

E-Filed 1/20/11

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

17 KENT WARD, 18 Plaintiff, 19 v. 20 EQUILON ENTERPRISES, LLC, SHELL OIL PRODUCTS COMPANY LLC AND DOES 1 21 TO 50, inclusive, 22 Defendants.) Case No. CV 09-04565 RS)) STIPULATION AND [PROPOSED) ORDER] FOR SECOND EXTENSION OF) DISCOVERY AND MEDIATION) DEADLINES AND TO RESCHEDULE) FURTHER CASE MANAGEMENT) CONFERENCE) [Civ. L.R. 6-1(b) 6-2]) Trial Date: None
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 24 Pursuant to Civil Local Rule 6-1(b) and 6-2 of the United States District Court for the
 25 Northern District of California, it is hereby stipulated by and between Plaintiff Kent Ward and
 26 Defendants Equilon Enterprises, LLC (“Equilon”) and Shell Oil Products Company LLC
 27 (“Shell”), by and through their respective counsel of record, as follows:
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DAVIS WRIGHT TREMAINE LLP

1 1) All discovery and expert discovery deadlines set forth in this Court's April 8, 2010
2 Case Management Scheduling Order and originally extended for a period of 90 (ninety) days per
3 this Court's October 8, 2010 Stipulation and Order to Extend Discovery and Mediation Deadlines
4 and to Reschedule Further Case Management Conference be extended another approximately 45
5 (forty five) days from the current deadlines stated in the October 8, 2010 Order, as follows:

- 6 a) On or before April 1, 2011, all non-expert discovery shall be completed;
7 b) On or before April 15, 2011, plaintiff shall disclose expert testimony and
8 reports in accordance with Federal Rule of Civil Procedure 26(a)(2);
9 c) On or before April 29, 2011, defendants shall disclose expert testimony and
10 reports in accordance with Federal Rule of Civil Procedure 26(a)(2);
11 d) On or before May 13, 2011, all discovery of expert witnesses pursuant to
12 Federal Rule of Civil Procedure 26(b)(4) shall be completed.

13 2) The current mediation deadline shall be extended by 45 days.

14 3) The April 14, 2011 Further Case Management Conference shall be rescheduled for May
15 26, 2011 at 10:00 a.m., or as soon thereafter as counsel may be heard, in the Courtroom of the
16 Honorable Richard Seeborg, Courtroom 3, 17th Floor, United States Courthouse, 450 Golden Gate
17 Avenue, San Francisco, California. The parties shall file a Joint Case Management Statement on
18 or before May 19, 2011.

19 The reason for this Stipulation is that the parties encountered difficulty scheduling the
20 mediation during the holidays. In addition, at a deposition conducted on October 6, 2010, a
21 dispute arose between the parties concerning the application of the attorney-client privilege and
22 attorney work product doctrine to an investigation that was conducted after the subject incident.
23 This motion was taken off calendar upon the assignment of all discovery proceedings in this case
24 to a Magistrate Judge. The parties learned on January 11, 2011 that Magistrate Judge James
25 Larsen was assigned to handle this motion, and Magistrate Judge Larsen's first availability for
26 hearing in late February or early March, 2011. As such, the parties desire to have that motion
27 decided before completing the remaining depositions.

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ORDER

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

IT IS FURTHER ORDERED that the April 14, 2011 Further Case Management Conference shall be rescheduled to May 26, 2011. The parties shall file a Joint Case Management Statement on or before May 19, 2011.

DATED: January 20, 2011.



THE HONORABLE RICHARD SEEBORG
UNITED STATES DISTRICT COURT JUDGE

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