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UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA, SAN FRANCISCO DIVISION

ABF FREIGHT SYSTEMS, INC.,  
Plaintiff,  
v.  
UNITED STATES OF AMERICA, WEST BAY BUILDERS,  
Defendants.

---

AND RELATED CASES AND CROSS-ACTIONS.

Case No. 10-CV-5188-SI  
[Consolidated with 11-CV-4663 SI]

**~~[PROPOSED]~~ ORDER GRANTING *EX PARTE* APPLICATION FOR ORDER SHORTENING TIME TO HEAR DEFENDANTS WEST BAY BUILDERS, INC.'S AND DALEY'S DRYWALL'S MOTION FOR DETERMINATION OF GOOD FAITH SETTLEMENT**

On February 13, 2013, Defendants WEST BAY BUILDERS and DALEY'S DRYWALL filed an *ex parte* application requesting that the Court shorten the notice period for their Motion for Good Faith Settlement in the above-captioned action. Good cause having been shown, the Court hereby **GRANTS** Defendants' *ex parte* application and **ORDERS** that the motion hearing date for Defendants' Motion for Good Faith Settlement shall be heard on March 1, 2013, at 9:00 a.m., in Courtroom 10, of the above-captioned court. Any party shall file any Opposition to the Motion for Good Faith Settlement on or before February 20, 2013, and Defendants shall file any reply on or before February 26, 2013.

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**IT IS SO ORDERED.** AS AMENDED

DATED: 2/14, 2013



SUSAN ILLSTON  
Judge of the United States District Court

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File No. 26188.466

**CERTIFICATE OF SERVICE**

***ABF Freight Systems, Inc. v. United States of America, et al.***  
USDC Northern District, San Francisco Division, Case No. 10-CV-5188-SI

STATE OF CALIFORNIA, COUNTY OF SAN FRANCISCO

At the time of service, I was over 18 years of age and not a party to the action. My business address is 333 Bush Street, Suite 1100, San Francisco, California, 94104. I am employed in the office of a member of the bar of this Court at whose direction the service was made.

On February 13, 2013, I served the following document:

**[PROPOSED] ORDER GRANTING EX PARTE APPLICATION FOR ORDER SHORTENING TIME TO HEAR DEFENDANTS WEST BAY BUILDERS, INC.'S AND DALEY'S DRYWALL'S MOTION FOR DETERMINATION OF GOOD FAITH SETTLEMENT**

I served the document on all parties to the action. The document was served by the following means:

The document was served by CM/ECF (all parties are registered for CM/ECF).

I declare under penalty of perjury under the laws of the United States of America and the State of California that the foregoing is true and correct.

Dated: February 13, 2013

/s/ B. Yasinah Johnson  
B. Yasinah Johnson