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6 Attorneys for Defendant
 NATIONAL UNION FIRE INSURANCE
 COMPANY OF PITTSBURGH, PA
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8 UNITED STATES DISTRICT COURT
 9 NORTHERN DISTRICT OF CALIFORNIA
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11 NIBBI BROTHERS, INC., a California
 corporation,

12 Plaintiff,

13 vs.

14 NATIONAL UNION FIRE INSURANCE
 15 COMPANY OF PITTSBURGH, PA, a
 Pennsylvania corporation,

16 Defendant.
 17

No. 09-CV-02231-EMC

18 STIPULATION AND [PROPOSED]
 19 ORDER TO EXTEND TIME FOR THE
 20 PARTIES TO COMPLETE MEDIATION

21 WHEREAS, the parties agree that it would be beneficial for both sides to complete the
 22 depositions that have been noticed before conducting a mediation; and

23 WHEREAS, the parties have had difficulty in scheduling the noticed depositions due to
 24 the holidays; and

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 26 WHEREAS, the appointed mediator, Robert F. Epstein, has advised the parties that
 27 scheduling a mediation in February rather than January is convenient for his schedule;
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IT IS THEREFORE STIPULATED by and between the parties that the deadline for completion of ADR in this matter should be continued from the current date of January 22, 2009, to March 5, 2009. — 2010.

Dated: January 7, 2010

Respectfully submitted,
BELL, ROSENBERG & HUGHES, LLP

By: Raymond E. Kong
Raymond E. Kong

Attorneys for Plaintiff
NIBBI BROTHERS, INC.

Dated: January 7, 2010

Respectfully submitted,
MORISON HOLDEN DEREWETZKY &
PROUGH, LLP

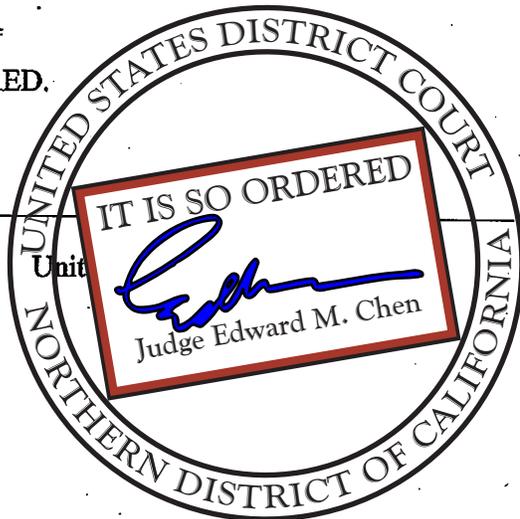
By: Thomas Holden
Thomas Holden

Attorneys for Defendant
NATIONAL UNION FIRE INSURANCE
COMPANY OF PITTSBURGH, PA

ORDER

PURSUANT TO STIPULATION, IT IS SO ORDERED.

Dated: 1/19/10



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