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 6 UNIVERSAL PARAGON CORPORATION and
 SUNQUEST PROPERTIES, INC.
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8 UNITED STATES DISTRICT COURT
 9 NORTHERN DISTRICT OF CALIFORNIA

11 UNIVERSAL PARAGON CORPORATION, a
 Delaware corporation; and SUNQUEST
 12 PROPERTIES, INC., a California corporation,
 13
 Plaintiffs,
 14
 vs.
 15 INGERSOLL-RAND COMPANY LIMITED, a
 Bermuda corporation; INGERSOLL-RAND
 16 CORPORATION, a New Jersey corporation;
 SCHLAGE LOCK COMPANY, a California
 17 corporation; and TOUCH-PLATE
 18 INTERNATIONAL, INC., a California
 corporation,
 19
 Defendants.
 20
 21 AND RELATED COUNTERCLAIM

Case No. CV-05-3100 TEH

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

Date: July 13, 2009
 Time: 1:30 P.M.
 Proposed Date: September 21, 2009
 Time: 1:30 P.M.

22
 23 The parties, Plaintiffs Universal Paragon Corporation and Sunquest Properties, Inc.
 24 (collectively "Plaintiffs") and Third Party Defendant Union Pacific Railroad Company, ("Union
 25 Pacific"), hereby stipulate, subject to the Court's approval as provided below, to a continuance of the
 26 Case Management Conference scheduled for July 13, 2009, so that they can continue in good faith to
 27 pursue settlement discussions. To date, the parties have exchanged of information from
 28

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1 environmental professionals, including the Plaintiffs' proposed Remedial Action Plan ("RAP"), which
2 Plaintiffs contend helps to define the amount in Controversy. The Plaintiffs are still awaiting approval
3 of the RAP from the California Department of Toxic Substances Control. Additionally, settlement
4 discussions have been delayed as counsel for Union Pacific has been occupied in trial for over two
5 months, and expects to be in trial for at least another month. Accordingly, the Parties stipulate to, and
6 request that the Court, continue the Case Management Conference to September 21, 2009, at 1:30
7 p.m., or such other date and time thereafter that is convenient to the Court.

8 Respectfully submitted,

9 DATED: June 25, 2009

COX, CASTLE & NICHOLSON LLP

11 By: /s/ Perry S. Hughes
12 Perry S. Hughes, Attorney for
13 Plaintiffs UNIVERSAL PARAGON CORP. and
SUNQUEST PROPERTIES, INC.

14 DATED: June 25, 2009

BARG COFFIN LEWIS & TRAPP LLP

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

18 IT IS ORDERED that the Case Management Conference scheduled on July 13, 2009, is hereby
19 continued to September 21, 2009 at 1:30 ~~am~~/pm.

20 Dated: July 8, 2009

21 Honorable Thelton E. Henderson
United States District Judge

