

1 JOSEPH A. WALSH II, CASB NO 143694
 joe.walsh@kyl.com
 2 GORDON YOUNG, CASB NO 158100
 gordon.young@kyl.com
 3 CHRISTOPHER A. STECHER, CASB No. 215329
 chris.stecher@kyl.com
 4 KEESAL, YOUNG & LOGAN
 5 A Professional Corporation
 450 Pacific Avenue
 6 San Francisco, California 94133
 Telephone: (415) 398-6000
 7 Facsimile: (415) 981-0136
 8
 9 Attorneys for Plaintiffs REGAL STONE LIMITED
 and FLEET MANAGEMENT LTD.

10
 11 **UNITED STATES DISTRICT COURT**
 12 **NORTHERN DISTRICT OF CALIFORNIA**
 13

| | | |
|----|--|---|
| 14 | |) Case No. C 07-5800 SC |
| 15 | CHELSEA, LLC, MARK RUSSO, and |) |
| 16 | ALLEN LORETZ, individually and on behalf |) And related cases: |
| 17 | of all others similarly situated |) |
| 18 | |) 07-6045 SC, 08-2268 SC, 08-2052 SC, |
| 19 | Plaintiff(s), |) 08-5098 SC, 09-01469 SC |
| 20 | |) |
| 21 | vs. |) JOINT STIPULATION TO POSTPONE |
| 22 | |) CASE MANAGEMENT CONFERENCE AND |
| 23 | REGAL STONE LIMITED, HANJIN |) [PROPOSED] ORDER |
| 24 | SHIPPING CO., LTD., SYNERGY MARITIME, |) |
| 25 | LTD., FLEET MANAGEMENT LTD., and |) |
| 26 | JOHN COTA <i>IN PERSONAM</i> , M/V COSCO |) |
| 27 | BUSAN <i>IN REM</i> |) |
| 28 | Defendants. |) |

25
 26 This Joint Stipulation to Continue the Case Management Conference is filed jointly by all
 27 parties in the above listed cases pursuant to this Court's instruction.
 28

1 Pursuant to guidance from the Court, all the parties by and through their counsel herein in the
2 following related cases, HEREBY STIPULATE AND AGREE:

3 Chelsea, LLC et al. v. Regal Stone, Limited, et al., Case No. C-07-5800

4 U.S. et al. v. M/V Cosco Busan, et al., Case No. 07-06045

5 Continental Insurance Co., et al. v. Cota, et al., Case No. 08-02052

6 People of the State of California v. Regal Stone, Ltd. et al., Case No. 08-02268

7 Regal Stone, et al. v. Cota, et al., Case No. 08-05098

8 People of the State of California ex rel. Department of Fish and Game et al. v. Regal Stone
9 Ltd. et al., Case No. 09-01469

10
11 1. A plea has been entered by defendant John Cota in the pending criminal case related to
12 the November 7, 2007 allision and resulting oil spill involving the M/V COSCO BUSAN, U.S. v.
13 Cota, et al., Case No, CR 08-0160-1 SI-2, with sentencing set for June 2009. Trial of defendant Fleet
14 Management Ltd. in the criminal case presently is set for mid-September 2009. In view of the still
15 pending criminal case, the parties stipulate and agree that the May 1, 2009 Case Management
16 Conference scheduled by this Court shall be continued until September 25, 2009. In addition, the
17 parties agree that by September 18, 2009, the parties shall submit a Consolidated Joint Case
18 Management Conference Statement ("Joint CMC Statement"). This Joint CMC Statement shall be a
19 single document and include all of the related actions.

20 2. The parties further stipulate and agree that the stay currently in effect for all the related
21 civil actions pending before this Court (Case Nos. C-07-5800, 07-05926, 07-06045, 08-02052, 08-
22 02268, 08-05098, 09-01469) shall be continued through the proposed September 25th Case
23 Management Conference, at which time the parties and the Court can evaluate the status of the
24 criminal case, if any remains pending, at that time.

25 **IT IS SO STIPULATED AND AGREED.**

26
27 [SIGNATURES CONTINUED ON NEXT PAGE]

1 Chelsea, LLC et al. v. Regal Stone, Limited, et al., Case No. C-07-5800

2
3
4 DATED: April 28, 2009

/s/ William M. Audet
WILLIAM M. AUDET
ADEL NADJI
AUDET & PARTNERS, LLP
Attorney for Plaintiffs
CHELSEA, LLC, MARK RUSSO and ALLEN
LORETZ

5
6
7
8
9
10 DATED: April 28, 2009

/s/ Joseph A. Walsh II
JOSEPH A. WALSH II
KEESAL, YOUNG & LOGAN
Attorneys for Defendants
REGAL STONE LIMITED, FLEET
MANAGEMENT LTD., M/V COSCO BUSAN,
and SYNERGY MARITIME LTD.

11
12
13
14
15 DATED: April 28, 2009

/s/ Erich Paul Wise
ERICH PAUL WISE
FYLNN, DELICH & WISE
Attorneys for Defendant HANJIN SHIPPING
CO.

16
17
18
19 [SIGNATURES CONTINUED ON NEXT PAGE]

1 U.S. et al. v. M/V Cosco Busan, et al., Case No. 07-06045

2
3
4 DATED: April 28, 2009

/s/ R. Michael Underhill
R. MICHAEL UNDERHILL
BRADLEY ROBERT O'BRIEN
U.S. DEPARTMENT OF JUSTICE
Attorney for Plaintiff, Counter-Defendant and
Third Party Plaintiff UNITED STATES OF
AMERICA

5
6
7
8
9 DATED: April 28, 2009

/s/ Joseph A. Walsh II
JOSEPH A. WALSH II
KEESAL, YOUNG & LOGAN
Attorneys for Defendant M/V COSCO BUSAN
and Defendants and Counter-Claimants REGAL
STONE LIMITED and FLEET MANAGEMENT
LTD.

10
11
12
13
14
15 DATED: April 28, 2009

/s/ Walter Gerard Coppenrath, Jr.
WALTER GERARD COPPENRATH, JR.
COPPENRATH & ASSOCIATES
Attorneys for Defendant JOHN COTA

16
17
18
19
20
21 DATED: April 28, 2009

/s/ Sonja Marie Dahl
SONJA MARIE DAHL
DONNELLY NELSON DEPOLO &
MURRAY
Attorney for Third-Party Defendant
CHARLES CALZA

22
23
24
25 [SIGNATURES CONTINUED ON NEXT PAGE]

1 Continental Insurance Co., et al. v. Cota, et al., Case No. 08-02052

2
3
4 DATED: April 28, 2009

/s/ Samuel Harold Ruby
SAMUEL HAROLD RUBY
KEVIN KIN-MAN HO
BULLIVANT HOUSER BAILEY, PC
Attorneys for Plaintiff/Counter-Defendant
CONTINENTAL INSURANCE COMPANY

8
9 DATED: April 28, 2009

/s/ Steven Crane
STEVEN CRANE
BERKES CRANE ROBINSON & SEAL LLP
Attorneys for Plaintiff/Counter-Defendant
CONTINENTAL INSURANCE COMPANY

12
13 DATED: April 28, 2009

/s/ Julia Ann Molander
JULIA ANN MOLANDER
ANDREW KING
SEDGWICK, DETERT, MORAN & ARNOLD,
LLP
Attorneys for Plaintiff-In-Intervention
RLI INSURANCE COMPANY

18
19 DATED: April 28, 2009

/s/ Joseph A. Walsh II
JOSEPH A. WALSH II
KEESAL, YOUNG & LOGAN
Attorneys for Defendant M/V COSCO BUSAN
and Defendants/Counter-Claimants/Third-Party
Plaintiffs REGAL STONE LIMITED and FLEET
MANAGEMENT LTD.

24
25
26
27 [SIGNATURES CONTINUED ON NEXT PAGE]

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

DATED: April 28, 2009

/s/ David Schack
DAVID SCHACK
LUKE ANDERSON
K&L GATES LLP
Attorneys For Cross-Defendant
JOHN COTA

DATED: April 28, 2009

/s/ Randy Scott Erlewine
RANDY SCOTT ERLEWINE
PHILLIPS & ERLEWINE LLP
Attorneys for Third Party Defendants
THE SAN FRANCISCO BAR PILOTS and The
SAN FRANCISCO BAR PILOTS
BENEVOLENT & PROTECTIVE
ASSOCIATION

[SIGNATURES CONTINUED ON NEXT PAGE]

1 People of the State of California v. Regal Stone, Ltd. et al., Case No. 08-02268

2
3
4 DATED: April 28, 2009

/s/ Jeffrey Richard Vincent
JEFFREY RICHARD VINCENT
JUDITH JOYCE LOACH
OFFICE OF THE ATTORNEY GENERAL OF
THE STATE OF CALIFORNIA
*Attorneys for Counter-Defendant State of
California, acting by and through the Board of
Pilot Commissioners*

5
6
7
8
9
10 DATED: April 28, 2009

/s/ Bruce A. Behrens
BRUCE A. BEHRENS
DAVID GOSSAGE
KARL SCHMIT
WM. DAVID SULLIVAN
PATRICK PETERSON
*Attorneys for Plaintiff and Counter-Defendant
PEOPLE OF THE STATE OF CALIFORNIA
acting by and through the Department of
Transportation*

11
12
13
14
15
16
17
18 DATED: April 28, 2009

/s/ Joseph A. Walsh II
JOSEPH A. WALSH II
KEESAL, YOUNG & LOGAN
*Attorneys for Defendant/Counter-Claimant
REGAL STONE LIMITED and Defendant M/V
COSCO BUSAN*

19
20
21
22
23 [SIGNATURES CONTINUED ON NEXT PAGE]

1 **Regal Stone, et al. v. Cota, et al., Case No. 08-05098**

2
3
4 DATED: April 28, 2009

/s/ Joseph A. Walsh II
JOSEPH A. WALSH II
KEESAL, YOUNG & LOGAN
Attorneys for Plaintiff
REGAL STONE LIMITED and FLEET
MANAGEMENT LTD.

5
6
7
8 DATED: April 28, 2009

/s/ Ryan Donlon
RYAN DONLON
FORREST BOOTH
RANDY SCOTT ERLEWINE
SEVERSON & WERSON
Attorneys for Defendants
SAN FRANCISCO BAR PILOT'S
ASSOCIATION, PETER MCISAAC, RUSSEL
NYBORG, SAN FRANCISCO BAR PILOTS

9
10
11
12
13
14
15
16 DATED: April 28, 2009

/s/ David Schack
DAVID SCHACK
LUKE ANDERSON
K&L GATES LLP
Attorneys For Defendant
JOHN COTA

1
2 **People of the State of California ex rel. Department of Fish and Game, et al. v. Regal Stone Ltd.,**
3 **et al., Case No. 09-01469**
4

5 DATED: April 28, 2009

/s/ Kevin Derek Lesh
KEVIN DEREK LESH
CALIFORNIA STATE ATTORNEY
GENERAL'S OFFICE
Attorneys for Plaintiffs
PEOPLE OF THE STATE OF CALIFORNIA,
EX REL. DEPARTMENT OF FISH AND
GAME, PEOPLE OF THE STATE OF
CALIFORNIA EX REL., CALIFORNIA
REGIONAL WATER QUALITY CONTROL
BOARD, SAN FRANCISCO BAY REGION,
PEOPLE OF THE STATE OF CALIFORNIA EX
REL., STATE LANDS COMMISSION

12
13 DATED: April 28, 2009

/s/ Joseph A. Walsh II
JOSEPH A. WALSH II
KEESAL, YOUNG & LOGAN
Attorneys for Defendants
REGAL STONE LIMITED, FLEET
MANAGEMENT LTD., SYNERGY
MANAGEMENT SERVICES, SYNERGY
MARINE LTD.

14
15
16
17
18 DATED: April 28, 2009

/s/ James Barton Nebel
JAMES BARTON NEBEL
ERICH PAUL WISE
FLYNN DELICH & WISE, LLP
Attorneys for Defendant
HANJIN SHIPPING CO., LTD.

19
20
21
22
23 DATED: April 28, 2009

/s/ Walter Gerard Coppenrath, Jr.
WALTER GERARD COPPENRATH, JR.
COPPENRATH & ASSOCIATES
Attorneys for Defendant
JOHN J. COTA

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

ORDER

Based upon the foregoing Stipulation of the Parties, and good cause appearing therefore, IT IS SO ORDERED.

DATED: April 29, 2009

