1 JENNIFER HARTMAN KING (Bar No. 211313) NICOLE R. GLEASON (Bar No. 199655) 2 SHELBY M. GATLIN (Bar No. 272701) KING WILLIAMS & GLEASON LLP 3 520 Capitol Mall, Suite 750 Sacramento, CA 95814 4 Telephone: (916) 379-7530 Facsimile: (916) 379-7535 5 ihartmanking@kwgattorneys.com ngleason@kwgattorneys.com 6 sgatlin@kwgattorneys.com 7 Attorneys for Defendant Jim Dobbas, Inc. 8 9 IN THE UNITED STATES DISTRICT COURT 10 FOR THE EASTERN DISTRICT OF CALIFORNIA 11 SACRAMENTO DIVISION 12 13 CALIFORNIA DEPARTMENT OF TOXIC Case No.: 2:14-cv-00595-WBS-EFB 14 SUBSTANCES CONTROL and the TOXIC SUBSTANCES CONTROL ACCOUNT, STIPULATED REQUEST OF 15 DEFENDANT JIM DOBBAS, INC. TO CONTINUE HEARING ON Plaintiffs, 16 PLAINTIFFS' MOTION TO DISMISS **DEFENDANT JIM DOBBAS, INC.'S** v. 17 COUNTERCLAIM, AND TO STRIKE JIM DOBBAS, INC., a California PORTIONS OF ANSWERS OF 18 corporation; CONTINENTAL RAIL, INC., a **DEFENDANTS JIM DOBBAS, INC.,** Delaware corporation; DAVID VAN OVER, DAVID VAN OVER, AND WEST 19 COAST WOOD PRESERVING, LLC individually; PACIFIC WOOD PRESERVING, a dissolved California 20 corporation; and WEST COAST WOOD Current motion hearing date: PRESERVING, LLC, a Nevada limited 21 liability company, August 25, 2014 22 Defendants, Proposed continued motion hearing date: 23 September 8, 2014 24 Action filed: March 3, 2014 25 AND RELATED CROSSCLAIMS AND 26 COUNTERCLAIMS. 27 /// 28 /// 00011864.1 STIPULATED REQUEST TO CONTINUE HEARING AND PROPOSED ORDER

2:14-cv-00595-WBS-EFB

1	Defendant Jim Dobbas, Inc. requests, and IT IS HEREBY STIPULATED, by and an	nong
2	all parties who have appeared in the above-entitled action, through their designated counsel:	
3	1. That the August 25, 2014 hearing currently scheduled for Plaintiffs' "Motio	n to
4	Dismiss Defendant Jim Dobbas, Inc.'s Counterclaim, and to Strike Portion	s of
5	Answers of Defendants Jim Dobbas, Inc., David Van Over, and West Coast W	Vood
6	Preserving, LLC" be continued to <b>September 8, 2014,</b> at 2:00 p.m. in Courtroom 5	5.
7	2. That, based on the new hearing date described in Paragraph 1, all opposition pa	ipers
8	from all defendants be filed and served (via CM/ECF or mail) by August 22, 2014	
9	3. That, based on the new hearing date described in Paragraph 1, Plaintiffs' reply pa	ipers
10	be filed and served (via CM/ECF or mail) by August 29, 2014.	
11	SO STIPULATED.	
12	Respectfully submitted,	
13	Dated: August 8, 2014 KING WILLIAMS & GLEASON LLP	
14	Dated: August 8, 2014 KING WILLIAMS & GLEASON LLP	
15	By: /s/ Jennifer Hartman King Jennifer Hartman King	
16	Nicole R. Gleason Shelby M. Gatlin	
17	Attorneys for Defendant Jim Dobbas, Inc.	
18	Date de Assesset 1 2014 VAMALA D. HADDIS	
19	Dated: August 1, 2014  KAMALA D. HARRIS  ATTORNEY GENERAL OF CALIFORNIA  Sarah E. Morrison	A
20	Supervising Deputy Attorney General	
21	By:/s/ Thomas G. Heller as authorized on 8/7.	7/1/
22	Thomas G. Heller Dennis L. Beck, Jr.	/14
23	Deputy Attorneys General Attorneys for the California Department of	
24	Toxic Substances Control and the Toxic Substances Control Account	
25	Dated: August 7, 2014	
26 27	By: /s/ David Van Over as authorized on 8/7 David Van Over Pro Se	<u>7/14</u>
28	FIO Se	
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Dated: August 7, 2014 PERKINS COIE LLP 1 2 By: /s/ Lester O. Brown as authorized on 8/7/14 Lester O. Brown 3 Attorney for Defendant West Coast Wood Preserving, LLC 4 5 Pursuant to Local Rule 131 of the United States District Court for the Eastern District of 6 California, fully executed signature pages may be attached separately. 7 **ATTESTATION** 8 I, Jennifer H. King, do hereby declare pursuant to Rule 131(e) of the Local Rules of the 9 United States District Court for the Eastern District of California that I obtained concurrence in 10 the filing of foregoing documents from Plaintiffs' counsel Thomas G. Heller on the 1st day of 11 August, 2014, and defendant's counsel Lester O. Brown on this 7th day of August, 2014. 12 I, Jennifer H. King, do hereby declare pursuant to Rule 131(e) of the Local Rules of the 13 United States District Court for the Eastern District of California that I obtained concurrence in 14 the filing of foregoing documents from Defendant David Van Over on this 7th day of August, 15 2014. 16 17 18 /s/ Jennifer H. King 19 20 21 22 23 24 25 26 27 28 00011864.1 -2-

1	<u>ORDER</u>
2	The Court, having reviewed and considered the Stipulated Request of Defendant Jim
3	Dobbas, Inc. to Continue the Hearing Date for Plaintiffs' Motion to Dismiss Defendant Jim
4	Dobbas, Inc.'s Counterclaim, and to Strike Portions of Answers of Defendants Jim Dobbas, Inc.,
5	David Van Over, and West Coast Wood Preserving, LLC, set forth above and good cause
6	appearing therefore:
7	IT IS HEREBY ORDERED that the hearing date for the above-entitled motion is
8	continued to September 8, 2014, at 2:00 p.m. in Courtroom 5.
9	IT IS HEREBY FURTHER ORDERED that the current deadline for filing opposition
10	papers is continued to August 22, 2014, with CM/ECF or mail service by that day.
11	IT IS HEREBY FURTHER ORDERED that the current deadline for filing Plaintiffs'
12	reply is continued to August 29, 2014, with CM/ECF or mail service by that day.
13	
14	IT IS SO ORDERED.
15	
16	Dated: August 8, 2014
17	WILLIAM B. SHUBB
18	UNITED STATES DISTRICT JUDGE
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