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16 Attorneys for Plaintiff
 17 ROSEDALE PLAZA GROUP, LLC

18 UNITED STATES DISTRICT COURT

19 EASTERN DISTRICT OF CALIFORNIA

20 ROSEDALE PLAZA GROUP, LLC, a
 California Limited Liability Company,

21 Plaintiff,

22 v.

23 BP WEST COAST PRODUCTS LLC, a
 24 Delaware Limited Liability Company and
 DOES 1 through 100, Inclusive,

25 Defendant.

CASE NO. 1-08-CV-01874-OWW-GSA

**STIPULATION AND ORDER RE:
 CONTINUANCE OF DISMISSAL OF
 ACTION**

Assigned to: Hon. Judge Oliver W. Wanger
 Trial Date: Settled – Off Calendar

27 AND RELATED COUNTERACTIONS

28 B0314138/916468-1

STIPULATION AND [PROPOSED] ORDER RE:
 CONTINUANCE OF DISMISSAL OF ACTION

1 It is hereby stipulated by and between BP West Coast Products LLC (“BPWCP”) and
2 Rosedale Plaza Group, LLC (“Rosedale”), through their respective attorneys of record:

3 **RECITALS AND STIPULATIONS**

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

6 B. On November 16, 2009, the Court entered an order that the parties shall file a
7 request for dismissal no later than December 8, 2009 or show cause why the Court should not
8 dismiss the matter (Document No. 97). Later, the Court subsequently granted both additional
9 requests for a continuance of the OSC Re: Dismissal (Documents No. 90 and 92) to a new OSC
10 Re: Dismissal date of February 19, 2010.

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

13 D. The parties are now in the process of executing documents, but certain loan
14 documents are taking longer to complete than originally anticipated. The parties are also seeking
15 client approval to include an arbitration proceeding in the event of any disputes.

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

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1 F. Out of an abundance of caution, all Counsel agree, stipulate and respectfully
2 request that, with the Court's permission, the Court continue the February 19, 2010 OSE Re:
3 Dismissal to April 15, 2010 so that the parties can conclude their resolution.
4

5 Respectfully submitted,

6 Dated: February 18, 2009

ARCHER NORRIS, a Professional Corporation

7 By /s/ Jeffrey M. Hamerling
8 JEFFREY M. HAMERLING
9 Attorneys for Defendant
BP WEST COAST PRODUCTS LLC

10 Dated: February 18, 2009

BLEAU FOX, a Professional Corporation

11 By /s/ Martin R. Fox
12 MARTIN R. FOX
13 Attorneys for Plaintiff
ROSEDALE PLAZA GROUP, LLC

14 **ORDER**

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

17 1. The parties shall file a request for dismissal no later than April 15, 2010 or show
18 cause why the Court should not dismiss the matter.

19
20 IT IS SO ORDERED.

21
22
23 Dated: February 19, 2010

/s/ OLIVER W. WANGER
24 HON. OLIVER W. WANGER
25 United States District Judge