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IN THE UNITED STATES DISTRICT COURT  
 NORTHERN DISTRICT OF CALIFORNIA  
 SAN FRANCISCO DIVISION

KENT WARD,  Plaintiff,  v.  EQUILON ENTERPRISES, LLC, SHELL OIL PRODUCTS COMPANY LLC AND DOES 1 TO 50, inclusive,  Defendants.	) Case No. CV 09-04565 RS ) ) <b>STIPULATION AND <del>PROPOSED</del></b> ) <b>ORDER] TO EXTEND DISCOVERY AND</b> ) <b>MEDIATION DEADLINES AND TO</b> ) <b>RESCHEDULE FURTHER CASE</b> ) <b>MANAGEMENT CONFERENCE</b> ) <b>[Civ. L.R. 6-1(b) 6-2]</b> ) ) <b>Trial Date: None</b>
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Pursuant to Civil Local Rule 6-1(b) and 6-2 of the United States District Court for the Northern District of California, it is hereby stipulated by and between Plaintiff Kent Ward and Defendants Equilon Enterprises, LLC ("Equilon") and Shell Oil Products Company LLC ("Shell"), by and through their respective counsel of record, as follows:

DAVIS WRIGHT TREMAINE LLP

1           1) All discovery deadlines set forth in this Court's April 8, 2010 Case Management  
2 Scheduling Order shall be continued by a period of 90 (ninety) days.

3           2) All expert discovery deadlines set forth in this Court's April 8, 2010 Case Management  
4 Scheduling Order shall be continued by a period of 90 (ninety) days;

5           2) The current mediation deadline shall be extended by 90 days; and

6           3) The January 13, 2011 Further Case Management Conference shall be rescheduled for  
7 April 14, 2011 at 10:00 a.m., or as soon thereafter as counsel may be heard, in the Courtroom of  
8 the Honorable Richard Seeborg, Courtroom 3, 17<sup>th</sup> Floor, United States Courthouse, 450 Golden  
9 Gate Avenue, San Francisco, California. The parties shall file a Joint Case Management  
10 Statement on or before April 7, 2011.

11           The reason for this Stipulation is that the parties encountered difficulty scheduling  
12 depositions, including those of key third party witnesses, and require additional time to locate  
13 certain third party witnesses, and also to schedule and complete all necessary depositions. In  
14 addition, at a deposition conducted on October 6, 2010, a dispute arose between the parties  
15 concerning the application of the attorney-client privilege and attorney work product doctrine to  
16 an investigation that was conducted after the subject incident, and additional time is required to  
17 resolve this dispute by motion practice.

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1 This is the first stipulated time modification in this case. No trial date has been set, so this  
2 extension will not require that a trial date be rescheduled, but it will require that the Further Case  
3 Management Conference currently set for January 13, 2011 be rescheduled.

4 IT IS SO STIPULATED.

5 Date: October 8, 2010

6 DAVIS WRIGHT TREMAINE LLP

7 By: /s/  
8 JOSEPH E. ADDIEGO III

9 Attorneys for Defendants EQUILON ENTERPRISES LLC,  
10 and SHELL OIL PRODUCTS COMPANY LLC

11  
12 IT IS SO STIPULATED

13 Date: October 8, 2010

14 JONES, CLIFFORD, JOHNSON, DEHNER, WONG,  
15 MORRISON, SHEPPARD & BELL, LLP

16 By: /s/  
17 STEGER P. JOHNSON


18 Attorneys for Plaintiff KENT WARD  
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**ORDER**

Pursuant to stipulation, the foregoing is approved and IT IS SO ORDERED.

IT IS FURTHER ORDERED that the January 13, 2011 Further Case Management Conference shall be rescheduled to April 14, 2011. The parties shall file a Joint Case Management Statement on or before April 7, 2011.

DATED: October 8, 2010.

  
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THE HONORABLE RICHARD SEEBORG  
UNITED STATES DISTRICT COURT JUDGE