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Attorneys for Plaintiff
 7 UNIVERSAL PARAGON CORPORATION and
 SUNQUEST PROPERTIES, INC.
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9 **UNITED STATES DISTRICT COURT**
 10 **NORTHERN DISTRICT OF CALIFORNIA**

11
 12 UNIVERSAL PARAGON CORPORATION, a
 Delaware corporation; and SUNQUEST
 13 PROPERTIES, INC., a California corporation,

14 Plaintiffs,

15 vs.

16 INGERSOLL-RAND COMPANY LIMITED, a
 Bermuda corporation; INGERSOLL-RAND
 17 CORPORATION, a New Jersey corporation;
 SCHLAGE LOCK COMPANY, a California
 18 corporation; and TOUCH-PLATE
 INTERNATIONAL, INC., a California
 19 corporation,

20 Defendants.

21 AND RELATED COUNTERCLAIM
 22

Case No. CV-05-3100 TEH

**STIPULATION TO CONTINUE CASE
 MANAGEMENT CONFERENCE;
 23 ~~PROPOSED~~ ORDER**

Date: November 24, 2008
 Time: 1:30 P.M.

Proposed Date: March 2, 2009
 Time: 1:30 P.M.

23 TO ALL PARTIES HEREIN AND THEIR RESPECTIVE ATTORNEYS OF
 24 RECORD:

25 WHEREAS, Plaintiffs Universal Paragon Corporation and Sunquest Properties, Inc.
 26 (collectively "Plaintiffs"), contend that Defendant Ingersoll-Rand Corporation ("Ingersoll-Rand")
 27 assigned claims stemming from contamination allegedly caused by Defendant Union Pacific Railroad
 28 Company, ("Union Pacific"), as part of a recent settlement between Plaintiffs and Ingersoll-Rand;

1 WHEREAS, Plaintiffs also contend that they have potential claims against Union
2 Pacific related to heavy metal contamination which is not currently part of the present action;

3 WHEREAS, the Parties appeared before this Court on July 21, 2008, for a Case
4 Management Conference and indicated a mutual desire to explore a settlement of the potential claims;

5 WHEREAS, following the July 21, 2008 Case Management Conference, the Parties
6 have engaged in discussions regarding the alleged claims; these discussions are ongoing and
7 continuing;

8 WHEREAS, the Honorable Thelton E. Henderson indicated that if the parties had not
9 completed their attempts to informally resolve this matter by the scheduled Case Management
10 Conference on November 24, 2008, the Court would be willing to continue the Case Management
11 Conference to allow the parties to complete their attempts at informal resolution;

12 WHEREAS, the Parties remain interested in moving forward with informal
13 negotiations regarding a settlement of the matter, and believe a further continuance of the Case
14 Management Conference is necessary for the parties to complete their attempt to resolve the matter.

15 NOW, THEREFORE, the Parties stipulate, subject to the Court's approval as provided
16 below, to continue the Case Management Conference approximately 90 days to March 2, 2009, at 1:30
17 p.m.

18
19
20
21 DATED: November 17, 2008

Respectfully submitted,

COX, CASTLE & NICHOLSON LLP

By: 

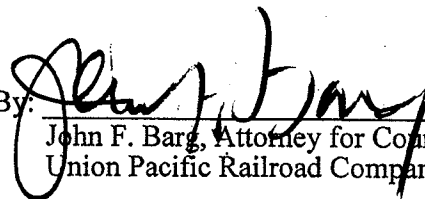
Perry S. Hughes, Attorney for
Plaintiffs UNIVERSAL PARAGON CORP. and
SUNQUEST PROPERTIES, INC.

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26 SIGNATURE CONTINUED ON PAGE 3

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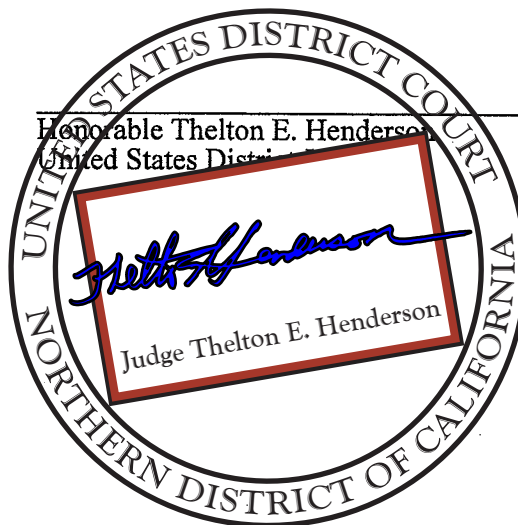
DATED: November 17, 2008

BARG COFFIN LEWIS & TRAPP LLP

By: 
John F. Barg, Attorney for Counter-Defendant
Union Pacific Railroad Company

IT IS SO ORDERED.

Dated: November 20, 2008



Honorable Thelton E. Henderson
United States District Court