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 7 Attorneys for Plaintiff
 EXXONMOBIL OIL CORPORATION

8 UNITED STATES DISTRICT COURT
 9 EASTERN DISTRICT OF CALIFORNIA

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 11 EXXONMOBIL OIL CORPORATION,
 12 Plaintiff,
 13 v.
 14 NICOLETTI OIL, INC. *et al.*,
 15 Defendants.

No. 1:09-cv-01498-OWW-DLB

**STIPULATION AND ORDER
 CONTINUING EXCHANGE DATE**

Third Amended Complaint
 filed: Oct. 8, 2010

Sched. Conf.: Dec. 10, 2010

Honorable Oliver W. Wanger

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 19 WHEREAS, on October 29, 2010, the parties exchanged
 20 initial disclosures pursuant to Fed. R. Civ. P. 26(a)(1);

21 WHEREAS, the parties have agreed to conduct an early
 22 mediation in this matter on November 16-17, 2010;

23 WHEREAS, pursuant to the Court's September 30, 2010
 24 stipulated order regarding scheduling conference and disclosure
 25 dates, the parties must exchange copies of all documents,
 26 electronically stored information, and tangible things that the
 27 disclosing party has in its possession, custody, or control and
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STIPULATION AND ORDER CONTINUING EXCHANGE DATE

1 may use to support its claims or defenses, unless the use would
2 be solely for impeachment, on or before November 30, 2010 (the
3 "Exchange Date");

4 WHEREAS, the parties desire to continue the Exchange
5 Date to January 31, 2011.

6 THEREFORE, IT IS HEREBY STIPULATED AND AGREED that the
7 date for the parties to exchange copies of all documents,
8 electronically stored information, and tangible things that the
9 disclosing party has in its possession, custody, or control and
10 may use to support its claims or defenses, unless the use would
11 be solely for impeachment, should be continued to
12 January 31, 2011.

13 DATED: November 5, 2010

14 BINGHAM MCCUTCHEN LLP

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16 By: /s/ Berj K. Parseghian
17 Berj K. Parseghian
18 Attorneys for Plaintiff
ExxonMobil Oil Corporation

19 TATRO TEKOSKY SADWICK LLP

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21 By: /s/ Steven R. Tekosky (as
authorized on November 5, 2010)
22 Steven R. Tekosky
23 Attorney for Defendants
Nicoletti Oil, Inc., Dino J.
24 Nicoletti, Nicoletti Oil Company,
and John A Nicoletti

25 **IT IS SO ORDERED.**

26 DATED: November 8, 2010

27 /s/ OLIVER W. WANGER
United States District Judge