

1 JON K. WACTOR (State Bar No. 141566)
 PETER TON (State Bar. No. 232226)
 2 WACTOR & WICK LLP
 180 Grand Avenue, Suite 950
 3 Oakland CA 94612-3572
 Telephone: (510) 465-5750
 4 Facsimile: (510) 465-5697

5 Attorneys for Defendants Bradley Mining Company and Frederick W. Bradley, in his
 6 representative capacity as Trustee of the Worthen Bradley Family Trust

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9 UNITED STATES DISTRICT COURT OF CALIFORNIA
 10 NORTHERN DISTRICT

12 THE UNITED STATES OF AMERICA,
 13 Plaintiff,
 14 v.
 15 BRADLEY MINING COMPANY, and
 16 FREDERICK W. BRADLEY, in his representative
 capacity as Trustee of the Worthen Bradley Family
 17 Trust,
 18 Defendants.

Case No. CV-08-3968

**STIPULATION AND ~~PROPOSED~~
 ORDER TO CONTINUE THE
 HEARING ON MOTION FOR
 SUMMARY JUDGMENT OF
 DEFENDANT TRUSTEE
 FREDERICK W. BRADLEY**

Date: June 7, 2010
 Time: 10 a.m.
 Courtroom: 12
 Judge: Thelton E. Henderson

Action Filed: August 19, 2008

24 TO THE COURT, ALL PARTIES, AND THEIR ATTORNEYS OF RECORD:
 25 As provided in the proposed Order below, Plaintiff United States of America (“Plaintiff”),
 26 Defendant Bradley Mining Company (“BMCo”), and Defendant Frederick W. Bradley in his
 27 representative capacity of the Worthen Bradley Family Trust (“Trustee”) (collectively “the
 28 Parties”) jointly stipulate that:

1 1. Defendant Trustee requests a Continuance of the hearing for his Motion for
2 Summary Judgment which is currently set for May 3, 2010 at 10:00 a.m., in Courtroom 12, to
3 June 7, 2010 at 10 a.m. so that the Parties may conclude settlement negotiations.

4 2. The Continuance of the hearing on the Motion for Summary Judgment does not
5 affect the scheduled Case Management Conference currently set for 1:30 p.m. on May 3, 2010.

6 IT IS SO STIPULATED.

7 I attest that concurrence in the filing of this stipulation and [proposed] order has been
8 obtained from Mr. Robert D. Mullaney, the attorney for Plaintiff United States of America.

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10 Dated: April 2, 2010

/s/ Robert D. Mullaney

11 ROBERT D. MULLANEY
12 Environmental Enforcement Section
13 U.S. Department of Justice
14 Attorneys for Plaintiff United States of
15 America

16 Dated: April 2, 2010

/s/ Jon K. Wactor

17 JON K. WACTOR
18 Wactor & Wick LLP
19 Attorneys for Defendants Bradley Mining
20 Company and Frederick Bradley, as Trustee of the
21 Worthen Bradley Family Trust

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~~PROPOSED~~ ORDER

ON STIPULATION OF ALL PARTIES AND GOOD CAUSE APPEARING
THEREFORE, it is hereby ORDERED:

1. The Hearing set for May 3, 2010 on Defendant Trustee's Motion for Summary Judgment is continued to June 7, 2010 at 10:00 a.m.
2. The Case Management Conference, which is currently set for 1:30 p.m. on May 3, 2010, remains on the Court's calendar.

IT IS SO ORDERED.

Date: 04/05/10

Hon. Thelton E. Henderson
U.S. District Court Judge

