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5 Attorneys for Plaintiff Vintage Racing Motors, Inc.

6  
 7 UNITED STATES DISTRICT COURT  
 8 NORTHERN DISTRICT OF CALIFORNIA

9 VINTAGE RACING MOTORS, INC., a  
 10 Washington corporation,

11 Plaintiff,

12 v.

13 DAIMLER AG, a German corporation,  
 MERCEDES-BENZ MUSEUM GMBH, a  
 14 German corporation, AND MERCEDES-  
 BENZ CLASSIC CENTER, a German  
 15 corporation,

16 Defendants.

Case No. 3:08-cv-03025-MHP

**STIPULATION AND ~~[PROPOSED]~~  
 ORDER CONTINUING CASE  
 MANAGEMENT CONFERENCE**

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 18 Plaintiff Vintage Racing Motors, Inc. (“VRM”) and Specially Appearing Defendants  
 19 Daimler AG and Mercedes-Benz Museum GmbH (collectively, “Daimler”) (collectively, the  
 20 “Parties”) hereby file this stipulation:

21 WHEREAS, Judge Marilyn H. Patel set the Further Case Management Conference for  
 22 September 13, 2010;

23 WHEREAS, the Parties have agreed upon the vast majority of the settlement terms and  
 24 are working to resolve a few final points;

25 WHEREAS, a compelling reason to continue the Case Management Conference to  
 26 December 13, 2010 exists because the Parties anticipate that the settlement will be finalized  
 27 shortly, either through informal settlement discussions or through mediation;

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1 WHEREAS, the Parties' chosen mediator already has a full fall schedule;  
2 WHEREAS, the mediation will involve coordination of German and U.S. nationals;  
3 WHEREAS, the Parties believe that mediation, if necessary, will be completed by  
4 December 13, 2010,

5 WHEREAS, the Parties have agreed that December 13, 2010 is a mutually convenient  
6 time on which to hold the Case Management Conference; and

7 WHEREAS, the Parties agree that the continuation will not unreasonably prolong the  
8 litigation, but rather will further the aims of judicial economy by facilitating settlement of the  
9 case.

10 IT IS HEREBY STIPULATED by the Parties through undersigned counsel that they  
11 request the Court to continue the Case Management Conference from September 13, 2010 to  
12 December 13, 2010, or as the Court's calendar permits.

13 Dated: September 7, 2010

CROWELL & MORING LLP

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15 */s/ Loni A. Mahanta*

16 Loni A. Mahanta  
17 Attorneys for Plaintiff  
Vintage Racing Motors, Inc.

18 Dated: September 7, 2010

CAROLL, BURDICK & MCDONOUGH LLP

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21 */s/ Matthew F. Miller*

22 Matthew F. Miller  
23 Attorneys for Defendants  
Daimler AG and Mercedes-Benz Museum GmbH

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**Order**

On consideration of the foregoing, good cause being shown,

**IT IS SO ORDERED** that the Case Management Conference shall be continued from September 13, 2010 to ~~December 13, 2010~~. January 3, 2011 at 3:00 p.m. NO FURTHER CONTINUANCES.

Dated: 9/8/2010

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