
 18 and GINA M. WARREN, an  
 individual,  
 19  
 Defendants.  
 20  
 21

Case No. 2:08-CV-03036-MCE-JFM

**STIPULATION AND ORDER TO  
 TAKE THE HEARING DATE FOR  
 PLAINTIFF’S APPLICATION  
 FOR RIGHT TO ATTACH  
 ORDER AND ORDER FOR  
 ISSUANCE OF WRIT OF  
 ATTACHMENT OFF THE  
 COURT’S CALENDAR**

Hearing Information:  
 Date: April 16, 2009  
 Time: 2:00 p.m.  
 Judge: Morrison C. England, Jr.

22 TO ALL PARTIES AND THEIR ATTORNEYS OF RECORD:

23 IT IS HEREBY STIPULATED by and between plaintiff SureTec Insurance  
 24 Company (“SURETEC”) and defendants New Faze Development, Inc., New Faze  
 25 Investment Fund I, LLC, Allen W. Warren, and Gina M. Warren (collectively  
 26 “DEFENDANTS”) (SURETEC and DEFENDANTS will hereafter be collectively  
 27 known as the “PARTIES”), by and through their respective counsel of record, as  
 28 follows:

1 1. SURETEC's applications for right to attach orders and orders for  
2 issuance of writs of attachment ("Applications") is presently scheduled for hearing  
3 on April 16, 2009 at 2:00 p.m. in the above-entitled court.

4 2. The PARTIES have commenced settlement negotiations relating to  
5 SURETEC's allegations against DEFENDANTS.

6 3. As part of their settlement efforts, the PARTIES have agreed, and  
7 request the court to order that the April 16, 2009 hearing date on SURETEC's  
8 Applications be taken off of the Court's calendar without prejudice.

9 **IT IS SO STIPULATED.**

10 Dated: April \_\_, 2009

WATT, TIEDER, HOFFAR  
& FITZGERALD, L.L.P.

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12 By: /s/ Yanna J. Li \_\_\_\_\_  
13 Jeffrey T. Robbins, Esq.  
14 Yanna J. Li, Esq.  
Attorneys for Plaintiff  
SURETEC INSURANCE COMPANY

15 Dated: April \_\_, 2009

KILPATRICK LAW OFFICES, P.C.

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17 By: /s/ Terence Kilpatrick \_\_\_\_\_  
18 Terence Kilpatrick, Esq.  
Attorney for Defendants

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20 BASED ON THE FOREGOING STIPULATION, AND GOOD CAUSE  
21 APPEARING THEREFORE, IT IS HEREBY ORDERED that SURETEC'S  
22 Applications (Docket Nos. 14-17) are DENIED without prejudice and the April 16,  
23 2009, hearing date is hereby vacated.

24 **IT IS SO ORDERED.**

25 Dated: April 14, 2009

26   
27 MORRISON C. ENGLAND, JR.  
28 UNITED STATES DISTRICT JUDGE