

1 **GREBEN & ASSOCIATES**  
 2 1332 ANACAPA STREET, SUITE 110  
 3 SANTA BARBARA, CA 93101  
 Telephone: (805) 963-9090  
 Facsimile: (805) 963-9098

4 Jan A. Greben, State Bar No. 103464  
 jan@grebenlaw.com  
 5 Danielle De Smeth, State Bar No. 263309  
 danielle@grebenlaw.com

6 Attorneys for Plaintiff, Cross Defendant, Third Party Defendant,  
 7 Counter Defendant and Counter Claimant KFD Enterprises, Inc.,  
 a California corporation dba Norman's Dry Cleaner, and  
 8 Third Party Defendant Kenneth Daer

9 **UNITED STATES DISTRICT COURT**  
 10 **NORTHERN DISTRICT OF CALIFORNIA**

11 **KFD ENTERPRISES, INC.**, a  
 12 California corporation dba Norman's Dry  
 Cleaner,

13 Plaintiff,

14 vs.

15 **CITY OF EUREKA**, et al.

16 Defendants.

**Case No.: 3:08-CV-04571 MMC**

**JOINT STIPULATION AND REQUEST TO  
 APPEAR TELEPHONICALLY AT THE  
 CASE MANAGEMENT CONFERENCE;  
 [PROPOSED] ORDER**

Date: January 28, 2011  
 Time: 10:30 a.m.  
 Dept: Honorable Maxine M. Chesney

17 AND RELATED COUNTER AND CROSS  
 18 CLAIMS

19  
 20 Plaintiff, Cross Defendant, Third Party Defendant, Counter Defendant and Counter Claimant  
 21 KFD Enterprises, Inc. and Third Party Defendant Kenneth Daer (collectively "KFD"), Defendant,  
 22 Counter Claimant and Third Party Plaintiff City of Eureka ("Eureka"), Defendant, Cross Defendant,  
 23 Third Party Defendant and Third Party Plaintiff Unocal Corporation ("Unocal"), and Defendants  
 24 Cross Defendants, Third Party Defendants, and Counter Claimants Union Oil Company of  
 25 California ("Union Oil") and Chevron Corporation ("Chevron"), Defendant and Cross Defendant  
 26 R.R. Street & Co. Inc. ("Street"), Defendant and Cross Defendant Fimbimatic SpA ("Fimbimatic"),  
 27 Defendant and Third Party Defendant Environmental Resolutions, Inc. ("ERI"), Defendants and  
 28 Third Party Defendants Multimatic LLC, Multimatic Dry Cleaning Machine Corporation and The

1 Kirrberg Corporation (collectively “Multimatic”), and Cross Defendant, Third Party Defendant,  
2 Counter Claimant and Counter Defendant Winzler & Kelly (“Winzler”) (collectively “the Parties”)  
3 hereby stipulate as follows:

4 The Parties shall appear telephonically at the Case Management Conference scheduled for  
5 January 28, 2011 at 10:30 a.m. The conference call will be arranged by counsel for Plaintiff KFD  
6 and once all parties have joined the call, the Parties will contact the court directly at a number  
7 designated by the Court. Alternatively, if the Court prefers, it may contact Plaintiff KFD’s counsel  
8 at (805) 963-9090 and Plaintiff will conference the Court into the call.

9 Pursuant to this stipulation, the Parties respectfully request that the Court issue an order  
10 allowing the Parties to appear telephonically at the Case Management Conference scheduled for  
11 January 28, 2011 at 10:30 a.m. before the Honorable Maxine M. Chesney.

12  
13 Dated: January 27, 2011

GREBEN & ASSOCIATES

14  
15 /s/ Jan Greben

JAN A. GREBEN

DANIELLE DE SMETH

16 Plaintiff, Cross Defendant, Third Party Defendant,  
17 Counter Claimant KFD ENTERPRISES INC., a  
California corporation dba Norman’s Dry Cleaner; and  
18 Third Party Defendant KENNETH DAER

19 Dated: January 27, 2011

DAVIDOVITZ & BENNETT LLP

20 /s/ Moris Davidovitz

MORIS DAVIDOVITZ

CHARLES BOLCOM

21 Defendant, Third Party Plaintiff, Counterclaimant  
22 CITY OF EUREKA

23  
24  
25 Dated: January 27, 2011

GORDON & REES, LLP

26 /s/ George Acero

KATHLEEN M. RHOADS

GEORGE A. ACERO

27 Defendant and Third Party Defendant  
28 ENVIRONMENTAL RESOLUTIONS, INC.

1 Dated: January 27, 2011

HICKS THOMAS LLP

2  
3 /s/ Eric Grant  
ERIC GRANT  
JOHN B. THOMAS  
JAY N. GROSS  
4 Defendant and Cross Defendants R.R. STREET  
5 & CO. INC. and FIRBIMATIC SpA

6 Dated: January 27, 2011

GLYNN & FINLEY, LLP

7  
8 /s/ Andrew Mortl  
ANDREW T. MORTL  
PATRICIA BONHEYO  
9 Defendant, Cross-Defendant, Third Party Plaintiff, and  
10 Third Party Defendant UNOCAL CORPORATION;  
11 and Defendants, Cross-Defendants, and Third Party  
12 Defendants UNION OIL COMPANY OF  
CALIFORNIA; and CHEVRON CORPORATION

13 Dated: January 27, 2011

DONGELL LAWRENCE FINNEY LLP

14  
15 /s/ Ian Culver  
THOMAS F. VANDENBURG  
IAN P. CULVER  
16 Defendant and Cross Defendant MULTIMATIC LLC,  
17 THE KIRRBERG CORPORATION, and  
MULTIMATIC DRY CLEANING MACHINE  
18 CORPORATION

19 Dated: January 27, 2011

SEVERSON & WERSON

20 /s/ Peter Lyon  
DAVID A. ERICKSEN  
PETER C. LYON  
21 NANNETTE DE LARA  
22 Third Party Defendant, Cross Defendant, Counter  
23 Claimant and Counter Defendant WINZLER &  
KELLY

1  
2  
3 ~~PROPOSED~~ ORDER


4 **IT IS HEREBY ORDERED THAT:**

5  
6 1. The Parties request to appear telephonically at the Case Management Conference on January  
7 28, 2011 is ~~GRANTED~~ DENIED as unsupported by good cause and untimely. See Civil L.R.  
8 16-10(a) (providing "[r]equests to participate in the conference by telephone must be filed and served  
9 at least 7 days before the conference").

10 The Parties shall dial into the conference call scheduled by Plaintiff and will  
11 collectively call the Court at: \_\_\_\_\_.

12 \_\_\_\_\_ The Court shall contact Plaintiff's counsel at (805) 963-9090, and Plaintiff  
13 will arrange to have the Court connected to the conference call.

14  
15  
16 Dated: January 27, 2011

17   
18 HONORABLE MAXINE M. CHESNEY  
19 UNITED STATES DISTRICT JUDGE