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

12 UNITED STATES DISTRICT COURT  
 13 NORTHERN DISTRICT OF CALIFORNIA

14	NORTHERN STATES ELECTRIC, a	)	Case No. C08-05171
15	California corporation, and the UNITED	)	
16	STATES, for the use of NORTHERN	)	JOINT STATUS REPORT AND
17	STATES ELECTRIC, a California	)	STIPULATION TO CONTINUE CASE
18	Corporation,	)	MANAGEMENT CONFERENCE
19		)	PRESENTLY SCHEUDLED FOR
20	Plaintiffs	)	NOVEMBER 19, 2010, FOR A PERIOD OF
21	vs.	)	90 DAYS TO ALLOW PARTIES TO
22		)	CONDUCT FURTHER ADR SESSION;
23	PAGE CONSTRUCTION COMPANY, a	)	PROPOSED ORDER
24	California Corporation, ST. PAUL	)	
25	TRAVELER'S, and DOES 1 through 10,	)	
	inclusive.	)	
		)	
	Defendants	)	
	_____	)	

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 November 19, 2010 Case Management Conference scheduled before the Honorable

NSE v. Page Construction, et al.  
 Case No: C08-05171

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

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

3 a. The parties have pursued and completed contractually required  
4 equitable adjustment of claims with the United States Government (National Guard) on  
5 behalf of NSE. The contractually required equitable adjustment proceedings have resulted  
6 in the parties settling a majority of the sixteen (16) change order claims NSE has presented  
7 in this action. The National Guard issued a change order to Page Construction, who in turn  
8 issued a change order to Northern States Electric and an additional payment of more than  
9 \$45,000.

10 b. On November 9, 2010, Northern States Electric provided Page  
11 Construction with an itemized list of work-related that it contends were not resolved in the  
12 proceedings with the National Guard. Northern States Electric has indicated that the value  
13 of the remaining items is less than \$64,000. Page Construction is in the process of  
14 reviewing that itemized list to formulate a response.

15 c. At the original mediation session with mediator Fred Hertz, the  
16 parties agreed to reconvene further mediation in the event the equitable adjustment  
17 proceedings did not resolve this entire litigation. The parties request a further continuance  
18 of the case management conference to allow time to meaningfully participate in a second  
19 mediation session.

20 In a joint effort to pursue alternative dispute resolutions for this litigation, the parties  
21 stipulate to continuance of the Case Management Conference for at least 90 days to permit  
22 the mediation session or sessions to be scheduled and meaningfully conducted. The parties  
23 request the continued Case Management Conference be scheduled on February 18, March 4  
24 or 18, 2011.

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IT IS SO STIPULATED.

Date: November 10, 2010

BOLD, POLISNER, MADDOW, NELSON, &  
JUDSON

By: \_\_\_\_\_ /s/  
Sharon M. Nagle  
Attorneys for Northern States Electric

Date: November 10, 2010

MCINERNEY & DILLON

By: \_\_\_\_\_ /s/  
LeCarie S. Whitfield  
Attorneys for Page Construction and St.  
Paul Travelers

**ORDER**

PURSUANT TO STIPULATION, the Case Management Conference set for November 19,  
2010 is continued to February 18, 2011.

Dated: November 16, 2010

By: \_\_\_\_\_  
Honorable Charles R. Breyer  
UNITED STATES DISTRICT COURT

