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19 **Attorneys for Defendants National Union**
 20 **Fire Insurance Company of Pittsburgh, Pa.,**
 21 **and Chartis Inc.**

22 **UNITED STATES DISTRICT COURT**
 23 **NORTHERN DISTRICT OF CALIFORNIA**

24 SHOOK & WALLER)
 25 CONSTRUCTION, INC.)

26 Plaintiffs,)

27 v.)

28 NATIONAL UNION FIRE)
 29 INSURANCE COMPANY OF)
 30 PITTSBURGH, PA, *et al.*)

31 Defendants.)

Case No. 12-cv-06148-RS

Hon. Richard Seeborg

**STIPULATION AND PROPOSED ORDER
 TO CONTINUE DEFENDANTS NATIONAL
 UNION FIRE INSURANCE COMPANY OF
 PITTSBURGH, PA. AND CHARTIS INC.'S
 MOTION TO STAY PROCEEDINGS
 AND/OR DISMISS COMPLAINT AND THE
 CORRESPONDING BRIEFING DEADLINES
 TO PERMIT FURTHER SETTLEMENT
 DISCUSSIONS**

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IT IS STIPULATED BY AND BETWEEN THE PARTIES THAT:

1. WHEREAS, Defendants National Union Fire Insurance Company of Pittsburgh, Pa. (“National Union”) and Chartis Inc. (the “AIG Defendants”) have filed a motion for an order to stay and/or dismiss the complaint (the “Complaint”) which is set for hearing on March 21, 2013;

2. WHEREAS, the Plaintiff and AIG Defendants are currently engaged in settlement discussions, which potentially could result in the resolution of this action;

3. WHEREAS, there is also a pending motion to remand the action set for hearing on March 21, 2013;

4. WHEREAS, the Plaintiff and AIG Defendants have agreed to continue the March 21, 2013 hearing thirty days, as well as the related opposition and filing deadlines;

IT IS HEREBY STIPULATED AND AGREED by these Parties that they jointly request the Court continue the hearing and filing deadlines as follows, or to the next most convenient date for the court:

- Hearing Date Continued to: April 25, 2013 at 1:30 p.m. in Courtroom 3
- Opposition Deadline: 21 Days before Hearing Date (April 4, 2013)
- Reply Deadline: 14 Days before Hearing Date (April 11, 2013)

Dated: February 13, 2013

SIDLEY AUSTIN LLP

By: /s/ Nicholas P. Crowell
Nicholas P. Crowell

Attorneys for Defendants National Union Fire Ins. Co. of Pittsburgh, Pa. and Chartis Inc.

1 Dated: February 13, 2013

ROXBOROUGH, POMERANCE, NYE & ADREANI
LLP

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3 By: /s/ John W. Hurney
John W. Hurney

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5 Attorneys for Plaintiff Shook & Waller
Construction, Inc.

6 **IT IS SO ORDERED:**

7 The hearing on the motion of Defendants National Union Fire Insurance Company of
8 Pittsburgh, Pa. (“National Union”) and Chartis Inc. (the “AIG Defendants”) for an order to stay
9 and/or dismiss the complaint, which is set for hearing on March 21, 2003, is continued by
10 stipulation of the parties to April 25, 2013 [~~or _____, 2013~~] at 1:30 p.m. in
11 Courtroom 3 on the 17th Floor of the United States Courthouse, 450 Golden Gate Avenue, San
12 Francisco.

13 The corresponding deadlines for the opposition and reply are continued and linked to the
14 new hearing date, such that the opposition to the motion is due twenty-one (21) days before the
15 hearing date and the reply brief is due fourteen (14) days before the hearing date.

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17 Dated: 2/15/13

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19 _____
THE HON. RICHARD SEEBORG
20 UNITED STATES DISTRICT JUDGE