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 WEST COAST METALS, INC.
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8 UNITED STATES DISTRICT COURT
 9 NORTHERN DISTRICT OF CALIFORNIA

11 NORTHERN CALIFORNIA WATCH, a non-profit Corporation, 12 13 Plaintiffs, 14 vs. 15 UNION PACIFIC RAILROAD COMPANY, WEST COAST METALS, INC., and DOES 1-10, Inclusive, 16 17 Defendants.) CASE NO. 3:08-cv-01256-MMC)) STIPULATION AND PROPOSED) ORDER RE: ENLARGEMENT OF) TIME TO AMEND THE) PLEADINGS)) Complaint Filed: June 12, 2008)))
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18 The parties, by and through their counsel, Mordecai D. Boone of Gordon & Rees LLP for
 19 Defendant West Coast Metals, Inc., Jack Silver of Law Office of Jack Silver for Plaintiff
 20 Northern California River Watch, and Melissa B. Hagan of the Law Department of Union Pacific
 21 Railroad Company for Defendant Union Pacific Railroad Company stipulate and request this
 22 Court as follows:

23 The parties request that the deadline to amend the pleadings, now set for February 28,
 24 2009, be extended to May 1, 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

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

2 This is the third time modification in this case. The first was granted by stipulation on
3 September 19, 2008 to accommodate counsel for Union Pacific Railroad Company who resides
4 in Houston, Texas, a city significantly impacted by Hurricane Ike, which caused counsel's office
5 to close and made conduct of normal business difficult. A second modification was granted by
6 stipulation on December 19, 2008. Since then, the parties have had ongoing conferences and met
7 informally on February 12, 2009. With a formal mediation session scheduled for April 9, 2009,
8 the parties agree that good cause exists for this time modification to allow and foster ongoing
9 settlement negotiations and mediation efforts without bringing in additional parties.

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

12 Dated: February 25, 2009

GORDON & REES LLP

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15 By: _____/s/
16 Mordecai Boone
17 Attorneys for Defendant
18 WEST COAST METALS, INC.

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21 Dated: February 25, 2009

LAW OFFICE OF JACK SILVER

22
23 By: _____/s/
24 Jack Silver
25 Attorneys for Plaintiff
26 NORTHERN CALIFORNIA RIVER WATCH

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28 Dated: February 25, 2009


LAW DEPARTMENT OF UNION PACIFIC
RAILROAD COMPANY

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

PURSUANT TO STIPULATION, IT IS SO ORDERED

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Dated: February 26, 2009


The Honorable Maxine M. Chesney
United States District Judge

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