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THE UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA

LENNAR MARE ISLAND, LLC,
Plaintiff,
and
UNITED STATES OF AMERICA,
Plaintiff-Intervenor
V.
STEADFAST INSURANCE COMPANY
Defendant.

CASE NO. 2:12-CV-02182-KJM-KJN

LENNAR MARE ISLAND, LLC,
Plaintiff,
and
UNITED STATES OF AMERICA,
Plaintiff-Intervenor
V.
STEADFAST INSURANCE COMPANY
Defendant.

CASE NO. 2:16-CV-00291-KJM-KJN

ORDER

AND ALL RELATED COUNTER-CLAIMS
AND CROSS-CLAIMS

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ORDER OF THE COURT

For good cause shown to the satisfaction of the Court, and upon the stipulation of all parties by and through their respective counsel of record, attached hereto,

IT IS HEREBY ORDERED THAT:

- a. This consolidated case, and all discovery, proceedings, and deadlines, is hereby stayed for a period of 60 days (in addition to the 60-day stay provided in the June 22, 2017 order). The stay specifically applies, without limitation, to the filing of dispositive motions that would otherwise have been timely absent this Stipulation. In the event the settlement is not finalized, the Court shall issue a further order regarding scheduling that permits the filing of any dispositive motion that would have been timely as of the date of this stipulation.
- b. The Court shall adjourn the Status Conference initially scheduled for August 25, 2017, to October 20, 2017, at 10:00 a.m., in Judge Mueller's department to brief the Court on the finalization of the settlement; provided, however, that if the parties finalize the settlement and file appropriate dismissal papers in this Court prior to the Status Conference, the Status Conference may be removed from the calendar.
- c. In the event the parties are unable to finalize the settlement, the parties shall be prepared to address at the Status Conference any necessary adjustments to the trial date and all other deadlines in the 6/28/16 Order. This shall not, however, have the impact of reopening discovery.
- d. The trial date of December 18, 2017 shall be continued approximately 60 days to a date convenient to the Court on a date to be addressed and confirmed at the Status Conference.

IT IS SO ORDERED.

Dated: August 21, 2017.


UNITED STATES DISTRICT JUDGE

THE UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA

LENNAR MARE ISLAND, LLC,
Plaintiff,
and
UNITED STATES OF AMERICA,
Plaintiff-Intervenor
V.
STEADFAST INSURANCE COMPANY
Defendant.

CASE NO. 2:12-CV-02182-KJM-KJN

LENNAR MARE ISLAND, LLC,
Plaintiff,
and
UNITED STATES OF AMERICA,
Plaintiff-Intervenor
V.
STEADFAST INSURANCE COMPANY
Defendant.

CASE NO. 2:16-CV-00291-KJM-KJN

STIPULATION

AND ALL RELATED COUNTER-CLAIMS
AND CROSS-CLAIMS

1 IT IS HEREBY STIPULATED and agreed by and between the UNITED STATES, LENNAR
2 MARE ISLAND, LLC (“LMI”), CH2M HILL CONSTRUCTORS, INC. (“CCI”), and STEADFAST
3 INSURANCE COMPANY (“STEADFAST”) as follows:

- 4
- 5 1. The parties have reached a tentative settlement in this matter, subject to certain conditions
6 and approvals. In light of the tentative settlement, the parties wish to conserve their
7 resources and focus on finalizing the settlement, instead of continuing with litigation
8 activities.
 - 9 2. This Court’s June 28, 2016 Order (ECF #30 in Case number 2:16-cv-00291-KJM-KJN; and
10 ECF #382 in Case number 2:12-cv-2182-KJM-KJN) (the “6/28/16 Order”) set formal
11 deadlines within this consolidated case.
 - 12 3. On June 22, 2017, this Court stayed the litigation for 60 days and set a status conference for
13 August 25, 2017 (ECF #175 in Case number 2:16-cv-291-KJM-KJN; and ECF #557 in Case
14 number 2:12-cv-2182-KJM-KJN).
 - 15 4. In order to finalize a settlement, the parties, as well as multiple other government units and
16 other non-parties to this litigation, must concurrently enter into six related agreements. The
17 number of entities and agreements involved, along with the time constraints, have
18 complicated this process. The parties continue to negotiate in good faith to reach a global
19 resolution resulting in dismissal of this litigation. The parties need additional time in order to
20 complete negotiations and receive the necessary approvals.
 - 21 5. Accordingly, the parties hereby stipulate to an Order of this Court as follows:
 - 22 a. This consolidated case, including all discovery, proceedings, and
23 deadlines, is hereby stayed for an additional 60 days. The stay specifically applies,
24 without limitation, to the filing of dispositive motions that would otherwise have been
25 timely absent this Stipulation. In the event the settlement is not finalized, the Court shall
26 issue a further order regarding scheduling that permits the filing of any dispositive
27 motion that would have been timely as of the date of this stipulation.
 - 28 b. The Court shall adjourn the Status Conference initially scheduled for

1 August 25, 2017, for approximately 45 days, to October __, 2017 at __ __.m., in Judge
2 Mueller's department to brief the Court on the finalization of the settlement; provided,
3 however, that if the parties finalize the settlement and file appropriate dismissal papers in
4 this Court prior to the Status Conference, the Status Conference may be removed from
5 the calendar.

6 c. In the event the parties are unable to finalize the settlement, the parties
7 shall be prepared to address at the Status Conference any necessary adjustments to the
8 trial date and all other deadlines in the 6/28/16 Order. This shall not, however, have the
9 impact of reopening discovery.

10 d. The trial date of December 18, 2017 shall be continued approximately 60
11 days to a date convenient to the Court on a date to be addressed and confirmed at the
12 Status Conference.

13 **IT IS SO STIPULATED.**

14 DATED: August 18, 2017

NEWMEYER & DILLION LLP

15
16 By /s/ Alan Packer

17 Alan H. Packer, Esq.

18 Attorney for Plaintiff

LENNAR MARE ISLAND, LLC

19
20 DATED: August 18, 2017

QUINN EMANUEL URQUHART &
SULLIVAN, LLP

21
22 By /s/ Dale Oliver

23 Dale H. Oliver, Esq.

24 Attorney for Defendant, Counterclaimant
25 and Counterdefendant

26 STEADFAST INSURANCE COMPANY

27
28 **STIPULATION**

1 DATED: August 18, 2017
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FARELLA BRAUN + MARTEL LLP

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By /s/ Adam Dawson
Adam Dawson, Esq.
Amanda D. Hairston, Esq.
Attorneys for Counterdefendant,
Counterclaimant, and Crossdefendant
CH2M HILL CONSTRUCTORS, INC.

DATED: August 18, 2017

U.S. DEPARTMENT OF JUSTICE

By /s/ J. Taylor McConkie
J. Taylor Mcconkie, Esq.
Mitchell Zeff, Esq.
Serajul Ali, Esq.
Jonathan E. Jacobson, Esq.
Attorneys for Plaintiff-intervenor
UNITED STATES OF AMERICA