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 Attorneys for Plaintiff
 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.
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Case No. CV-05-3100 TEH

**STIPULATION TO CONTINUE CASE
 MANAGEMENT CONFERENCE;
 [PROPOSED] ORDER**

Date: September 21, 2009
 Time: 1:30 P.M.
 Proposed Date: December 14, 2009
 Time: 1:30 P.M.

21 AND RELATED COUNTERCLAIM

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 September 21, 2009, so that they can continue in good
 27 faith to pursue settlement discussions. To date, the parties have exchanged of information from
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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 Parties had continued the Case
3 Management Conference so that Plaintiff could receive approval of the RAP from the California
4 Department of Toxic Substances Control and so that counsel for Union Pacific could complete a
5 lengthy trial. The Parties have been unable to enter meaningful settlement negotiations as Plaintiff
6 just received approval of the RAP on September 8, 2009, and counsel for Union Pacific is just now
7 completing the fifth month of a lengthy trial. Accordingly, the Parties stipulate to, and request that the
8 Court, continue the Case Management Conference to December 14, 2009, at 1:30 p.m., or such other
9 date and time thereafter that is convenient to the Court so that they can resume settlement
10 negotiations.

11 Respectfully submitted,

12 DATED: September 14, 2009

COX, CASTLE & NICHOLSON LLP

14 By: /s/ Perry S. Hughes

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

17 DATED: September 14, 2009

BARG COFFIN LEWIS & TRAPP LLP

19 By: /s/ John F. Barg

20 John F. Barg, Attorney for Counter-Defendant
21 Union Pacific Railroad Company

22 IT IS ORDERED that the Case Management Conference scheduled on September 21, 2009, is hereby
continued to 12/14, 2009 at 1:30 ~~am~~/pm.

23 Dated: September 15, 2009

24 Honorable Thelton E. Henderson
25 United States District Judge

