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6 Attorneys for Defendant
WEST COAST METALS, INC.
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8 UNITED STATES DISTRICT COURT
9 NORTHERN DISTRICT OF CALIFORNIA
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11 NORTHERN CALIFORNIA WATCH, a non-profit) CASE NO. 3:08-cv-01256-MMC
Corporation,)
12)
Plaintiffs,) **STIPULATION AND PROPOSED**
13) **ORDER RE: ENLARGEMENT OF**
vs.) **TIME TO AMEND THE**
14) **PLEADINGS**
UNION PACIFIC RAILROAD COMPANY, WEST) Complaint Filed: June 12, 2008
15 COAST METALS, INC., and DOES 1-10, Inclusive,)
16 Defendants.)
17)

18 The parties, by and through their counsel, Mordecai D. Boone and Holly L. Kershell of
19 Gordon & Rees LLP for Defendant West Coast Metals, Inc., Jack Silver of Law Office of Jack
20 Silver for Plaintiff Northern California River Watch, and Melissa B. Hagan of the Law
21 Department of Union Pacific Railroad for Defendant Union Pacific Railroad stipulate and
22 request this Court as follows:

23 The parties request that the deadline to amend the pleadings, now set for January 2, 2009,
24 be extended to February 28, 2009.

25 The parties have agreed to this extension to allow time to engage in meaningful
26 settlement negotiations before the deadline to amend pleadings, at which time Defendant West
27 Coast Metals must amend its pleadings to name the several individuals and entities identified in
28 its Notice of Interested Entities. The parties would like to avoid bringing additional parties into

1 this action, if it may resolve amongst the current parties.

2 This is the second time modification in this case. The first was granted by stipulation on
3 September 19, 2008 to accommodate counsel for Union Pacific Railroad who resides in Houston,
4 Texas, a city significantly impacted by Hurricane Ike, which caused counsel's office to close and
5 made conduct of normal business difficult.

6 The parties do not believe that the grant of this time modification will effect the schedule
7 for the case.

9 Dated: December 18, 2008

GORDON & REES LLP

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By: _____/s/
Holly L. Kershell
Attorneys for Defendant
WEST COAST METALS, INC.

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16 Dated: December 18, 2008

LAW OFFICE OF JACK SILVER

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By: _____/s/
Jack Silver
Attorneys for Plaintiff
NORTHERN CALIFORNIA RIVER
WATCH

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23 Dated: December 18, 2008

LAW DEPARTMENT OF UNION PACIFIC
RAILROAD

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By: _____/s/
Melissa B. Hagan
Attorneys for Defendant
UNION PACIFIC RAILROAD CO.

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PURSUANT TO STIPULATION, IT IS SO ORDERED

Dated: December 18, 2008



The Honorable Maxine M. Chesney
United States District Judge

**Gordon & ReesL LP
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