Eric Grant (Bar No. 151064) grant@hicks-thomas.com **Hicks Thomas LLP** 8001 Folsom Boulevard, Suite 100 3 Sacramento, California 95826 Telephone: (916) 388-0833 Facsimile: (916) 691-3261 4 5 John B. Thomas (pro hac vice) ithomas@hicks-thomas.com 6 Brian M. Keller (pro hac vice) bkeller@hicks-thomas.com 7 Hicks Thomas LLP 700 Louisiana Street, Suite 2000 8 Houston, Texas 77002 Telephone: (713) 547-9100 9 Facsimile: (713) 547-9150 10 Counsel for Third-Party Defendant R.R. STREET & CO. INC. 11 UNITED STATES DISTRICT COURT 12 13 EASTERN DISTRICT OF CALIFORNIA 14 FRESNO DIVISION UNITED STATES OF AMERICA, 15 No. 1:07-cv-00491-LJO-GSA 16 Plaintiff, JOINT REQUEST FOR CONTINUANCE 17 OF HEARING ON THIRD-PARTY v. DEFENDANT R.R. STREET & CO. INC.'S 18 STEPHEN C. LYON, et al., MOTION FOR SUMMARY JUDGMENT AS TO M.B.L. INC. [L.R. 230(f)]19 Defendants/Third-Party Plaintiffs, 20 v. 21 THE DOW CHEMICAL COMPANY, et al., 22 Hearing Date: January 13, 2010 Third-Party Defendants. Time: 8:30 a.m. 23 AND ALL RELATED CROSS-CLAIMS Courtroom: AND THIRD-PARTY CLAIMS. Hon. Lawrence J. O'Neill Judge: 24 25 Pursuant to Local Rule 230(f), Third-Party Defendant R.R. Street & Co. Inc. ("Street") and 26 Third-Party Defendant/Cross-Claimant M.B.L. Inc. ("MBL") respectfully request a continuance of 27 the hearing on Street's pending motion for summary judgment against MBL. In support of this re-28 quest, Street and MBL would show the following:

1	1.	1. Street filed its motion for summary judgment on December 8, 2009 and properly set		
2	the motion for hearing on January 5, 2010 (Doc. 415).			
3	2.	On December 9, 2009, the Court sua sponte continued that hearing until January 13,		
4	2010 (Doc. 420).			
5	3.	MBL has approached Street requesting an approximate 30-day continuance of the		
6	hearing, and S	d Street is amenable to such request.		
7	4.	Continuing the scheduled hearing until Thursday, February 11, 2010, at 8:30 a.m.,		
8	would accom	d accommodate MBL's request.		
9	5.	MBL has agreed to file its opposition to Street's motion on or before January 22,		
10	2010.			
11	6.	Although MBL does not waive any right to request an additional continuance from		
12	the Court, Street respectfully informs MBL and the Court that Street will oppose any additional			
13	continuance.			
14	Therefore, Street and MBL request that the hearing on Street's motion for summary judg-			
15	ment against MBL be continued until Thursday, February 11, 2010, at 8:30 a.m., and that any op-			
16	position to the motion be filed on or before January 22, 2010.			
17	Dated: December 16, 2009.			
18		Respe	ectfully submitted,	
19		<u>/s/ Eri</u> Eric (c Grant	
20		John 1	B. Thomas M. Keller	
21			Thomas LLP	
22			sel for Third-Party Defendant STREET & CO. INC.	
23		TOTAL A	TREET & CO. IIVC.	
24		HAM	RICK & EVANS, LLP	
25			s/ Douglas K. Lackey as authorized on this date)	
26		A. RA	AYMOND HAMRICK, III GLAS K. LACKEY	
27			neys for THIRD PARTY	
28			ENDANT M.B.L. INC.	
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IT IS SO ORDERED. December 17, 2009 _/s/ Lawrence J. O'Neill Date: Honorable Lawrence J. O'Neill United States District Judge HICKS THOMAS LLP 8001 Folsom Boulevard, Suite 100 Sacramento, California 95826 Telephone: (916) 388-0833