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 10 DICK/MORGANTI, DICK CORPORATION,  
 11 and THE MORGANTI GROUP

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

14 UNITED STATES OF AMERICA for the Use and  
 15 Benefit of WEBCOR CONSTRUCTION, INC. dba  
 16 WEBCOR BUILDERS, and WEBCOR  
 17 CONSTRUCTION, INC. dba WEBCOR  
 18 BUILDERS,

19 Plaintiffs,

20 vs.

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

27 Defendants.

28 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 AND  
 COUNTERCLAIM**

Before: Hon. Charles R. Breyer

24 Pursuant to Local Civil Rule 6-2, Defendants, Counter-Claimants, and Third Party  
 25 Complainants DICK/MORGANTI, DICK CORPORATION, and THE MORGANTI GROUP  
 26 (together, “D/M”) and Plaintiff WEBCOR CONSTRUCTION, INC. dba WEBCOR BUILDERS  
 27 (“Webcor”) hereby stipulate and agree that the deadline for D/M to file an answer to Webcor’s  
 28 complaint, as well as the time for D/M to file a counterclaim, if any, be further extended by one

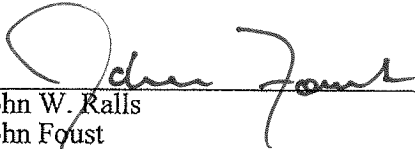
1 month from **December 18, 2009**, to **February 8, 2010**. The parties and their representatives  
2 continue to meet and discuss various issues, including how Webcor's claims will be addressed at  
3 the upcoming mediations with the Project owner. In the meantime, the parties prefer to avoid  
4 spending time on litigation activities and filings in the case, and therefore stipulate to this further  
5 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 several 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.

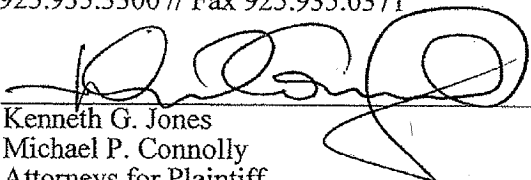
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12 Dated: December 17, 2009

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18 Attorneys for Defendants, Counter-Claimants  
19 and Third Party Complainants  
20 DICK/MORGANTI, DICK CORPORATION,  
21 and THE MORGANTI GROUP

22  
23  
24 Dated: December 17, 2009

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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 by one month from December 18, 2009, to **February 8, 2010**.

PURSUANT TO STIPULATION, IT IS SO ORDERED.

Dated: January 5, 2009

