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 10 a California limited liability company

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18 Attorneys for Defendant,
 19 BP WEST COAST PRODUCTS LLC,
 20 a Delaware limited liability company

21 UNITED STATES DISTRICT COURT
 22 EASTERN DISTRICT OF CALIFORNIA

23 ROSEDALE PLAZA GROUP, LLC, a)
 24 California limited liability company)
 25)
 26 Plaintiff,)
 27)
 28 vs.)
 29)
 30 BP WEST COAST PRODUCTS LLC,)
 31 a Delaware limited liability company,)
 32 DOES 1 through 100, Inclusive,)
 33)
 34 Defendant.)

CASE NUMBER: 1-08-CV-01874-OWW-GSA
 Assigned to: Judge Oliver W. Wanger
STIPULATION AND ORDER RE: CONTINUANCE OF OSC RE: DISMISSAL OF ACTION
Trial Date: Settled/Off-Calendar
Place: Courtroom 3
Time: 9:00 a.m.

35 It is hereby stipulated by and between ROSEDALE PLAZA GROUP, LLC, a
 36 California Limited Liability Company (hereinafter referred to as "ROSEDALE"), on
 37 the one hand, and BP WEST COAST PRODUCTS, LLC, a Delaware Limited
 38 Liability Company (hereinafter referred to as "BPWCP"), on the other hand, through

1 their respective attorneys of record:

2 **RECITALS and STIPULATIONS**

3 A. Through the efforts of the Court and the parties, the above-entitled
4 matter has resolved;

5 B. On November 16, 2009, the Court entered an order that the parties shall
6 file a request for dismissal no later than December 7, 2009 or show cause why the
7 Court should not dismiss the matter (Document No. 87). Later, the Court granted both
8 parties' request for a continuance of the OSC RE: Dismissal (Document No. 90) to
9 a new OSC Re: Dismissal date of January 21, 2010

10 C. Upon resolution of the matter, both parties have continuously worked to
11 effectuate the resolution.

12 D. However, the resolution entails several financial transactions and
13 obligations, all of which must be set forth in detailed writing. Additionally, the
14 transactions and obligations will take several months to conclude (at a minimum).
15 The parties have exchanged several drafts of an Agreement detailing the resolution
16 and have worked through almost all of the areas where they differed with only one
17 or two remaining. The parties continue to work on those remaining areas and expect
18 resolution on those matters shortly.

19 E. In order to fully and completely ensure that this Court will not have to
20 interact with these parties on this matter again, the writings are complex and involve
21 multiple obligations and conditions precedent.

22 F. Out of an abundance of caution, all Counsel agree, stipulate and
23 respectfully request that, with the Court's permission, the Court continue the January
24 19, 2010 OSC Re: Dismissal to February 19, 2010 so that the parties can conclude
25 their resolution. All counsel fully expect that this will be the last request for an
26 extension of the OSC Re: Dismissal date.

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DATED: January 19, 2010

Respectfully submitted,
BLEAU FOX, A P.L.C.

BY: /s/ Martin Fox
Martin R. Fox, Esq.
Attorney for Plaintiff,
ROSEDALE PLAZA GROUP, LLC,
a California limited liability company

DATED: January 19, 2010

ARCHER NORRIS

BY: /s/ Jeffrey M. Hamerling
Jeffrey M. Hamerling, Esq.
Attorneys for Defendant,
BP WEST COAST PRODUCTS, LLC,
a Delaware limited liability company

ORDER

Based upon the stipulation of the parties, and for good cause shown, IT IS
HEREBY ORDERED that:

- a. The parties shall file a request for dismissal no later than February 19, 2010 or show cause why the Court should not dismiss the matter.

IT IS SO ORDERED.

Dated: January 21, 2010

/s/ Oliver W. Wanger
UNITED STATES DISTRICT JUDGE