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10 *Attorneys for Defendants PAGE CONSTRUCTION, INC. and*
 11 *ST. PAUL TRAVELER'S*

12 UNITED STATES DISTRICT COURT
 13 NORTHERN DISTRICT OF CALIFORNIA

14 NORTHERN STATES ELECTRIC, a)
 15 California corporation, and the UNITED)
 STATES, for the use of NORTHERN)
 16 STATES ELECTRIC, a California)
 Corporation,)

Case No. C08-05171
ORDER
~~JURY STATUS REPORT AND~~
~~DEFERMENT~~ TO CONTINUE CASE
 MANAGEMENT CONFERENCE

17 Plaintiffs)

18 vs.)

19 PAGE CONSTRUCTION COMPANY, a)
 California Corporation, ST. PAUL)
 20 TRAVELER'S, and DOES 1 through 10,)
 inclusive.)

21 Defendants)
 22 _____)

23 Plaintiff Northern States Electric and Defendants Page Construction Company and
 24 St. Paul Traveler's, by and between their respective counsel, hereby request a continuance of
 25 the September 10, 2010 Case Management Conference scheduled before the Honorable

1 Charles R. Breyer of the United States District Court.

2 The parties ask for this further continuance for the following reasons:

3 a. Based on the parties' agreement reached at mediation, Page
4 Construction has been pursuing equitable adjustment claims with the United States
5 Government (National Guard) on behalf of NSE and with the assistance of NSE.

6 b. The contractually required equitable adjustment proceedings have
7 resulted in the parties settling a majority of the sixteen (16) change order claims NSE has
8 presented in this action.

9 c. As of August 20, 2010, the National Guard notified Page
10 Construction that it (National Guard) had completed the necessary paperwork and was
11 awaiting Congressional funding on the negotiated claims.

12 As the parties are continuing to work together to resolve their differences through
13 this contractually required procedure, we request that the case management conference be
14 continued to allow the equitable adjustment process to be completed. In a joint effort to
15 pursue this alternative remedy, the parties stipulate to continue the Case Management
16 Conference to a later date. The parties stipulate to continue the Case Management
17 Conference to November 12, 19 or December 3, 2010.

18 Date: August 30, 2010

BOLD, POLISNER, MADDOW, NELSON, &
JUDSON

19

20

By: _____
Sharon M. Nagle
Attorneys for Northern States Electric

21

22 Date: August 30, 2010

MCINERNEY & DILLON

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By: _____
LeCarie S. Whitfield
Attorneys for Page Construction and St.
Paul Travelers

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ORDER

PURSUANT TO STIPULATION, the Case Management Conference set for September 10, 2010 is continued to November 12, 2010.

Dated: September 01, 2010

By: Honorable Charles R. Breyer
UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
JUDGE

