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 17 S.J. AMOROSO CONSTRUCTION CO., INC.

18 UNITED STATES DISTRICT COURT  
 19 NORTHERN DISTRICT OF CALIFORNIA  
 20 OAKLAND DIVISION

21 S.J. AMOROSO CONSTRUCTION CO.,  
 22 INC.

Case No. C 09-04197 PJH

23 Plaintiff,

**JOINT CASE MANAGEMENT  
 STATEMENT AND ORDER**

24 v.

25 LIBERTY SURPLUS INSURANCE  
 26 CORPORATION and DOES 1 through 50,

Date: September 16, 2010  
 Time: 2:00 p.m.  
 Courtroom: 3  
 Judge: Hon. Phyllis J. Hamilton

27 Defendants.

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Pursuant to the Court's order and Local Rule 16-9, counsel for S.J. Amoroso Construction Co. ("S.J. Amoroso") and Liberty Surplus Insurance Corporation ("LSIC") submit the following Joint Case Management Conference Statement.

S.J. Amoroso and LSIC have tentatively settled the case and exchanged drafts of a proposed Settlement Agreement. The Parties believe that they can resolve any outstanding issues concerning the settlement terms and have the matter dismissed within 30-45 days. The Parties request that the Court continue the status conference set for September 16 for sixty days to allow the Parties to finalize the settlement. The parties do not feel further ADR is necessary based on the settlement.

Dated: September, 9 2010

MCCORMICK, BARSTOW, SHEPPARD,  
WAYTE & CARRUTH LLP

By:           /s/ Jay A. Christofferson            
Patrick Fredette  
Jay A. Christofferson  
Attorneys for Defendant  
LIBERTY SURPLUS INSURANCE  
CORPORATION

Dated: September, 9 2010

GRECO TRAFICANTE SCHULZ & BRICK

By:           /s/ Peter J. Schulz            
Peter J. Schulz  
Attorney for Plaintiff  
S.J. AMOROSO CONSTRUCTION CO., INC.

52485/00021-1615821.v1

THE CASE MANAGEMENT CONFERENCE  
IS CONTINUED TO NOVEMBER 18, 2010  
AT 2:00 P.M.



9/10/10