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IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF CALIFORNIA

FEDERAL INSURANCE COMPANY,  
Plaintiff,

No. C 12-04708 WHA

v.

**ORDER RE STIPULATION FOR  
ORDER GRANTING PLAINTIFF  
LEAVE TO FILE SECOND  
AMENDED COMPLAINT**

KEVIN LANEY; CHARLES BURNETTE;  
BRANDON HOURMOUZUS; MARKE  
ZEMBRYCKI; KELLY LANEY; MIGUEL  
IBARRIA; BURNETTE ENGINEERING  
RESOURCES LLC AKA BER CONSULTANTS  
LLC; ROGUE CONSULTANTS; UT RADAR  
CONSULTING; HOURMOUZUS & SONS,  
LLC; and IMPERIAL SHOTCRETE, INC.,  
Defendants.

IMPERIAL SHOTCRETE, INC.,  
Third party plaintiff,

v.

BRIAN FEDERICO,  
Third party defendant.


The parties have filed a stipulation seeking an order granting leave for plaintiff to file a second amended complaint adding Brian Federico as a defendant. Defendant and third party plaintiff Imperial Shotcrete, Inc., has already filed a third party complaint against Federico. Federico has not appeared in this action and it is unclear whether he was properly served with the third party complaint. The parties are requested to respond as to whether the proposed amendment has any effect on the pending motion to stay and motion for joinder. This order

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notes that it appears that Federico is a defendant in the criminal action *United States v. Ibarria*,  
12-cr-00862-YGR. Responses are requested to be filed by **NOON ON FRIDAY, FEBRUARY 1.**

**IT IS SO ORDERED.**

Dated: January 31, 2013.

  
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WILLIAM ALSUP  
UNITED STATES DISTRICT JUDGE