

1 Michael I. Wayne, Esq. (CSB # 169840)
 mwayne@gglt.com
 2 Gary E. Scalabrini, Esq. (CSB # 161902)
 gscalabrini@gglt.com
 3 GIBBS, GIDEN, LOCHER, TURNER & SENET LLP
 1880 Century Park East, 12th Floor
 4 Los Angeles, California 90067-1621
 (310) 552-3400
 5 Fax (310) 552-0805

E-Filed 7/2/2009

6 Attorneys for Third-Party Defendant
 SQUARE D COMPANY, a Delaware corporation

7
 8 **UNITED STATES DISTRICT COURT**
 9 **NORTHERN DISTRICT OF CALIFORNIA, SAN JOSE DIVISION**

GIBBS, GIDEN, LOCHER, TURNER & SENET LLP

10
 11 THE UNITED STATES OF AMERICA,
 for the use and benefit of SUMMERS
 12 GROUP, INC. a Delaware corporation
 doing business as REXEL PACIFIC,

13 Use-Plaintiff,

14 v.

15 MID VALLEY ELECTRIC &
 16 COMMUNICATIONS, INC., a
 corporation dba CLYDE G. STEAGALL,
 17 INC.; FIREMAN'S FUND
 INSURANCE COMPANY, a California
 18 corporation,

19 Defendants.

20 AND RELATED COUNTERCLAIM

21 SUMMERS GROUP, INC. a Delaware
 corporation doing business as REXEL
 22 PACIFIC,

23 Third-Party Plaintiff,

24 v.

25 SQUARE D COMPANY, a corporation,

26 Third-Party Defendant.
27

Case No.: C04 05458 JF/HRL

ORDER APPROVING

JOINT STATUS REPORT
 AND REQUEST FOR CONTINUANCE
 [Assigned to Judge Jeremy Fogel]

DATE: July 10, 2009
 TIME: 10:30 A.M.
 DEPT: 3

1 The parties, by and through their counsel, hereby submit this Joint Status
2 Report to the Court in connection with the Status Conference which is set in the
3 above-entitled matter on July 10, 2009 at 10:30 a.m.

4 On or about March 7, 2007, the Court issued an Order staying the above-
5 entitled litigation based upon the fact that there is a separate litigation pending in the
6 Court of Federal Claims between MID VALLEY ELECTRIC &
7 COMMUNICATIONS, INC., a corporation dba CLYDE G. STEAGALL, INC.
8 (“STEAGALL”) and the NATIONAL AERONAUTICS AND SPACE
9 ADMINISTRATION (“NASA”), the owner of the construction project which forms
10 the basis for the above-entitled litigation.

11 The litigation between STEAGALL and NASA shall be hereinafter referred to
12 as the “NASA Litigation”. A tentative settlement has been reached in the NASA
13 Litigation, however, NASA is still in the process of preparing its settlement memo and
14 the terms of the settlement have not yet been approved. While the agreement is not
15 yet formalized, STEAGALL does not believe that the settlement reached in the NASA
16 Litigation will resolve all of the claims and disputes presented in the instant litigation.
17 In light of the fact that the NASA Litigation settlement is not yet completed, the
18 parties to the instant matter believe that it would be appropriate to put this matter over
19 another 30 days and conduct a Status Conference sometime after August 10, 2009.

20
21 DATED: 6-30-09

GIBBS, GIDEN, LOCHER, TURNER & SENET LLP

22
23 By: 

Michael I. Wayne

Attorneys for Third-Party Defendant

SQUARE D COMPANY, a Delaware corporation

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

DATED:

THURBON & MCHANEY, LP

By: _____

Erin Holbrook, Esq.
Attorneys for Defendants
MID VALLEY ELECTRIC & COMMUNICATIONS,
INC., a corporation dba CLYDE G. STEAGALL,
INC.

DATED:

WALSH & WALSH, P.C.

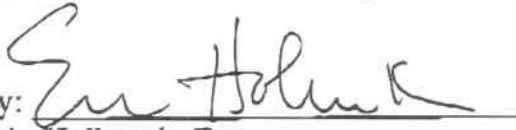
By: _____

Michael J. Walsh, Esq.
Attorneys for Use-Plaintiff
THE UNITED STATES OF AMERICA, for the use
and benefit of SUMMERS GROUP, INC. a Delaware
corporation doing business as REXEL PACIFIC

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

DATED: 6/30/09

THURBON & MCHANEY, LP

By: 
Erin Holbrook, Esq.

Attorneys for Defendants
MID VALLEY ELECTRIC & COMMUNICATIONS,
INC., a corporation dba CLYDE G. STEAGALL,
INC.

WALSH & WALSH, P.C.

DATED:

By: _____
Michael J. Walsh, Esq.

Attorneys for Use-Plaintiff
THE UNITED STATES OF AMERICA, for the use
and benefit of SUMMERS GROUP, INC. a Delaware
corporation doing business as REXEL PACIFIC

IT IS SO ORDERED. The Status Conference set for July 10, 2009 is hereby CONTINUED
to August 14, 2009 at 10:30 a.m.

Dated: 7/1/2009



JEREMY FOGEL
United States District Judge