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IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA

INSURANCE CORPORATION OF
NEW YORK,

Plaintiff,

v.

H&H PLASTERING INC., CONCRETE
SHELL STRUCTURES, INC., and
DOES 1 through 10, inclusive,

Defendants.

No. C 07-05214 WHA

ORDER RE CASE STATUS

Plaintiff Insurance Corporation of New York (“InsCorp”) has filed a notice of an order of rehabilitation dated September 27, 2009, by the New York Supreme Court regarding InsCorp. That order, *inter alia*, appoints the Superintendent of Insurance of the State of New York as “rehabilitator” of InsCorp and permanently enjoins and restrains the officers, directors, shareholders, members, depositories, trustees, policyholders, agents, servants, employees, attorneys, managers and affiliates of InsCorp from (i) transacting the business of InsCorp, (ii) wasting or disposing of or permitting to be done any act or thing that might waste or dispose of InsCorp’s property, and (iii) interfering with the rehabilitator in the possession, control and management of InsCorp’s property or in the discharge of his duties. The order also restricts the ability of others to assert claims against InsCorp.

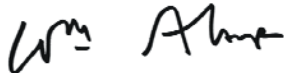
On or before **NOON ON DECEMBER 8, 2009**, plaintiff’s counsel shall file a submission addressing the impact of the New York Supreme Court’s order of rehabilitation on the present

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action and the underlying claims by third-party assignee Britannia Pointe Limited Partnership against InsCorp.

IT IS SO ORDERED.

Dated: December 1, 2009.



WILLIAM ALSUP
UNITED STATES DISTRICT JUDGE