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11 Attorneys for Defendant  
12 Executive Risk Indemnity Inc.

13 UNITED STATES DISTRICT COURT  
14  
15 NORTHERN DISTRICT OF CALIFORNIA

16 S. J. AMOROSO CONSTRUCTION  
17 COMPANY, INC., a California  
18 corporation,

19 Plaintiffs,

20 vs.

21 EXECUTIVE RISK INDEMNITY  
22 INC., a Delaware Corporation, and  
23 DOES 1-50, inclusive,

24 Defendants.

Case No. C 06-02572 SBA

25 **STIPULATION AND ~~PROPOSED~~**  
26 **ORDER TO CONTINUE DATE OF**  
27 **MANDATORY SETTLEMENT**  
28 **CONFERENCE**

Currently Set: March 19, 2010  
9:00 a.m.

**Proposed Date: May 21, 2010**  
**9:00 a.m.**

29 This Stipulation is entered into between S.J. Amoroso Construction  
30 Company, Inc. ("SJA") and Executive Risk Indemnity Inc. ("ERII"), by and through  
31 their counsel of record.

32 WHEREAS, by order dated February 10, 2010, Judge Armstrong  
33 referred this case to Magistrate Judge Zimmerman for a Mandatory Settlement  
34 Conference;

35 WHEREAS, by order dated February 17, 2020, Magistrate Judge  
36 Zimmerman set the Mandatory Settlement Conference for March 19, 2010 at 9:00  
37 a.m.;

1 WHEREAS, the representative from ERII with authority to negotiate a  
2 settlement is not available on March 19, 2010;

3 WHEREAS, counsel for ERII contacted Magistrate Judge  
4 Zimmerman's clerk and was provided with Magistrate Judge Zimmerman's  
5 availability for an alternative date for the Mandatory Settlement Conference;

6 WHEREAS, counsel have met and conferred concerning a mutually  
7 agreeable alternative date for the Mandatory Settlement Conference and, of the dates  
8 provided, both parties are available on May 21, 2010;

9 WHEREFORE, the parties hereby stipulate and agree, subject to the  
10 Court's approval, that the Mandatory Settlement Conference currently set for March  
11 19, 2010 be continued until **May 21, 2010 at 9:00 a.m.** in Courtroom G, 15<sup>th</sup> Floor,  
12 Federal Building, 450 Golden Gate Avenue, San Francisco, CA 94102.

13  
14 DATED: February 26, 2010 MUSICK, PEELER & GARRETT LLP

15  
16 Bv: /s/ Jennifer M. Kokes  
17 Jennifer M. Kokes  
18 Attorneys for Defendant  
Executive Risk Indemnity Inc.

19 DATED: February 26, 2010 BELL, ROSENBERG & HUGHES LLP

20  
21 Bv: /s/ Randall O. Parent  
22 Randall O. Parent  
23 Attorneys for Plaintiff S.J. Amoroso  
Construction Company, Inc.

24 **IT IS SO ORDERED.**

25  
26 DATED: March 1, 2010

  
Bernard Zimmerman  
UNITED STATES DISTRICT COURT  
MAGISTRATE JUDGE