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UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA—SAN FRANCISCO DIVISION

UNITED STATES OF AMERICA for the Use and Benefit of WEBCOR CONSTRUCTION, INC. dba WEBCOR BUILDERS, and WEBCOR CONSTRUCTION, INC. dba WEBCOR BUILDERS,

Plaintiffs,

vs.

DICK/MORGANTI, a joint venture, DICK CORPORATION, THE MORGANTI GROUP, AMERICAN CASUALTY COMPANY OF READING, PA, NATIONAL UNION FIRE INSURANCE COMPANY OF PITTSBURGH, PA, and DOES 1 through 10, inclusive,

Defendants.

AND RELATED COUNTER-CLAIMS AND THIRD PARTY CLAIMS.

Case No.: 3:07-CV-02564-CRB

STIPULATION AND ~~PROPOSED~~ ORDER FURTHER EXTENDING TIME TO FILE ANSWER

Before: Hon. Charles R. Breyer

Pursuant to Local Civil Rule 6-2, Defendants, Counter-Claimants, and Third Party Complainants DICK/MORGANTI, DICK CORPORATION, THE MORGANTI GROUP, AMERICAN CASUALTY COMPANY OF READING, PA, and NATIONAL UNION FIRE INSURANCE COMPANY OF PITTSBURGH, PA (together, “D/M”) and Plaintiff WEBCOR

1 CONSTRUCTION, INC. dba WEBCOR BUILDERS (“Webcor”) hereby stipulate and agree that
2 the deadline for D/M to file an answer to Webcor’s complaint, as well as the time for D/M to file a
3 counterclaim, if any, be further extended for two months, to November 28, 2008. The parties and
4 their representatives have agreed to meet face to face on November 10 and 11, 2008, to discuss
5 various issues. In the meantime, the parties prefer to avoid spending time on litigation activities
6 and filings and therefore stipulate to this further extension of time.

7 The time for D/M to file an answer to Webcor’s complaint and the time for D/M to file a
8 counterclaim has been extended once before, before the November meeting was set. Additionally,
9 there have been other time extensions in this case, including time extensions in connection with
10 case management conferences.

11 A declaration in support of this stipulated request is attached.

13 Dated: October 3, 2008

THELEN LLP
101 Second Street, Suite 1800
San Francisco, California 94105
Tel. 415.371.1200 // Fax 415.371.1211

15 /s/

16 By: _____

17 John W. Ralls
18 Attorneys for Defendants, Counter-Claimants
19 and Third Party Complainants
20 DICK/MORGANTI, DICK CORPORATION,
21 THE MORGANTI GROUP, AMERICAN
22 CASUALTY COMPANY OF READING, PA,
23 and NATIONAL UNION FIRE INSURANCE
24 COMPANY OF PITTSBURGH, PA

23 Dated: October 3, 2008

BOWLES & VERNA LLP
2121 N. California Boulevard, Suite 875
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Tel. 925.935.3300 // Fax 925.935.0371

25 /s/

26 By: _____

27 Kenneth G. Jones
28 Attorneys for Plaintiff
WEBCOR CONSTRUCTION, INC. dba
WEBCOR BUILDERS

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ORDER

The deadline for Defendants, Counter-Claimants, and Third Party Complainants DICK/MORGANTI, DICK CORPORATION, THE MORGANTI GROUP, AMERICAN CASUALTY COMPANY OF READING, PA, and NATIONAL UNION FIRE INSURANCE COMPANY OF PITTSBURGH, PA (together, "D/M") file an answer to the complaint of Plaintiff WEBCOR CONSTRUCTION, INC. dba WEBCOR BUILDERS ("Webcor"), as well as the time for D/M to file a counterclaim, if any, is further extended to November 28, 2008.

PURSUANT TO STIPULATION, IT IS SO ORDERED.

Dated: October 06, 2008

