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8 Attorneys for Defendant,
 9 OBB PERSONENVERKEHR
 10 AG

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**IN THE UNITED STATES DISTRICT COURT
 NORTHERN DISTRICT OF CALIFORNIA**

CAROL P. SACHS,

Plaintiff,

v.

REPUBLIC OF AUSTRIA, OBB
 HOLDING GROUP, OBB
 PERSONENVERKEHR AG,

Defendants.

NO.: C08-01840-~~EMC~~ VRW

**STIPULATED APPLICATION FOR
 ORDER EXTENDING TIME TO
 RESPOND TO THE COMPLAINT
 AS AMENDED AND CONTINUING
 CASE MANAGEMENT
 CONFERENCE; AND ~~PROPOSED~~
 ORDER THEREON**

STIPULATED APPLICATION FOR ORDER EXTENDING TIME
 TO RESPOND TO THE COMPLAINT, AS AMENDED; AND CONTINUING
 CASE MANAGEMENT CONFERENCE; AND ORDER THEREON

1 IT IS HEREBY STIPULATED AND AGREED, by and between the attorneys
2 for the undersigned parties, as follows:

3 a. Defendant OBB Personenverkehr AG's current deadline to respond to the
4 Complaint, as amended, is May 21, 2010. Defense counsel has requested a one month
5 extension of that deadline because additional time is necessary for counsel to coordinate
6 with his client, which is located in Austria and is an instrumentality of the Republic of
7 Austria. No prior extension has been provided to respond to the Complaint.

8 b. The Court has scheduled a case management conference ("CMC") for May
9 27, 2010. Plaintiff requires additional time to serve the other Defendants, and is in the
10 process of serving the other Defendants, which also are located in Austria. Further,
11 Defendant OBB Personenverkehr AG intends to file a motion to dismiss which would
12 vacate the CMC pursuant to the Court's standing order. Defense counsel also has a
13 scheduling conflict: a previously scheduled overseas trip from May 21 through May 29,
14 2010. There has been no prior request for an extension of the CMC *by DEFENSE*

15 Accordingly, the parties apply for an order, as follows:

16 1. Extending the deadline for Defendant OBB Personenverkehr AG to
17 respond to the Complaint, as amended, to and including June 21, 2010.

18 2. Continuing the CMC, currently scheduled for May 27, 2010, for two
19 months to July 29, 2010 or an approximate date.

20 Respectfully submitted,

21 DATED: May 3, 2010

BECKER & BECKER

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24 BY: *SEE NEXT PAGE, 1a*
25 GEOFFREY BECKER
26 Attorneys for Plaintiff,
27 CAROL P. SACHS
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IT IS HEREBY STIPULATED AND AGREED, by and between the attorneys for the undersigned parties, as follows:

a. Defendant OBB Personenverkehr AG's current deadline to respond to the Complaint, as amended, is May 21, 2010. Defense counsel has requested a one month extension of that deadline because additional time is necessary for counsel to coordinate with his client, which is located in Austria and is an instrumentality of the Republic of Austria. No prior extension has been provided to respond to the Complaint.

b. The Court has scheduled a case management conference ("CMC") for May 27, 2010. Plaintiff requires additional time to serve the other Defendants, and is in the process of serving the other Defendants, which also are located in Austria. Further, Defendant OBB Personenverkehr AG intends to file a motion to dismiss which would vacate the CMC pursuant to the Court's standing order. Defense counsel also has a scheduling conflict: a previously scheduled overseas trip from May 21 through May 29, 2010. There has been no prior request for an extension of the CMC *by defense counsel.*

Accordingly, the parties apply for an order, as follows:

1. Extending the deadline for Defendant OBB Personenverkehr AG to respond to the Complaint, as amended, to and including June 21, 2010.
2. Continuing the CMC, currently scheduled for May 27, 2010, for two months to July 29, 2010 or an approximate date.

Respectfully submitted,

DATED: May 3, 2010

BECKER & BECKER

By: *Geoffrey Becker*
GEOFFREY BECKER
Attorneys for Plaintiff,
CAROL P. SACHS

1 DATED: May 3, 2010

DORSEY & WHITNEY LLP

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3 BY: Juan C. Basombrio
4 JUAN C. BASOMBRIO
5 Attorneys for Defendant,
6 OBB PERSONENVERKEHR AG

7 ORDER

8 PURSUANT TO FOREGOING STIPULATION,

9 IT IS ORDERED THAT:

10 1. The deadline for Defendant OBB Personenverkehr AG to respond to the
11 Complaint, as amended, to and including June 21, 2010.

12 2. Continuing the May 27, 2010 case management conference to ~~July 29,~~
13 2010 at 3:30 p.m. in Courtroom 6, 17th Floor, San Francisco.

AUGUST 12,

14 SO ORDERED.

15
16 DATED: May 4, 2010

