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5 Attorneys for Plaintiff  
 6 UNIVERSAL PARAGON CORPORATION and  
 SUNQUEST PROPERTIES, INC.  
 7

8 **UNITED STATES DISTRICT COURT**  
 9 **NORTHERN DISTRICT OF CALIFORNIA**  
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11 UNIVERSAL PARAGON CORPORATION, a  
 12 Delaware corporation; and SUNQUEST  
 PROPERTIES, INC., a California corporation,

13 Plaintiffs,

14 vs.

15 INGERSOLL-RAND COMPANY LIMITED, a  
 16 Bermuda corporation; INGERSOLL-RAND  
 CORPORATION, a New Jersey corporation;  
 17 SCHLAGE LOCK COMPANY, a California  
 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: June 14, 2010  
 Time: 1:30 P.M.

Proposed Date: September 13, 2010  
 Time: 1:30 P.M.

22 The parties, Plaintiffs Universal Paragon Corporation and Sunquest Properties, Inc.  
 23 (collectively "Plaintiffs") and Third Party Defendant Union Pacific Railroad Company, ("Union  
 24 Pacific"), hereby stipulate, subject to the Court's approval as provided below, to a continuance of the  
 25 Case Management Conference scheduled for June 14, 2010, so that they can continue in good faith to  
 26 pursue settlement discussions. On May 13, 2010, the parties had a full day of mediation before the  
 27 Honorable William L Bettinelli (Ret.). Though the parties were unable to reach a settlement, through  
 28

1 Judge Bettinelli they were able to share their respective positions on the facts and law relevant to  
2 Plaintiffs' claims. The parties agreed that a further exchange of information was needed to continue  
3 with settlement discussions. Plaintiffs are in the process of preparing a brief to Union Pacific to  
4 expand on positions expressed during the mediation. Both parties feel that an additional ninety (90)  
5 day continuance of the Case Management Conference would be beneficial to allow the parties to  
6 continue their settlement discussions. Accordingly, the Parties stipulate to, and request that the Court,  
7 continue the Case Management Conference to September 13, 2010, at 1:30 p.m., or such other date  
8 and time thereafter that is convenient to the Court so that they can continue to work towards a  
9 potential settlement.

10 Respectfully submitted,

11 DATED: June 9, 2010

COX, CASTLE & NICHOLSON LLP

13 By: /s/ Perry S. Hughes

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

16 DATED: June 9, 2010

BARG COFFIN LEWIS & TRAPP LLP

18 By: /s/ John F. Barg

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

21 IT IS ORDERED that the Case Management Conference scheduled on June 14, 2010, is hereby  
continued to September 20, 2010 at 1:30 pm. **No further CMC continuances shall be granted.**

22 Dated: June 10, 2010

