

1 **JONES HELSLEY PC**  
8365 N. Fresno Street, Suite 310  
2 Post Office Box 28340  
Fresno, California 93729  
3 Telephone: (559) 233-4800  
Facsimile: (559) 233-9330  
4

5 Timothy Jones #119841  
John P. Kinsey #215916  
6

7 Attorneys for: Plaintiffs Rocky Mountain Farmers Union; Redwood County Minnesota Corn  
And Soybeans Growers; Penny Newman Grain, Inc.; Fresno County Farm  
8 Bureau; Nisei Farmers League; California Dairy Campaign; Rex Nederend;  
Growth Energy and the Renewable Fuels Association  
9

10 **UNITED STATES DISTRICT COURT**  
11 **EASTERN DISTRICT OF CALIFORNIA**

12 ROCKY MOUNTAIN FARMERS UNION;  
*et al.*,

13 Plaintiffs,

14 v.

15 JAMES N. GOLDSTENE,

16 Defendant.  
17

Case No. 1:09-CV-02234-LJO-DLB

**STIPULATION AND ORDER TO  
FURTHER CONTINUE  
MANDATORY SCHEDULING  
CONFERENCE**

18 NATIONAL PETROCHEMICAL &  
REFINERS ASSOCIATION, *et al.*,

19 Plaintiffs,

20 v.

21 JAMES GOLDSTENE, *et al.*,

22 Defendants  
23

Related with Case No.:  
1:10-CV-00163-LJO-DLB

24 And related intervenor actions  
25

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1           **WHEREAS** the Mandatory Scheduling Conferences scheduled in the related  
2 actions of *Rocky Mountain Farmers Union, et al. v. Goldstene*, Case No. 1:09-CV-02234-LJO-  
3 DLB (the “RMFU Action”), and *National Petrochemical & Refiners Association, et al. v.*  
4 *Goldstene, et al.*, Case No. 1:10-CV-00163-LJO-DLB (the “NPRA Action”) are presently set  
5 for July 28, 2010, in Courtroom No. 9, at 9:00 a.m. and 9:15 a.m.

6           **WHEREAS** the Defendants in the RMFU Action and the NPRA Action recently  
7 filed their Answers on July 14, 2010.

8           **WHEREAS** both the Plaintiffs in RMFU and NPRA Actions and Defendants  
9 have agreed to stipulate to continue the Mandatory Scheduling Conferences in the above  
10 actions, to provide the parties additional time to meet and confer regarding their Joint  
11 Scheduling Conference Statements.

12           **WHEREAS** additional time to meet and confer regarding the Joint Scheduling  
13 Conference Statements is necessary to allow the parties to further discuss which facts and/or  
14 legal issues in the above actions are disputed or undisputed.

15           **WHEREAS** all parties are available to conduct the Mandatory Scheduling  
16 Conferences in these actions on September 9, 2010, and have agreed to hold it on this date,  
17 pending approval by the Court.

18           **IT IS HEREBY STIPULATED**, by and between Plaintiffs in both actions and  
19 Defendants, by and through their respective counsel, that:

20           1.     The Mandatory Scheduling Conferences in the above-captioned actions,  
21 previously scheduled for July 28, 2010, should be continued to September 9, 2010, at 9:00 a.m.,  
22 or such time as may be set by the Court, in Courtroom 9 (6th Floor).

23           2.     The parties shall serve their initial disclosures under Rule 26 of the  
24 Federal Rules of Civil Procedure no later than 14 days following the September 9, 2010,  
25 Mandatory Scheduling Conferences.

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28 ///

1 Dated: July 16, 2010

STATE OF CALIFORNIA,  
DEPARTMENT OF JUSTICE

2  
3 By: /s/ Mark Poole  
4 Mark Poole,  
Attorneys for All Defendants

5 Dated: July 22, 2010

SIDLEY AUSTIN LLP

6  
7 By: /s/ Marie C. Fiala  
8 Marie C. Fiala,  
Attorneys for the NPRA Plaintiffs

9  
10 Dated: July 22, 2010

JONES HELSLEY PC

11  
12 By: /s/ John P. Kinsey  
13 John P. Kinsey,  
Attorneys for the RMFU Plaintiffs

14  
15 **ORDER**

16 The Court having reviewed the foregoing Stipulation, and good cause appearing  
17 therefor:

18 **IT IS HEREBY ORDERED** that the Mandatory Scheduling Conferences in the  
19 above-captioned actions, previously scheduled for July 28, 2010, shall be continued to  
20 September 9, 2010, at 9:00 a.m. in Courtroom 9 (6th Floor).

21 **IT IS ALSO ORDERED** that the parties shall serve their initial disclosures  
22 under Rule 26 of the Federal Rules of Civil Procedure no later than 14 days following the  
23 September 9, 2010, Mandatory Scheduling Conferences.

24  
25 IT IS SO ORDERED.

26 Dated: July 22, 2010

/s/ Dennis L. Beck  
27 UNITED STATES MAGISTRATE JUDGE