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 6 DICK/MORGANTI, DICK CORPORATION and
 THE MORGANTI GROUP
 7

8 UNITED STATES DISTRICT COURT

9 NORTHERN DISTRICT OF CALIFORNIA—SAN FRANCISCO DIVISION

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

13 Plaintiffs,

14 vs.

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

18 Defendants.
 19

20 AND RELATED COUNTER-CLAIMS AND
 21 THIRD PARTY CLAIMS.

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

**REQUEST FOR CONTINUANCE
 OF CASE MANAGEMENT
 CONFERENCE OF
 DICK/MORGANTI (JOINED IN BY
 WEBCOR ROSENDIN AND
 PERMASTEELISA)**

Date: December 5, 2008

Time: 10:00 a.m.

Place: Courtroom 8

Before: Hon. Charles R. Breyer

22
 23 Defendants DICK/MORGANTI, DICK CORPORATION and THE MORGANTI GROUP
 24 (“D/M”) respectfully submit this request for continuance of the December 5, 2008 Case
 25 Management Conference.

26 The status of this matter is described in the November 26, 2008 Joint Status Conference
 27 Statement. Generally, D/M has been working with its subcontractors to finalize the pricing of the
 28 remaining components of the claims. Some progress has been made in this regard and more is

1 expected in the next several weeks. At the same time, D/M has been working with the GSA to
2 develop a case management and alternative dispute resolution plan to present to the Civilian Board
3 of Contract Appeals (“CBCA”). GSA has recently agreed to a “three step” negotiation and
4 mediation process—with negotiations on the smaller, direct cost change order claims beginning in
5 January 2009. A status conference before the CBCA is set for January 2009.

6 Under the circumstances, four of the five active sets of parties in the case (D/M, Webcor
7 Construction, Inc., Rosendin Electric, Inc., and Permasteelisa Group USA Holdings Corp.)
8 respectfully suggest that the December 5, 2008 Case Management Conference be continued to a
9 date **after January 12, 2009**. Performance Contracting Inc. (“PCI”) does not join in this request.
10 Counsel for D/M is not available January 13-16, 2009 (not January 13-15 as noted in the Joint
11 Case Management Statement).

12
13 Dated: December 1, 2008

HOWREY LLP

/s/

By _____

John W. Ralls
John Foust
Attorneys for Defendants
DICK/MORGANTI, DICK CORPORATION, and
THE MORGANTI GROUP

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20 **ORDER**

21 Good cause having been shown, the Court hereby resets the Case Management Conference
22 (previously scheduled for December 5, 2008) for January 23, 2009, at 8:30 a.m.,
23 in Courtroom 8, of this Court.

24 IT IS SO ORDERED.

25
26 Dated: December 02, 2008

27
28
Honorable

