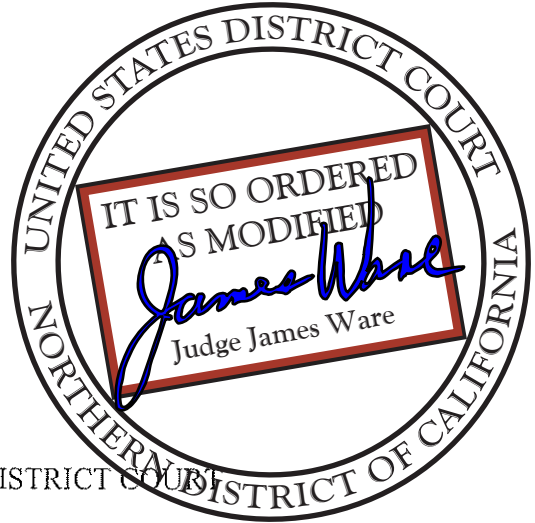


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6 Attorneys for Plaintiff  
 Atlantic Mutual Insurance Company



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

12 ATLANTIC MUTUAL INSURANCE  
 13 COMPANY,

14 Plaintiff,

15 v.

16 NORMAN S. WRIGHT MECHANICAL  
 17 EQUIPMENT CORPORATION; RICHARD  
 18 LEAO; TRUCK INSURANCE EXCHANGE;  
 19 ADVANCED MICROTHERM, INC.; HVAC  
 SALES, INC.; JOHN KARAMANOS; AND  
 DOES 1 through 10,

20 Defendants.

CASE NO.: 5:07-cv-06365 JW

**JOINT STATEMENT RE ORDER TO  
 SHOW CAUSE ;**

**ORDER CONTINUING HEARING ON  
 ORDER TO SHOW CAUSE RE:  
 SETTLEMENT**

21 Pursuant to the Court's Order of June 24, 2008 (Dkt. #51) and Federal Rule of Civil  
 22 Procedure 41(a), the Parties submit the following joint statement "set[ting] forth the status of the  
 23 activities of the parties for finalizing the settlement and how much additional time is requested to  
 24 finalize and file the dismissal."

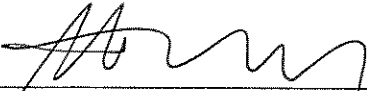
25 Atlantic Mutual provided the attached draft settlement agreement to Norman S. Wright  
 26 Mechanical Equipment Corporation's personal counsel, Janette Leonidou, on July 9, 2008. Wright  
 27 provided comments to the draft on August 28. In addition, Richard Leao, a named defendant, is  
 28 currently on vacation and will return next week. The parties therefore request an additional two

1 weeks to complete the settlement agreement and file a stipulated dismissal.

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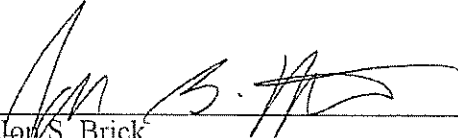
Dated: August 28, 2008

SELVIN WRAITH HALMAN LLP

By:   
\_\_\_\_\_  
Gary R. Selvin  
Mark E. Inbody  
Attorneys for Plaintiff  
Atlantic Mutual Insurance Company

Dated: August 28, 2008

GRECO TRAFICANTE SCHULZ & BRICK

By:   
\_\_\_\_\_  
Jon S. Brick  
Attorneys for Defendant  
Norman S. Wright Mechanical Equipment Corp.

55578 doc


**\*\*\* ORDER \*\*\***

In light of the parties' representations, the Court continues the hearing on the Order to Show Cause re: Settlement from September 8, 2008 to **October 6, 2008 at 9 a.m.**

On or before **September 26, 2008**, the parties shall file their Stipulated Dismissal.

If no dismissal is on file by that date, the parties shall file a Second Joint Status Report regarding their settlement efforts.

Dated: September 3, 2008

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