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 14 STEVENSON ENTERPRISES, a California general
 15 partnership

16 UNITED STATES DISTRICT COURT
 17 NORTHERN DISTRICT OF CALIFORNIA

18 STEVENSON ENTERPRISES, a California
 19 general partnership

20 Plaintiff,

21 v.

22 ENRIQUETA MENDOZA; ESTATE OF
 23 DAVID Z. MENDOZA; HAK CHON LEE;
 24 JEUM SOON LEE; HYSL, Inc., a California
 25 corporation; and YONG W. LEE,

26 Defendants.

No. C 08-4845 EMC

**JOINT CASE MANAGEMENT
 STATEMENT, STIPULATION AND
 [PROPOSED] ORDER REGARDING
 FILING OF REQUEST FOR ENTRY
 OF JUDGMENT AGAINST
 DEFENDANT HAK LEE**

27 AND RELATED CROSS-CLAIMS AND
 28 COUNTER-CLAIMS

Plaintiff STEVENSON ENTERPRISES (“*Plaintiff*” or “*STEVENSON*”), and defendant cross-claimant and counter claimant HAK CHON LEE (“*HAK LEE*”) file the following Joint Case Management Statement and stipulate as follows:

1. HAK LEE has previously stipulated that Plaintiff may obtain a Judgment against him.

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2. Since the filing of parties' last Stipulation and Order Regarding Filing Of Request For Entry Of Judgment Against Hak Lee and Order thereon [Case Document 168, filed September 18, 2013], Plaintiff has met with the Alameda County Water Agency ("ACWA"), the regulatory agency charged with regulating the cleanup of the site, to attempt to obtain a conditional closure (also known as a low risk site closure determination) for the site underlying this litigation.
3. The ACWA has now required that Plaintiff install and monitor additional vapor wells in areas in close proximity to the subject premises. As a result, the Plaintiff is neither in a position to obtain a conditional closure from the ACWA or determine the amount of its damages such that obtaining a Judgment against Hak Lee at this time would be appropriate.
4. Plaintiff has been informed that at least six (6) months will be required before it will be in a position to seek a conditional closure of the site from the ACWA.
5. Obtaining the ACWA's determination would serve as a date which Plaintiff could use to liquidate its damages in support of its request for a Judgment against HAK LEE.
6. Based thereon, and subject to the ACWA providing a conditional site closure of the site, Plaintiff and HAK LEE stipulate that Plaintiff shall have up to and including July 31, 2014 to file its request for entry of a Judgment against HAK LEE. The Parties agree that if, by that date, the ACWA has not provided a conditional site the date for Plaintiff to obtain a Judgment against HAK LEE may be continued as required for the Plaintiff to be able to more fully ascertain its damages.
7. Based on the above, the Parties further request that the Case Management Conference currently scheduled for January 28, 2014 at 10:30 a.m. be continued until July 31,

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1 2014 or a date thereafter convenient to the Court.

2 IT IS SO STIPULATED:

3 DATED: January 23, 2014

BURNHAM BROWN

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By: /s/ Jack W. Schwartz Jr.
JACK W. SCHWARTZ JR.
Attorneys for Plaintiff STEVENSON
ENTERPRISES

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DATED: January 23, 2014

/s/ Brian H. Lee
BRIAN H. LEE
Attorney for Defendant HAK CHON LEE

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CERTIFICATION

I, Jack W. Schwartz Jr., hereby attest, pursuant to N.D. Cal General Order No. 45, that the concurrence to the filing of this document has been obtained from counsel for HAK CHON LEE.

/s/ Jack W. Schwartz Jr.
Jack W. Schwartz Jr.

ORDER

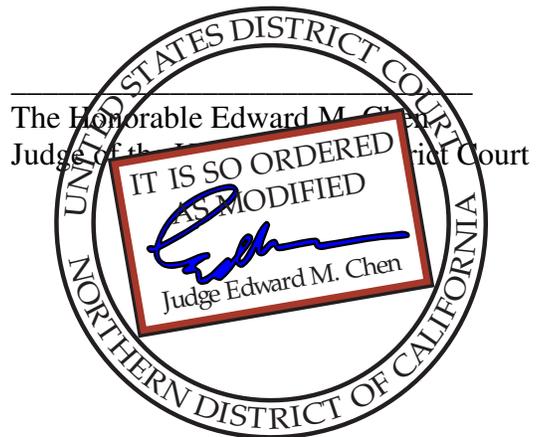
The Court, having reviewed the Joint Case Management Conference Statement, Stipulation and [Proposed] Order Regarding Filing Of Request For Entry Of Judgment Against Defendant Hak Lee, AND FOR GOOD CAUSE APPEARING orders:

1. Plaintiff shall have up to and including July 31, 2014 to file its papers in support of its Request For Entry Of Judgment Against defendant HAK LEE. Should the Alameda County Water Agency not issue a conditional site closure by that date, the Parties are instructed to so inform the Court and provide the Court further information as to a date when the Plaintiff is likely to be in a position to request the entry of a Judgment against HAK LEE.

2. A Case Management Conference shall be held on July 31, . 2014 at 10:30 a.m. / p.m. A Case Management Conference Statement shall be filed by July 24, 2014.

IT IS SO ORDERED.

Dated: January 24, 2014



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