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 12 Attorneys for Defendants, BAHRAM
 SAGHARI and TABAN KARIMIAN

13
 14 UNITED STATES DISTRICT COURT
 15 NORTHERN DISTRICT OF CALIFORNIA- OAKLAND BRANCH

17 FINANCIAL INDEMNITY COMPANY,)
 18 Plaintiff,)
 19 vs.)
 20 BAHRAM SAGHARI, an individual,)
 21 TABAN KARIMIAN, an individual,)
 22 JUAN ANTONIO RODRIGUEZ-)
 GALLEGOS, an individual, JOE P.)
 23 BETTENCOURT, an individual,)
 24 STRAIGHT LINE GENERAL)
 CONSTRUCTION, INC., a California)
 25 corporation, and TOWN OF LOS GATOS,)
 a California Government entity.)
 26 Defendants)

CASE NO.: 4:12-CV-05844 CW

**NOTICE OF SETTLEMENT;
 NOTICE OF WITHDRAWAL OF
 MOTION TO DISMISS; AND
 STIPULATION AND REQUEST FOR
 CONTINUANCE OF CASE
 MANAGEMENT CONFERENCE
 AND F.R.C.P. 26(f) REPORT**

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The parties hereby notify the Court that they have reached a settlement after mediation of this matter. The settlement is conditioned upon approval as a good faith settlement under California Code of Civil Procedure §877.6 by the court in the Underlying Action, Santa Clara County Superior Court Case No. 1-11-CV-213645.

Defendants Bahram Saghari and Taban Karimian, hereby notify the Court that they withdraw their Motion to Dismiss, without prejudice, set for hearing on March 7, 2013.

It is hereby stipulated between the parties through their respective counsel that a joint request is hereby made to the Court for 90-day continuance of the Case Management Conference currently scheduled for February 20, 2013.

The parties further request a continuance of the due date for the F.R.C.P. 26(f) Report from February 13, 2013, until 7 days prior to any newly assigned Case Management Conference. The parties have already conducted the required meet and confer.

DATED: February 4, 2013

WILLOUGHBY, STUART & BENING

By: /s/ Alexander F. Stuart

ALEXANDER F. STUART, ESQ.
Attorneys for Defendants,
BAHRAM SAGHARI and
TABAN KARIMIAN

DATED: February 4, 2013

ZINDER & KOCH

By: /s/ Jeffrey E. Zinder

JEFFREY E. ZINDER, ESQ
Attorneys for Plaintiff,
FINANCIAL INDEMNITY COMPANY

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DATED: February 4, 2013

ADLESON, HESS & KELLY, APC

By: /s/ Randy M. Hess

RANDY M HESS, ESQ
Attorneys for Defendants,
JOE P. BETTENCOURT AND STRAIGHT
LINE GENERAL CONSTRUCTION, INC.

DATED: February 4, 2013

HOWARD ROME MARTIN & RIDLEY

By: /s/ Joseph C. Howard

JOSEPH C. HOWARD, ESQ
Attorneys for Defendant,
TOWN OF LOS GATOS

ORDER

The case management conference previously set for February 20, 2013 is hereby continued until May 22, 2013. The parties' Rule 26(f) report is due May 15, 2013.

IT IS SO ORDERED.

DATED: 2/5/2013



HONORABLE CLAUDIA WILKEN
United States District Judge