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13 Attorneys for Plaintiff/Counter-Defendant,
14 LINCOLN GENERAL INSURANCE COMPANY

15 **UNITED STATES DISTRICT COURT**
16 **EASTERN DISTRICT OF CALIFORNIA – SACRAMENTO DIVISION**

17 LINCOLN GENERAL INSURANCE
18 COMPANY,

19 Plaintiff,

20 v.

21 MARK RAYMOND KENNEDY, individually
22 and Doing Business As STONEY FALLS
23 TILE; VINTAGE OAKS OFFICE PARK
24 BUILDING 14 & 15 ASSOCIATION, a
25 California Nonprofit Mutual Benefit
26 Corporation; HABITAT MANAGEMENT
27 AND DEVELOPMENT, INC.; PICO
28 RANCH, INC.; HABITAT
CONSTRUCTION, INC.; DOES 1
THROUGH 10,

Defendants.

AND ALL RELATED COUNTER-ACTIONS.

CASE NO. 2:12-CV-02311-GEB-DAD

STIPULATION TO CONTINUE THE
STATUS (PRETRIAL SCHEDULING)
CONFERENCE

Plaintiff/Counter-Defendant, LINCOLN GENERAL INSURANCE COMPANY,
Defendant/Counter-Claimant, HABITAT CONSTRUCTION, INC., and Defendant,
VINTAGE OAKS OFFICE PARK BUILDING 14 & 15 ASSOCIATION, (collectively
“Parties”) hereby stipulate and agree that the Status (Pretrial Scheduling) Conference

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1 currently set for March 25, 2013 be continued to May 9, 2013, or to day set by the Court,
2 for good cause as follows:

- 3 1. A Status (Pretrial Scheduling) Conference is currently scheduled for March
4 25, 2013 at 9:00 a.m.;
- 5 2. The Parties have negotiated settlement which is contingent upon the parties'
6 compliance with the settlement terms in the underlying construction defect
7 action entitled Vintage Oaks Office Park Building 14 & 15 v. Habitat, bearing
8 Placer County Superior Court case number S-CV-0024958 (hereafter
9 "Underlying Action");
- 10 3. In order to allow parties time to comply with the settlement terms in the
11 Underlying Action, the Parties stipulate to continue the Status (Pretrial
12 Scheduling) Conference by 45-days to a date set by the Court; and
- 13 4. This is the second extension of time for the scheduling of the Status (Pretrial
14 Scheduling) Conference sought by the Parties.

15 Dated: March 14, 2013

RYAN MERCALDO LLP

16 /s/ Norman A. Ryan

17 NORMAN A. RYAN
18 Attorney for Plaintiff/Counter-Defendant,
19 LINCOLN GENERAL INSURANCE COMPANY

19 Dated: March 14, 2013

FENTON GRANT MAYFIELD KANEDA & LITT
20 LLP

21 /s/ Joseph Kaneda

22 JOSEPH KANEDA
23 Attorney for Defendant,
24 VINTAGE OAKS OFFICE PARK BUILDING 14
& 15 ASSOCIATION

25 Dated: March 14, 2013

TRENK DIPASQUALE DELLA FERRA &
26 SODONO, P.C.

27 /s/ Marc Derewetzky

28 Marc J. Derewetzky
Attorney for Defendant/Counter-Claimant,
HABITAT CONSTRUCTION, INC.

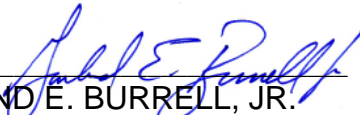
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ORDER

Pursuant to the Parties' stipulation, the Status (Pretrial Scheduling) Conference, currently set for March 25, 2013, is continued to June 10, 2013, at 9:00 a.m. A joint status report shall be filed fourteen days prior to the hearing.

IT IS SO ORDERED.

Date: 3/15/2013



GARLAND E. BURRELL, JR.
Senior United States District Judge