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5 Attorneys for Defendant/Counter-Claimant/  
 6 Cross-Claimant/Cross-Defendant ROSALIE A.  
 ANSELMO and KAREN L. LILIENTHAL,  
 7 CO-TRUSTEES under that certain document entitled  
 "THE EDWARD A. ANSELMO AND ROSALIE A. ANSELMO  
 8 1992 REVOCABLE TRUST" dated December 21, 1992;  
 ELEANOR ANSELMO, DAVE DAVELAAR AND LINDA DAVELAAR

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

13 JAMES KOTROUS, individually and doing  
 business as THE MATTRESS FACTORY,

14 Plaintiffs,

15 v.

16 GOSS-JEWETT COMPANY OF NORTHERN  
 17 CALIFORNIA, INC., a California corporation;  
 ESTATE OF ROBERT LAMANET,  
 18 individually and as an officer of GOSS-  
 JEWETT COMPANY; STEVEN LAMANET,  
 19 individually and as an officer of GOSS-  
 JEWETT COMPANY; MICHAEL LAMANET,  
 20 individually and as an officer of GOSS-  
 JEWETT; ROSALIE A. ANSELMO and  
 21 KAREN L. LILIENTHAL, as Co – Trustees  
 under that certain document entitled "The  
 22 Edward A. Anselmo and Rosalie A. Anselmo  
 1992 Revocable Trust," dated December 21,  
 23 1992; BAYER CROPSCIENCE INC., a New  
 York corporation,

24 Defendants.

26 AND ALL RELATED CROSS-ACTIONS.

**CASE NO.: CIV. 2:02-01520 FCD JFM**

**STIPULATION AND ORDER TO  
 EXTEND TIME ON SETTLEMENT  
 PROCESS**

Trial Date: February 1, 2011  
 Time: 9:00 am  
 Courtroom: 2  
 Judge: Frank C. Damrell, Jr.  
 Filing Date: July 15, 2002

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1 On March 11, 2010, the parties conducted a VDRP mediation session under Civil Local  
2 Rule 271. Through this mediation session, the parties tentatively reached a global agreement  
3 potentially disposing of all the claims asserted in this action. The parties are currently engaged  
4 in preparing the necessary documents to finalize the agreement.

5 On March 29, 2010, this Court issued its order upon stipulation of the parties (the “March  
6 29 Order”) which set April 14, 2010 as the deadline to file documents disposing of the within  
7 action and set numerous other deadlines pertaining to this action.

8 On April 13, 2010, insurance carriers to defendants Edward A. Anselmo, deceased;  
9 Albert A. Anselmo, deceased; Rosalie Anselmo; Eleanor Anselmo; Dave and Linda Davelaar  
10 (collectively the “Anselmo Parties”) advised through counsel that said insurance carriers  
11 objected to the proposed settlement.

12 On April 13, 2010, counsel for the settling parties were advised as to these objections.  
13 After discussions between counsel there is mutual agreement to continue to pursue potential  
14 settlement, and counsel for the Anselmo Parties has agreed to attempt to resolve the concerns of  
15 the Anselmo Parties’ insurance carriers.

16 In order to do so, there was mutual recognition that additional time for the settlement  
17 process would be necessary and that the March 29 Order shall be accordingly revised as set forth  
18 below.

19 NOW, THEREFORE, COUNSEL FOR THE PARTIES HEREBY STIPULATE AND  
20 AGREE, through their counsel of record, that:

21 1. The deadline to file documents disposing of this action presently set for April 14,  
22 2010, shall be extended to April 28, 2010.

23 2. In the event the parties fail to completely dispose of this action by April 28, 2010,  
24 the deadline for Goss-Jewett to complete discovery permitted by the Court’s February 17, 2010  
25 order, shall be extended to May 28, 2010.

26 3. Similarly, to further support its motions for summary judgment, Bayer’s deadline  
27 to file and serve amended memoranda and any supporting evidence, addressing the further  
28 discovery, shall be extended to no later than June 21, 2010, in response to which Goss-Jewett,

1 the Anselmo Parties, and Kotrous may file and serve amended oppositions no later than June 25,  
2 2010.

3 IT IS SO STIPULATED.

4  
5 DATED: 04/15/10

SOMACH, SIMMONS & DUNN

6  
7 By \_\_\_\_\_/S/  
8 Michael Vergara  
9 Attorneys for James Kotrous, individually  
and doing business as The Mattress Factory

10 DATED: 04/15/10

EDGCOMB LAW GROUP

11  
12 By \_\_\_\_\_/S/  
13 William D. Marsh  
Attorneys for Bayer CropScience Inc.

14 DATED: 04/15/10

SCHARFF, BRADY & VINDING

15  
16 By \_\_\_\_\_/S/  
17 Jeffory J. Scharff  
18 Attorneys for Rosalie A. Anselmo, Karen  
19 Lilienthal, Albert Anselmo, Eleanor Anselmo,  
Dave Develaar and Linda Davelaar

20 DATED: 04/15/10

GREVE, CLIFFORD, WENGEL & PARAS, LLP

21  
22 By \_\_\_\_\_/S/  
23 Gary L. Vinson  
Attorneys for Kleinfelder, Inc.

24 DATED: 4/15/10

NOLEN OWENS

25  
26 By \_\_\_\_\_  
27 Rudy Nolen  
28 Attorneys for Ramage Environmental and Joseph  
Ramage

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DATED: 04/15/10

WILSON, ELSER, MOSKOWITZ, EDELMAN  
and DOCKER

By \_\_\_\_\_  
Emily M. Weissenberger  
Attorneys for RAH Environmental

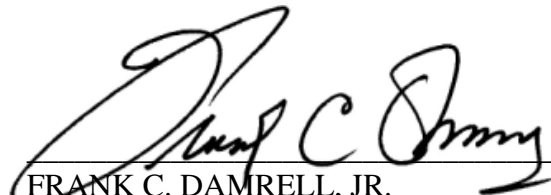
DATED: 04/15/10

BRYDON, HUGO & PARKER

By \_\_\_\_\_ /S/  
Roland Thé  
Attorneys for Goss-Jewett Company of Northern  
California, Inc., Michael Lamanet, and Steven  
Lamanet

**IT IS SO ORDERED.**

DATED: April 16, 2010

  
\_\_\_\_\_  
FRANK C. DAMRELL, JR.  
UNITED STATES DISTRICT JUDGE