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IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF CALIFORNIA  
SAN JOSE DIVISION

National Union Fire Ins. Co.  
of Pittsburgh, Pa., et al.,

NO. C 04-01593 JW

Plaintiffs,

**ORDER SETTING STATUS  
CONFERENCE**

v.

Seagate Technology, Inc.,

Defendant.

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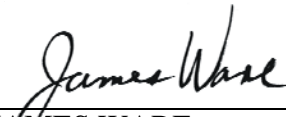
At the September 24, 2008 Case Management Conference, the Court set December 15, 2008 as a presumptive date for a hearing on Cross-Motions re: Rule 54(b) Judgment. Following the conference, the Court issued an Order instructing the parties to either (1) file these motions in accordance with the Civil Local Rules of the Court, or (2) in the event that the parties can stipulate to a global Judgment, the parties may file the Stipulation in lieu of the cross-motions. (See Docket Item No. 280.) To date, the parties have failed to file any motions or their proposed form of Judgment.

Upon the Court's inquiry, Mr. Daniel Weinberg, counsel for Defendant, represented that the parties are in the process of preparing a stipulation and proposed form of Judgment. Mr. Weinberg further represented that the parties may require additional time comment and review the proposed Judgment.

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Based on Mr. Weinberg's representation, the Court VACATES the hearing set for December 15, 2008. The Court sets a Status Conference for **January 26, 2009 at 10 a.m.** On or before **January 16, 2009**, the parties shall file their Proposed Judgment or a Joint Case Management Statement. If the Proposed Judgment is filed, the Status Conference will be vacated. Since the Court has given the parties well over three months as of the September 24 conference to bring this case to a close, the Court encourages the parties to continue to work in good faith to meet the Court's deadlines.

Dated: December 10, 2008

  
\_\_\_\_\_  
JAMES WARE  
United States District Judge

1 **THIS IS TO CERTIFY THAT COPIES OF THIS ORDER HAVE BEEN DELIVERED TO:**

2 Archie Stirling Robinson asr@robinsonwood.com  
3 Charles A. Reid charles.reid@dbr.com  
4 Daniel Justin Weinberg dweinberg@orrick.com  
5 Michael Powers Pulliam michael.pulliam@dbr.com  
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7

8 **Dated: December 10, 2008**

**Richard W. Wieking, Clerk**

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**By: /s/ JW Chambers**  
**Elizabeth Garcia**  
**Courtroom Deputy**

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