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5 Attorneys for Third-Party Defendant, Counter-Claimant and Cross-Defendant
 ENVIRONMENTAL RESOLUTIONS, INC.

7 UNITED STATES DISTRICT COURT
 8 NORTHERN DISTRICT OF CALIFORNIA

9 KFD ENTERPRISES, INC., a California
 Corporation dba Norman’s Dry Cleaner,

) CASE NO. CV-08-4571MMC
)

10)
 11) Plaintiff,

12) vs.

13) CITY OF EUREKA,

14) Defendant.

) **STIPULATION TO EXTEND**
) **ENVIRONMENTAL**
) **RESOLUTIONS, INC.’S TIME TO**
) **FILE A RESPONSIVE PLEADING**
) **AND ORDER**

15)
 16) CITY OF EUREKA,

17) Counter-Claimant and Third
 Party Plaintiff,

18) vs.

19) KFD ENTERPRISES, INC., a California
 Corporation dba Norman’s Dry Cleaner, UNOCAL
 CORPORATION,

20)
 21) Cross-Defendant and Third
 Party Defendant.

22)
 23) UNOCAL CORPORATION,

24) Third Party Defendant and
 Third Party Plaintiff,

25) vs.

26) ENVIRONMENTAL RESOLUTIONS, INC.

27) Third Party Defendant.

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The Court has recently granted in part, and denied in part, ERI's motion to dismiss. In these circumstances, ERI has 14 days to file a responsive pleading. (See F.R.C.P. 12(a)(4)(A).) However, in its ruling, the Court granted leave to amend as to certain causes of action. The parties have been given until December 10, 2010, to file an amended complaint, which is after ERI's time to file a responsive pleading expires.

To avoid the parties filing unnecessary pleadings and motions, the Parties stipulate that ERI has until December 24, 2010 to file a responsive pleading to KFD's Third Amended complaint and the City of Eureka's Third Amended Complaint. Should any of these parties file amended pleadings pursuant to the Court's November 12, 2010 order, the deadlines to respond to such amended pleadings shall be those deadlines provided under the Federal Rules and this stipulation shall not apply.

Dated: November 22, 2010

GORDON & REES LLP

By: /s/ *George A. Acero*

KATHLEEN M. RHOADS
GEORGE A. ACERO
Attorneys for Environmental
Resolutions, Inc.

Dated: November 22, 2010

GREBEN & ASSOCIATES

By: /s/ *Jan A. Greben*

Jan A. Greben
Shelley O'Connor
Attorneys for KFD Enterprises, Inc., a
California corporation dba Norman's
Dry Cleaner

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Dated: November 22, 2010

DAVIDOVITZ & BENNETT LLP

By: /s/ Charles Bolcom

MORIS DAVIDOVITZ
CHARLES BOLCOM
STACEY ALTON
Attorneys for City of Eureka

ORDER

IT IS SO ORDERED.

DATED: _ November 23, 2010 _



Honorable Maxine M. Chesney