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 13 Defendant, THE REDEVELOPMENT
 14 AGENCY OF THE CITY OF STOCKTON

15 **UNITED STATES DISTRICT COURT**
 16 **EASTERN DISTRICT OF CALIFORNIA**

17 THE REDEVELOPMENT AGENCY OF)
 18 THE CITY OF STOCKTON, a Public Body,)
 19 Corporate and Politic,)
 20 Plaintiff,)
 21 vs.)
 22 BURLINGTON NORTHERN AND SANTA)
 23 FE RAILWAY CORPORATION, UNION)
 24 PACIFIC RAILROAD COMPANY, and)
 25 DOES 1 through 100, inclusive,)
 26 Defendants.)

No. 2:10-CV-00634-JAM-JFM

**JOINT STATUS STATEMENT,
 REQUEST FOR FURTHER STAY AND
 ORDER STAYING PROCEEDINGS**

Judge: Hon. John A. Mendez
 Courtroom: 6

27 UNION PACIFIC RAILROAD COMPANY,)
 28 Counterclaimant,)
 vs.)
 THE REDEVELOPMENT AGENCY OF)
 THE CITY OF STOCKTON,)
 Counterclaim Defendant.

1 Plaintiff Redevelopment Agency of the City of Stockton (“Agency”) and defendants
2 Union Pacific Railroad Company and BNSF Railroad Company (collectively “Railroads”)
3 file this joint statement pursuant to the Court’s Order of August 9, 2010.

4 This matter is related to a separate action in the United States District Court, Eastern
5 District of California, The Redevelopment Agency of the City of Stockton v. Burlington
6 Northern and Santa Fe Railway Corporation, et al., 2:05-CV-02087-JAM-JFM. Oral
7 argument on the defendants’ appeal and the plaintiff’s cross-appeal was heard by the Court
8 of Appeals for the Ninth Circuit (Case Nos. 09-16585, 09-16739 and 09-17640) on February
9 14, 2011.

10 This Court’s August 9, 2010 Order stayed this action until June 30, 2011 or final
11 disposition of the appeals process, whichever occurs first. Briefing and oral argument on the
12 appeal and cross-appeal have been completed and the parties now await the Ninth Circuit’s
13 opinion. The parties hereby request an additional stay of at least sixty (60) days from June
14 30, 2011.

15 Dated: June 10, 2011

BROWN & WINTERS

16 By: /s/ Christine J. Gracco

17 WILLIAM D. BROWN
18 SCOTT E. PATTERSON
19 CHRISTINE J. GRACCO
20 Attorneys for Plaintiff and
21 Counterclaim Defendant, THE
REDEVELOPMENT AGENCY OF THE
CITY OF STOCKTON

22 Dated: June 10, 2011

BARG COFFIN LEWIS & TRAPP LLP

23
24 By: /s/ R. Morgan Gilhuly

25 JOHN F. BARG
26 R. MORGAN GILHULY
27 DONALD E. SOBELMAN
28 Attorneys for Defendants and Counterclaimants
BNSF RAILWAY COMPANY, sued herein as
BURLINGTON NORTHERN AND SANTA
FE RAILWAY CORPORATION, and
UNION PACIFIC RAILROAD COMPANY

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ORDER

The Court, having fully considered the Joint Status Statement, hereby orders that:

1. All further proceedings in this action are stayed until September 2, 2011, or final disposition of the Railroads' appeal and the Agency's cross-appeal in the 2005 Action, whichever occurs first.

2. Within thirty (30) days of September 2, 2011, or receiving notice that the Court of Appeals has fully and finally disposed of the appeal and cross-appeal in the 2005 Action, the parties shall file with the Court a joint statement setting forth the parties' positions regarding the impact of the Court of Appeals' decision on further proceedings in this Action or the need for further stay.

IT IS SO ORDERED.

Dated: 6/13/2011

/s/ John A. Mendez
HON. JOHN A. MENDEZ
United States District Judge