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UNITED STATES DISTRICT COURT

NORTHERN DISTRICT OF CALIFORNIA—SAN FRANCISCO DIVISION

UNITED STATES, for the Use of ROOFING
CONSTRUCTORS, INC., a California Corporation,
doing business as WESTERN ROOFING
SERVICE,

Plaintiffs,

vs.

DICK/MORGANTI/NIBBI, a joint venture, DICK
CORPORATION; MORGANTI TEXAS, INC.,
NIBBI BROS., INC.; AMERICAN CASUALTY
COMPANY OF READING, PA, CONTINENTAL
CASUALTY COMPANY; NATIONAL UNION
FIRE INSURANCE COMPANY OF
PITTSBURGH, PA,

Defendants.

Case No.: 08-CV-2286 JL

**STIPULATION AND [PROPOSED]
ORDER FURTHER EXTENDING
CASE SCHEDULE, CASE
MANAGEMENT CONFERENCE
AND ADR DEADLINES**

The parties, Use Plaintiff Roofing Constructors, Inc., a California Corporation, doing business as Western Roofing Service, on the one hand, and Defendants Dick/Morganti/Nibbi, a Joint Venture; Dick Corporation; Morganti Texas, Inc.; Nibbi Bros., Inc.; American Casualty Company of Reading, Pennsylvania; Continental Casualty Company; National Union Fire Insurance Company of Pittsburgh, PA, on the other, hereby stipulate and agree as follows:

This case arises out of the construction of the San Francisco Federal Building. Since the complaint was filed, the parties have discussed how to resolve the issues between them arising out of the Project, and these discussions continue. On July 16, 2008, this Court entered a stipulated Order postponing the deadline for defendants' response to the complaint and all applicable case management dates by 60 days so that the parties could conduct a review and investigation. That

1 investigation, which was commenced prior to the Court's Order on July 16, 2008, has taken longer
2 than anticipated and remains underway. Accordingly, the parties desire to further continue the
3 various case management deadlines that have been established by another 75 days.

4 In particular, the parties stipulate and agree that the following case schedule should be
5 established:

- 6 ➤ Last day for defendants to file amended counterclaim without leave of Court:
7 November 17, 2008.
- 8 ➤ Deadline for plaintiff's response to counterclaim: December 8, 2008.
- 9 ➤ Last day to meet and confer re initial disclosure, early settlement, ADR process
10 selection, and discovery plan and to file joint ADR certification with stipulation to
11 ADR process or notice of need for ADR phone conference: December 8, 2008
- 12 ➤ Last day to file Rule 26(f) report, complete initial disclosures or state objection in
13 Rule 26(f) report and file case management statement per Standing Order re
14 Contents of Joint Case Management Statement: December 15, 2008.
- 15 ➤ Initial Case Management Conference: On or about December 22, 2008, on a date
16 to be set by the Court.

15 Dated: September 22, 2008

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18 By: _____

Paul S. Rosenstein
Attorney for Use Plaintiff
ROOFING CONSTRUCTORS, INC.,
dba WESTERN ROOFING SERVICE

22 Dated: September 22, 2008

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25 By: _____

John Fous
Attorneys for Defendants DICK/MORGANTI, DICK
CORPORATION, THE MORGANTI GROUP,
AMERICAN CASUALTY COMPANY OF
READING, PA, NATIONAL UNION FIRE
INSURANCE COMPANY OF PITTSBURGH, PA
and CONTINENTAL CASUALTY COMPANY

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ORDER

The Court, having reviewed the foregoing stipulation, and good cause appearing for the time extensions reflected therein, hereby approves the revisions to the case management deadlines and sets the initial case management conference (previously scheduled for October 8, 2008) for December 17, 2008 in Courtroom F, 15th Floor, San Francisco at 10:30 a.m..

IT IS SO ORDERED.

Dated: September 29, 2008



James Larson
Chief Magistrate Judge