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6 TESORO REFINING AND MARKETING COMPANY, BRUCE  
SMITH, DAN PORTER, WILLIAM BODNAR, BILL REITZEL,  
7 DANIEL CARLSON, TAMMY MEAMBER, AND DIANE  
DANIELS

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11 Attorneys for Defendant  
12 UNITED STEELWORKERS INTERNATIONAL UNION LOCAL  
5, JEFF CLARK, AND STEVE ROJEK

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17 Attorneys for Plaintiff  
18 GEORGE L. KIRBYSON

19 UNITED STATES DISTRICT COURT  
20 NORTHERN DISTRICT OF CALIFORNIA

21	GEORGE L. KIRBYSON,	)	CASE NO.: C-09-03990-SC
		)	
22	Plaintiff,	)	
	v.	)	<b>JOINT STIPULATION EXTENDING</b>
23		)	<b>TIME FOR DEFENDANTS TO</b>
24	TESORO CORPORATION D.B.A TESORO	)	<b>RESPOND TO PLAINTIFF'S FIRST</b>
	REFINING AND MARKETING COMPANY, et al.,)	)	<b>AMENDED COMPLAINT</b>
25	Defendants.	)	<b>[N.D. CAL. CIVIL L.R. 6-1(A)]</b>
		)	
26		)	Courtroom 1, 17th Floor
		)	Honorable Judge Samuel Conti
27		)	
		)	Complaint Filed: August 28, 2009
28		)	Trial Date: None Set

1 Pursuant to Local Rule 6.1(a), the parties hereby stipulate to an extension of time for  
2 Defendants Tesoro Refining and Marketing Company, Bruce Smith, Dan Porter, William Bodnar,  
3 Bill Reitzel, Daniel Carlson, Tammy Meamber, Diane Daniels, United Steelworkers International  
4 Union Local 5, Jeff Clark, and Steve Rojek (collectively "Defendants") to respond to Plaintiff  
5 George L. Kirbyson's ("Plaintiff") First Amended Complaint as follows:

6 WHEREAS, on August 28, 2009, Plaintiff filed his civil Complaint in this action;

7 WHEREAS, the parties previously stipulated and agreed that Defendants' response to  
8 Plaintiff's Complaint would be due no later than November 20, 2009;

9 WHEREAS, Plaintiff has indicated that he intends to file a First Amended Complaint in  
10 this action prior to the Initial Case Management Conference scheduled for December 4, 2009;

11 WHEREAS, the parties have stipulated and agreed that Defendants shall not respond to  
12 the original Complaint filed in this action, but shall instead respond only to Plaintiff's First  
13 Amended Complaint once it is filed;

14 WHEREAS, the parties have stipulated and agreed that Defendants' response will be filed  
15 no later than December 11, 2009;

16 WHEREAS, the extension of time for Defendants to respond does not alter the date of any  
17 event or any deadline already fixed by Court order. *See* LCvR 6-1(a).

18 NOW, THEREFORE, IT IS HEREBY STIPULATED AND AGREED AS FOLLOWS:

19 1. Defendants shall respond to Plaintiff's First Amended Complaint on or before  
20 December 11, 2009.

21 SO STIPULATED:

22 23 24 25 26 Dated: November 23, 2009 27 28	Michael S. Chamberlin Candace S. Bertoldi FULBRIGHT & JAWORSKI L.L.P.  By <u>/s/ Candace S. Bertoldi</u> Candace S. Bertoldi Attorneys for Defendant Tesoro Refining and Marketing Company, Bruce Smith, Dan Porter, William Bodnar, Bill Reitzel, Daniel Carlson, Tammy Meamber, and Diane Daniels
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Dated: November 23, 2009

Daniel Boone  
WEINBERG, ROGER & ROSENFELD

By: /s/ W. Daniel Boone  
W. Daniel Boone  
Attorneys for Defendant  
United Steelworkers International Union  
Local 5, Jeff Clark, and Steve Rojek

Dated: November 23, 2009

Shanan L. Hewitt  
MORENA & RIVERA LLP

By: /s/ Shanan L. Hewitt  
Shanan L. Hewitt  
Attorneys for Plaintiff George L. Kirbyson

I, Candace S. Bertoldi, am the ECF User whose ID and password are being used to file this joint Stipulation. In compliance with General Order 45, X.B., I hereby attest, through my signature above, that W. Daniel Boone and Shanan Hewitt concurred in this filing.

Dated: November 23, 2009

Michael S. Chamberlin  
Candace S. Bertoldi  
FULBRIGHT & JAWORSKI L.L.P.

By   /s/    
Candace S. Bertoldi  
Attorneys for Defendant Tesoro Refining and Marketing Company

