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UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA - SAN FRANCISCO

SWINERTON BUILDERS, a California corporation; and SWINERTON INCORPORATED, a California corporation,

Plaintiffs,

v.

AMERICAN HOME ASSURANCE COMPANY; NATIONAL UNION FIRE INSURANCE COMPANY OF PITTSBURGH, PA.; and DOES 1 through 250, inclusive,

Defendants.

CASE NO.: 3:12-cv-06047-EMC

STIPULATION AND ORDER TO CONTINUE CASE MANAGEMENT CONFERENCE

The undersigned parties, through their respective counsel, hereby stipulate as follows and request that the Court enter this Stipulation and Order continuing the Case Management Conference to a later date:

(1) On March 14, 2013, the Court heard the parties' oral argument on Defendants' Motion to Dismiss under FRCP Rule 12(b)(6). At the hearing, the Court ordered additional briefing be prepared and filed. The parties have complied and are awaiting an Order from the Court.

(2) The currently scheduled April 25, 2013, Case Management Conference was set by Order entered March 5, 2013.

(3) The parties desire a continuation of the Case Management Conference to allow time

1 for the parties to respond accordingly to the Court's Order on Defendants' Motion to Dismiss under
2 FRCP Rule 12(b)(6).

3
4 /s/ Joseph L. Oliva
5 Joseph L. Oliva, Esquire
6 Oliva & Associates, ALC
7 11770 Bernardo Plaza Court, Suite 350
8 San Diego, CA 92128
9 *Attorney for Plaintiffs, Swinerton Builders*
10 *and Swinerton Incorporated*

/s/ Marc J. Derewetzky
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Assurance Company and National Union Fire
Insurance Company of Pittsburgh, PA

11
12 **GOOD CAUSE APPEARING, IT IS SO ORDERED** . The CMC is reset for 5/30/13 at 9:00 a.m.
13 A joint CMC Statement shall be filed by
14 5/23/13.

14 Honorable Edward M. Chen
15 United States District Court Judge

