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6 Attorneys for Plaintiff  
7 UNITED STATES FOR THE USE AND  
BENEFIT OF BEST INTERIORS, INC., and  
8 BEST INTERIORS, INC.

9 UNITED STATES DISTRICT COURT

10 NORTHERN DISTRICT OF CALIFORNIA, SAN JOSE DIVISION

11 UNITED STATES FOR THE USE AND )  
BENEFIT OF BEST INTERIORS, INC., )  
12 and BEST INTERIORS, INC., a )  
California Corporation, )

13 Plaintiff, )

14 v. )

15 MC2 CONTRACTING, INC., a )  
California Corporation; RQ )  
16 CONSTRUCTION, LLC, a Delaware )  
Limited Liability Company; WESTERN )  
17 SURETY COMPANY, a South Dakota )  
Corporation, CNA SURETY )  
18 CORPORATION, a Delaware )  
Corporation, DOE SURETY )  
19 COMPANIES 1 through 10; and DOES )  
20 11 through 50, inclusive, )

21 Defendants. )  
22

CASE NO. 5:15-cv-3190 NC

Assigned for all Purposes to:  
Magistrate Judge Nathanael M. Cousins  
Courtroom 7

Hearing Pending:  
Case Management Conference  
October 7, 2015

**REQUEST BY COUNSEL FOR BEST  
INTERIORS, INC. TO ALLOW  
COUNSEL TO ATTEND CASE  
MANAGEMENT CONFERENCE BY  
TELEPHONE; DECLARATION OF  
JILLIAN N. ALEXANDER; ORDER**

[Filed Concurrently with:

1. Case Management Statement and Rule 26(f) Report
2. Stipulation to Stay Proceedings; [Proposed] Order]

Complaint Filed: July 9, 2015

24 **TO THE COURT, ALL PARTIES, AND TO EACH OF THEIR ATTORNEYS OF**  
25 **RECORD:**

26 **PLEASE TAKE NOTICE** that Plaintiff, UNITED STATES FOR THE USE AND  
27 BENEFIT OF BEST INTERIORS, INC., and BEST INTERIORS, INC. (hereinafter  
28 "BEST"), hereby applies to this Court for an Order allowing counsel for BEST to appear

1 telephonically, at the hearing on the Case Management Conference, scheduled for October  
2 7, 2015 at 10:00 a.m. in Courtroom 7 of the Robert F. Peckham Federal Building and United  
3 States Courthouse, located at 280 South 1st St., San Jose, California 95113.

4 This Request is made on the ground that good cause exists to grant the order requested  
5 herein, as more thoroughly set forth in the accompanying Declaration of attorney Jillian N.  
6 Alexander for the following reasons:

7 1. Counsel for BEST are located in Orange County, California, approximately 400  
8 miles from the location of the courthouse.

9 2. Counsel will be available by telephone on October 7, 2015 at 10:00 a.m. at the  
10 following telephone number: (949) 852-0020.

11 3. All parties have been served and are represented. Responsive pleadings on  
12 behalf of all Defendants are due on October 16, 2015.

13 3. The parties have been actively engaged in discussions concerning the claims  
14 and adjusting the Request for Equitable Adjustment sought by Plaintiff BEST INTERIORS,  
15 INC.

16 4. All parties have agreed to a Stay of the Action to allow for the negotiations to  
17 continue. A stipulation has been executed by all parties and is filed concurrently herewith.  
18

19 DATED: September 30, 2015 RIPPETOE LAW, P.C.

20 By: \_\_\_\_\_  
21 

22 GREGORY L. RIPPETOE  
23 JILLIAN N. ALEXANDER  
24 Attorneys for Plaintiff  
25 UNITED STATES FOR THE USE AND  
26 BENEFIT OF BEST INTERIORS, INC. and  
27 BEST INTERIORS, INC.  
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**DECLARATION OF JILLIAN N. ALEXANDER**

I am an associate attorney at the law firm of Rippetoe Law, P.C., counsel for Plaintiff, UNITED STATES FOR THE USE AND BENEFIT OF BEST INTERIORS, INC., and BEST INTERIORS, INC. (herein after "BEST") in the above-referenced matter. I am a member in good standing of the State Bar of California and admitted to practice in the United States District Court, Northern District of California. I have personal knowledge of the facts set forth in this declaration and, if called as a witness, could and would testify competently to such facts under oath.

I make this declaration in support of the Request to Allow Counsel for Best Interiors, Inc. to Attend Case Management Conference by Telephone.

Good cause exists to allow counsel to appear at the October 7, 2015, Case Management Conference telephonically for the following reasons:

1. Counsel for BEST are located in Orange County, California, approximately 400 miles from the location of the courthouse.

2. Counsel will be available by telephone on October 7, 2015 at 10:00 a.m. at the following telephone number: (949) 852-0020.

3. All parties have been served and are represented. Responsive pleadings on behalf of all Defendants are due on October 16, 2015.

4. The parties have been actively engaged in discussions concerning the claims and adjusting the Request for Equitable Adjustment sought by Plaintiff BEST INTERIORS, INC.

5. All parties have agreed to a Stay of the Action to allow for the negotiations to continue. A stipulation has been executed by all parties and is filed concurrently herewith.

I declare, under penalty of perjury, under the laws of the State of California, that the foregoing is true and correct, and that this declaration was executed on the 30<sup>th</sup> day of September 2015, at Irvine, California.

  
\_\_\_\_\_  
JILLIAN N. ALEXANDER, Declarant

1 **ORDER**

2 On reading and considering the Request by Counsel for Best Interiors, Inc. to Allow  
3 Counsel to Attend Case Management Conference by Telephone, and good cause appearing  
4 therefore:

5 IT IS SO ORDERED that Counsel for Best Interiors, Inc. Shall be allowed to  
6 telephonically attend the Case Management Conference, scheduled for October 7, 2015 at  
7 10:00 a.m.

8 The Court will initiate the telephone call to Counsel at (949) 852-0020 on October 7,  
9 2015 at 10:00 a.m. for the Case Management Conference.

10  
11 DATED: October 1, 2015

12 By: \_\_\_\_\_  
13 Magistrate Judge Nathanael M. Cousins

