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8 Attorneys for Defendant
 9 Cottman Transmission Systems, LLC,
 10 and Specially Appearing Defendant
 11 American Driveline Systems, Inc.

12 UNITED STATES DISTRICT COURT
 13 NORTHERN DISTRICT OF CALIFORNIA

14 JOSEPH BENCHARSKY, an individual;
 15 KUND, LLC, a California Limited Liability
 16 Company; JOSEPH REGO, an individual;
 17 REMACH CHAPLET, INC., California
 18 Corporation,

19 Plaintiffs,

20 v.

21 COTTMAN TRANSMISSION SYSTEMS,
 22 LLC, et al.,

23 Defendants.

Case No. 08-CV-03402 SI

**STIPULATION FOR ORDER
 CONTINUING CASE MANAGEMENT
 CONFERENCE; ORDER**

24 Plaintiffs, by and through their undersigned counsel, Defendant Cottman Transmission
 25 Systems, LLC, by and through its undersigned counsel, and Specially Appearing Defendant
 26 American Driveline Sytems, Inc., by and through its undersigned counsel, hereby stipulate as
 27 follows:

- 28 1. This case is now set for a Case Management Conference on November 21, 2008 at 2:00
 p.m.
2. On November 7, 2008, the Court heard a motion by Cottman to compel arbitration and
 a motion by ADS to dismiss ADS pursuant to FRCP 12(b)(2). The Court provided counsel with a

1 tentative ruling during the hearing on November 7, heard oral argument, but the Court has not yet
2 issued a final ruling.

3 3. In light of the fact that the Court's rulings will determine whether a Case Management
4 Conference is necessary and, if so, certain relevant issues therein, the parties stipulate to a
5 continuance of the currently set November 21, 2008 Case Management Conference to December
6 19, 2008 at 2:00 p.m., and a continuance of the date a Joint Case Management Statement is due
7 until December 12, 2008. The parties stipulate to the entry of an order based on this Stipulation.

8 LUCE, FORWARD, HAMILTON & SCRIPPS LLP

9 DATED: November 13, 2008

10
11 By: 

12 Jeffrey L. Fillerup
13 Attorneys for Defendant
14 Cottman Transmission Systems, LLC, and Specially
15 Appearing Defendant American Driveline Systems, Inc.

16 DATED: November 13, 2008

17 LAGARIAS & BOULTER, LLP

18 By: 

19 Peter Lagarias
20 Attorneys for Plaintiffs Joseph Bencharsky, Kund, LLC,
21 Remach Chaplet, Inc., and Joseph Rego

22 **ORDER**

23 Based on the foregoing Stipulation and for good cause appearing, IT IS HEREBY
24 ORDERED that the Case Management Conference is continued to December 19, 2008 at 2:00
25 p.m., and the parties' Joint Case Management Statement is due on December 12, 2008.

26 DATED: _____



27 Hon. Susan Illston,
28 DISTRICT COURT JUDGE