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11 Attorneys for Plaintiffs

12 **UNITED STATES DISTRICT COURT**
 13 **NORTHERN DISTRICT OF CALIFORNIA**
 14 **SAN FRANCISCO DIVISION**

15 THOMAS HUFF, *et al.*,
 16 Plaintiffs,

17 vs.

18 KAISER VENTURES LLC, *et al.*,
 19 Defendants.

No. C08-04490-BZ

JOINT MOTION AND STIPULATION TO
 STAY PROCEEDING OR, IN THE
 ALTERNATIVE, TO CONTINUE CASE
 MANAGEMENT DEADLINE AND
 CONFERENCE, AND TO EXTEND TIME;
~~[PROPOSED]~~ ORDER TO STAY;
 [PROPOSED ALTERNATIVE] ORDER
 TO CONTINUE

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20 Pursuant to Civil L. R. 7-11 and 7-12, the following parties hereby stipulate to, and
 21 respectfully move the Court for, an Order extending time as set forth in the *Case Management*
 22 *Scheduling Order* filed September 26 2008 (Document 3), for the following good cause:

23 On October 30, 2008, Defendant KAISER VENTURES LLC filed Notice to Tag Along
 24 Action regarding the pending Multidistrict Litigation (“MDL”) in the Eastern District of
 25 Pennsylvania, seeking among other things, to move Jurisdiction of this matter to that District
 26 (Document 6). Counsel for Defendant KAISER VENTURES LLC confirms that notice has
 27 been mailed to the Judicial Panel on Multidistrict Litigation (“JPML”) pursuant to 28 U.S.C. §
 28 1407; said notice to the JPML from counsel being necessary to initiate the transfer process.

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1 In the alternative, the parties hereby STIPULATE to and respectfully request that this
2 Court vacate and continue the dates set forth in the *Case Management Scheduling Order* pending
3 the outcome of the JPML's decision on the merits of the transfer.

4 Dated: November 26, 2008 BRAYTON❖PURCELL LLP
5 /s/ David R. Donadio
6 By: _____
7 David R. Donadio
8 Attorneys for Plaintiffs


8 Dated: November 26, 2008 BASSI, MARTINI, EDLIN & BLUM
9 /s/ Jeremy Huie
10 By: _____
11 Jeremy Huie
12 Attorneys for Defendant
13 Kaiser Ventures LLC

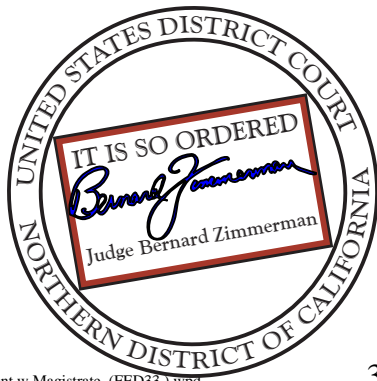
13 Dated: December 3, 2008 TUCKER ELLIS & WEST LLP
14 /s/ Lillian C. Ma
15 By: _____
16 Lillian C. Ma
17 Attorneys for Defendant
18 Carrier Corporation

18 ~~PROPOSED~~ ORDER TO STAY

19 IT IS HEREBY ORDERED that the hearing date and deadlines specified in the *Case*
20 *Management Scheduling Order* dated September 26 2008, are hereby VACATED and that this
21 action is STAYED pending the outcome of the JPML's decision on the merits of the transfer.

22 Dated: December 4, 2008

23 
24 Bernard Zimmerman
25 United States Magistrate Judge



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1 [PROPOSED ALTERNATIVE] **ORDER TO CONTINUE**

2 IT IS HEREBY ORDERED that the hearing date and deadlines specified in the *Case*
3 *Management Scheduling Order* dated September 26 2008, are hereby VACATED.

4 IT IS FURTHER ORDERED that the following case management deadlines are
5 continued as follows:

6 1. The Case Management Conference is [set for a **date after March 20, 2009** to
7 wit:] _____, 2009; at _____ .m. Courtroom____, _____th Floor, 450
8 Golden Gate Avenue, San Francisco, California.

9 2. Last day to meet and confer re initial disclosures, early settlement, ADR process
10 selection, and discovery plan is 21 days before the Case Management Conference in paragraph 1,
11 above.

12 3. Last day to file Joint ADR Certification with Stipulation to ADR process or
13 Notice of Need for ADR Phone Conference is 21 days before the Case Management Conference
14 in paragraph 1, above.

15 4. Last day to complete initial disclosures or state objection to Rule 26(f) Report,
16 file/serve Case Management Statement and file/serve Rule 26(f) Report is 5 court days before
17 the Case Management Conference in paragraph 1, above.

18 Dated: _____

19 _____
20 Bernard Zimmerman
21 United States Magistrate Judge
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