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5 Jesse M. Rivera, CSN 84259
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7 Jonathan B. Paul, CSN 215884

8 Attorneys for Plaintiff,
9 GEORGE KIRBYSON

10 **IN THE UNITED STATES DISTRICT COURT**
11 **IN AND FOR THE NORTHERN DISTRICT OF CALIFORNIA**

12 GEORGE L. KIRBYSON,)
13)
14 Plaintiff,)

15 vs.)

16 TESORO REFINING AND MARKETING)
17 COMPANY, BRUCE SMITH, DAN)
18 PORTER, WILLIAM BODNAR, BILL)
19 REITZEL, DANIEL CARLSON, RICK)
20 RIOS, TAMMY MEAMBER, DIANE)
21 DANIELS, LARRY ANGEL, UNITED)
22 STEELWORKERS INTERNATIONAL)
23 UNION LOCAL 5, JEFF CLARK, STEVE)
24 ROJEK, and DOES 1 through 200, inclusive,)
25)
26)
27 Defendants.)
28)

CASE NO. C09-03990 SC
**STIPULATED REQUEST TO CONTINUE
TRIAL DATE; DECLARATION OF
SHANAN L. HEWITT IN SUPPORT
THEREOF**

22 IT IS HEREBY STIPULATED by all parties to this action and the parties have agreed to
23 request a continuance of the trial date as set forth in the Court's order of April 19, 2011. The
24 parties have stipulated to continue the current trial date of August 24, 2011 to December 2011,
25 and that a pretrial conference be set accordingly.

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Date: April 20, 2011

MORENO & RIVERA, LLP

/s/ Shanan L. Hewitt
SHANAN L. HEWITT
Attorney for Plaintiff,
George Kirbyson

Date: April 20, 2011

FULBRIGHT & JAWORSKI, LLP

/s/ Amy McGinnis Gillinger
AMY MCGINNIS GILLINGER,
Attorney for Defendant,
Tesoro Refining and Marketing Company

Date: April 20, 2011

WEINBERG, ROGER & ROSENFELD

/s/ Kristina L. Hillman
KRISTINA L. HILLMAN,
Attorney for Defendant,
United Steelworkers International Union,
Local 5

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I declare under penalty of perjury that the foregoing is true and correct.

Executed on this 20th day of April 2011, at Sacramento, California.

/s/ Shanana L. Hewitt

SHANAN L. HEWITT

1 **George L. Kirbyson v. Tesoro Refining and Marketing Company, et al.**
2 U.S. District Court, Northern District Sacramento
3 Case Number C 09-03990 SC

4 **PROOF OF SERVICE**

5 I am a citizen of the United States, employed in the City and County of Sacramento. My
6 business address is 1451 River Park Dr., Suite 145, Sacramento, California, 95815. I am over the
7 age of 18 years and not a party to the above-entitled action.

8 I am familiar with MORENO & RIVERA, LLP's practice whereby the mail is sealed, given the
9 appropriate postage and placed in a designated mail collection area. Each day's mail is collected
10 and deposited in a U.S. mailbox after the close of each day's business.

11 On the following date, I served the attached:

12 **STIPULATED REQUEST TO CONTINUE TRIAL DATE; DECLARATION OF**
13 **SHANAN L. HEWITT IN SUPPORT THEREOF**

14 X on the parties below in this action via electronic mail.

15 _____ (By Express Mail pursuant to Code of Civil Procedure section 1013.) I deposited each
16 sealed envelope, with the postage prepaid, to be delivered via Federal Express to the
17 party(ies) so designated on the service list.

18 addressed as follows:

19 **Attorneys for Tesoro**
20 Michael S. Chamberlin
21 Fulbright & Jaworski, L.L.P.
22 555 South Flower Street, 41st Floor
23 Los Angeles, CA 90071

24 mchamberlin@fulbright.com

25 I declare under penalty of perjury that the foregoing is true and correct and that this declaration is
26 executed on April 20, 2011 at Sacramento, California.

27 /s/ Shanan L. Hewitt

28 SHANAN L. HEWITT

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GEORGE KIRBYSON

**IN THE UNITED STATES DISTRICT COURT
IN AND FOR THE NORTHERN DISTRICT OF CALIFORNIA**

GEORGE L. KIRBYSON,)
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Plaintiff,)
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vs.)
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TESORO REFINING AND MARKETING)
COMPANY, BRUCE SMITH, DAN)
PORTER, WILLIAM BODNAR, BILL)
REITZEL, DANIEL CARLSON, RICK)
RIOS, TAMMY MEAMBER, DIANE)
DANIELS, LARRY ANGEL, UNITED)
STEELWORKERS INTERNATIONAL)
UNION LOCAL 5, JEFF CLARK, STEVE)
ROJEK, and DOES 1 through 200, inclusive,)
)
)
Defendants.)
_____)

CASE NO. C09-03990 SC
**[PROPOSED] ORDER ON STIPULATED
REQUEST TO CONTINUE TRIAL DATE**

The parties have stipulated to continue the current trial date of August 24, 2011, as set forth in the Court order of April 19, 2011, to December 2011, and that a pretrial conference be set accordingly.

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IT IS HEREBY ORDERED that the trial of this matter is continued to December 5,
2011 at 10:00 a.m./~~p.m.~~ before the Honorable Samuel Conti. The pretrial conference is set for
11/18/11 at 10:00 a.m./~~p.m.~~

Date: 4/21/11



1 **George L. Kirbyson v. Tesoro Refining and Marketing Company, et al.**
2 U.S. District Court, Northern District Sacramento
3 Case Number C 09-03990 SC

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12 **[PROPOSED] ORDER ON STIPULATED REQUEST TO CONTINUE TRIAL**
13 **DATE**

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23 Los Angeles, CA 90071

24 mchamberlin@fulbright.com

25 I declare under penalty of perjury that the foregoing is true and correct and that this declaration
26 is executed on April 20, 2011 at Sacramento, California.

27 /s/ Shanan L. Hewitt

28 SHANAN L. HEWITT