

\*E-Filed: December 6, 2013\*

1 DOWNEY BRAND LLP  
 2 TREVEN I. TILBURY (Bar No. 210052)  
 3 SEAN J. FILIPPINI (Bar No. 232380 )  
 4 621 Capitol Mall, 18th Floor  
 5 Sacramento, CA 95814-4731  
 Telephone: (916) 444-1000  
 Facsimile: (916) 444-2100  
 ttilbury@downeybrand.com  
 sfilippini@downeybrand.com

6 Attorneys for Defendants  
 7 K.O.O. CONSTRUCTION, INC. and TRAVELERS  
 8 CASUALTY AND SURETY COMPANY OF AMERICA

9 UNITED STATES DISTRICT COURT  
 10 NORTHERN DISTRICT OF CALIFORNIA  
 11 SAN JOSE DIVISION

DOWNEY BRAND LLP

12 The United States of America for the Use  
 13 and Benefit of HAROLD E. NUTTER &  
 SON, INC., a California corporation,

14 Use-Plaintiff,

15 v.

16 K.O.O. CONSTRUCTION, INC., a  
 17 California corporation; TRAVELERS  
 CASUALTY AND SURETY COMPANY  
 18 OF AMERICA, a Connecticut corporation,

19 Defendants.

CASE NO. 13:cv-04853 HRL

**STIPULATION AND ORDER**

20  
 21 Defendants K.O.O. CONSTRUCTION, INC. ("K.O.O.") and TRAVELERS CASUALTY  
 22 & SURETY CO. OF AMERICA ("Surety") (K.O.O. and Surety are together referred to as  
 23 "Defendants") and Use-Plaintiff HAROLD E. NUTTER & SON, INC. ("Nutter") stipulate as  
 24 follows:

25 The Parties stipulate to an extension of time for Surety to respond to the Complaint so that  
 26 it coincides with K.O.O.'s date to respond to the Complaint on December 10, 2013.

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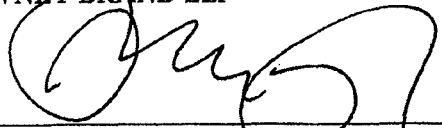
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Accordingly, the parties, by and through their counsel of record, HEREBY STIPULATE that the responses to the Complaint in the above-entitled matter on behalf of defendants K.O.O. Construction, Inc. and Travelers Casualty and Surety Company of America will both be due on December 10, 2013.

IT IS SO STIPULATED.

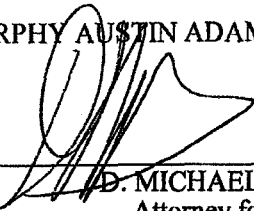
DATED: December 4, 2013

DOWNEY BRAND LLP

By:   
TREVEN L. TILBURY  
Attorney for Defendants  
TRAVELERS CASUALTY AND SURETY  
COMPANY OF AMERICA; K.O.O.  
CONSTRUCTION, INC.

DATED: December 5, 2013

MURPHY AUSTIN ADAMS SCHOENFELD LLP

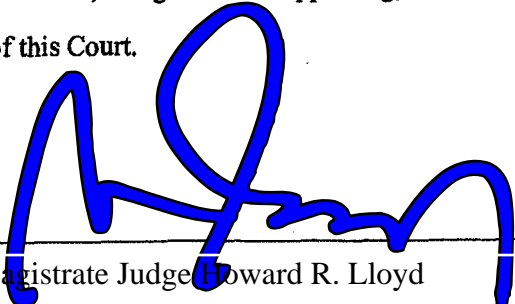
By:   
D. MICHAEL SCHOENFELD  
Attorney for Use-Plaintiff  
HAROLD E. NUTTER & SON, INC.

**ORDER**

On reviewing the Stipulation of the Parties hereto, and good cause appearing, the Court adopts the stipulation of the parties as the order of this Court.

IT IS SO ORDERED.

DATED: December 6, 2013

  
Magistrate Judge Edward R. Lloyd