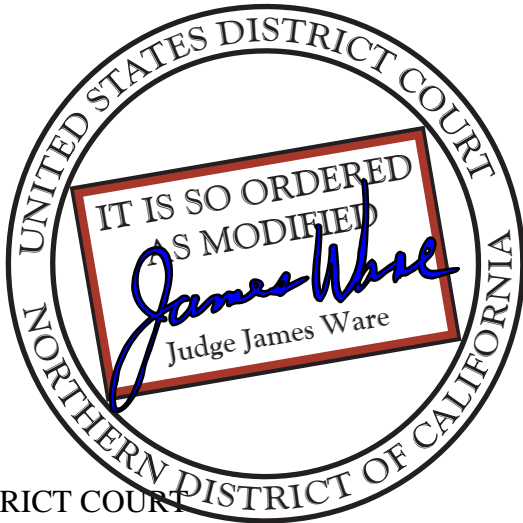


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UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA  
SAN JOSE DIVISION

ATS, PRODUCTS, INC., dba ATS, INC.  
and SHEA TECHNOLOGY, LLC,  
  
Plaintiffs,  
  
vs.  
  
FM GLOBAL, INC., MARSH &  
McLENNAN COMPANIES, INC.; MARSH  
McLENNAN CO.; MARSH & McLENNAN  
AGENCY, LLC; MARSH, INC., dba  
MARSH & McLENNAN; and GLOBAL  
MARSH,  
  
Defendants.

CASE NO.: 5:09-cv-03175 JW-PVT  
**STIPULATION AND [PROPOSED]  
ORDER CONTINUING HEARING  
DATE ON MOTIONS TO DISMISS**

Counsel for all parties report that they are in discussions regarding resolution of the above-captioned matter and hereby ask that the Court continue the hearing date for the Motions to Dismiss Plaintiffs' Second Amended Complaint filed by defendants Factory Mutual Insurance Company (erroneously sued as "FM Global, Inc.") (docket no. 50) and Marsh & McLennan Companies, Inc.; Marsh & McLennan Agency, LLC; and Marsh, Inc., (docket no. 51), from the currently scheduled March 29, 2010 to and until April 26, 2010, or to the next available hearing date thereafter that is convenient to the Court, in order to allow the parties to reach agreement and

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1 prepare and file a proposed stipulation and dismissal with this Court.

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DATED: March 25, 2010

CARLSON, CALLADINE & PETERSON LLP

By:                         /S/                          
JOYCE C. WANG  
Attorneys for Defendant FACTORY MUTUAL  
INSURANCE COMPANY (erroneously sued as  
“FM GLOBAL, INC.”)

DATED: March 25, 2010

BINGHAM MCCUTCHEN LLP

By:                         /S/                          
ROBERT A. LEWIS  
Attorneys for Defendants MARSH & MCLENNAN  
COMPANIES, INC., MARSH INC., and MARSH &  
MCLENNAN AGENCY, LLC only.

DATED: March 25, 2010

LAW OFFICES OF MICHAEL G. ACKERMAN

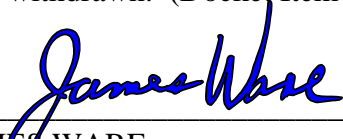
By:                         /S/                          
MICHAEL G. ACKERMAN  
Attorneys for Plaintiffs ATS, PRODUCTS, INC., dba  
ATS, INC. and SHEA TECHNOLOGY, LLC

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

In light of the parties' representation, the Court finds good cause to VACATE the March 29, 2010 hearing on the Motions to Dismiss and all pretrial and trial deadlines. The Court deems the Motions as withdrawn. The Court sets a Status Conference re: Settlement for **April 26, 2010 at 10 a.m.** On or before **April 16, 2010**, the parties shall file either a Stipulated Dismissal or a Joint Statement updating the Court on the status of the parties' settlement efforts. A Stipulated Dismissal will vacate the Conference. In the event that the parties require additional time to reduce their settlement to a writing, the parties shall clearly specify how much additional time they require to do so.

The Clerk shall terminate the pending Motions as withdrawn. (Docket Item Nos. 50, 51.)

Dated: March 25, 2010

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