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 7 DICK/MORGANTI, DICK CORPORATION,  
 and THE MORGANTI GROUP  
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10 UNITED STATES DISTRICT COURT  
 11 NORTHERN DISTRICT OF CALIFORNIA—SAN FRANCISCO DIVISION  
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13 UNITED STATES OF AMERICA for the Use and  
 Benefit of WEBCOR CONSTRUCTION, INC. dba  
 14 WEBCOR BUILDERS, and WEBCOR  
 CONSTRUCTION, INC. dba WEBCOR  
 15 BUILDERS,

16 Plaintiffs,

17 vs.

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

21 Defendants.

22 AND RELATED COUNTER-CLAIMS AND  
 23 THIRD PARTY CLAIMS.

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

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

Before: Hon. Charles R. Breyer

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 25 Pursuant to Local Civil Rule 6-2, Defendants, Counter-Claimants, and Third Party  
 26 Complainants DICK/MORGANTI, DICK CORPORATION, and THE MORGANTI GROUP  
 27 (together, “D/M”) and Plaintiff WEBCOR CONSTRUCTION, INC. dba WEBCOR BUILDERS  
 28 (“Webcor”) hereby stipulate and agree that the deadline for D/M to file an answer to Webcor’s

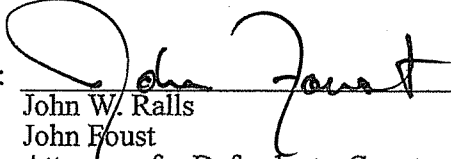
1 complaint, as well as the time for D/M to file a counterclaim, if any, be further extended to .  
2 **May 29, 2009.** The parties and their representatives continue to meet and discuss various issues,  
3 including how Webcor's claims will be addressed at the upcoming mediations with the Project  
4 owner. In the meantime, the parties prefer to avoid spending time on litigation activities and  
5 filings in the case, and therefore stipulate to this further extension of time.

6 The time for D/M to file an answer to Webcor's complaint and the time for D/M to file a  
7 counterclaim has been extended four times before. Additionally, there have been other time  
8 extensions in this case, including time extensions in connection with case management  
9 conferences.

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

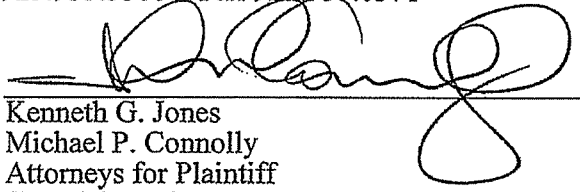
12 Dated: April 14, 2009

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19 and Third Party Complainants  
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21 and THE MORGANTI GROUP

21 Dated: April 14, 2009

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28 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, and THE MORGANTI GROUP (together, “D/M”) to 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 May 29, 2009.

PURSUANT TO STIPULATION, IT IS SO ORDERED.

Dated: \_\_\_\_\_ April 15 \_\_\_, 2009

