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

18 KENT WARD,)	Case No. CV 09-04565 RS
)	
19 Plaintiff,)	STIPULATION AND [PROPOSED
)	ORDER] FOR FIFTH EXTENSION OF
20 v.)	DISCOVERY AND MEDIATION
)	DEADLINES AND TO RESCHEDULE
21 EQUILON ENTERPRISES, LLC, SHELL OIL)	FURTHER CASE MANAGEMENT
21 PRODUCTS COMPANY LLC AND DOES 1)	CONFERENCE
22 TO 50, inclusive,)	
)	[Civ. L.R. 6-1(b) 6-2]
22 Defendants.)	
)	Trial Date: None

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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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, and extended another 45 (forty five)
5 days in this Court's January 20, 2011 Stipulation and Order For Second Extension of Discovery
6 and Mediation Deadlines and to Reschedule Further Case Management Conference, and extended
7 again per this Court's March 3, 2011 Stipulation and Order for Third Extension of Discovery and
8 Mediation Deadlines and to Reschedule Further Case Management Conference, shall be extended
9 from the current deadlines stated in the March 3, 2011 Order, as follows:

- 10 a) All non-expert discovery shall be completed on or before October 11, 2011;
- 11 b) Plaintiff shall disclose expert testimony and reports in accordance with
12 Federal Rule of Civil Procedure 26(a)(2) on or before November 10, 2011;
- 13 c) Defendants shall disclose expert testimony and reports in accordance with
14 Federal Rule of Civil Procedure 26(a)(2) on or before December 12, 2011;
- 15 d) All discovery of expert witnesses pursuant to Federal Rule of Civil
16 Procedure 26(b)(4) shall be completed on or before January 20, 2012.

17 2) The October 6, 2011 Further Case Management Conference has been rescheduled by
18 the Court in its Order Overruling Objections to Magistrate Judge's Determination (Docket #59) to
19 January 26, 2012 at 10:00 a.m. in the Courtroom of the Honorable Richard Seeborg, Courtroom 3,
20 17th Floor, United States Courthouse, 450 Golden Gate Avenue, San Francisco, California. The
21 aforesaid Order directs the parties to file a Joint Case Management Statement at least one week
22 prior to the Conference.

23 This Stipulation follows the parties' filing of their Stipulation and [Proposed Order] for
24 Fifth Extension of Discovery and Mediation Deadlines and to Reschedule Further Case
25 Management Conference (Docket #58), which was not ordered by this Court, and this Court's
26 aforesaid Order (Docket #59). The parties are prepared to continue with discovery in this matter
27 now that this Court has ruled on Defendants' Motion for Relief from Non-Dispositive Order of
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1 Magistrate Judge Dated February 24, 2011 (Docket #49), the outcome of which dictates the proper
2 scope of examination of several of the remaining deponents.

3 This is the fifth stipulated time modification in this case, as set forth above. No trial date
4 has been set, so this extension will not require that a trial date be rescheduled. The Further Case
5 Management Conference previously set for October 6, 2011 already has been rescheduled by the
6 Court to January 26, 2011.

7 IT IS SO STIPULATED.

8 Date: July 25, 2011

DAVIS WRIGHT TREMAINE LLP

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10 By: /s/ Joseph E. Addiego III
 JOSEPH E. ADDIEGO III

11 Attorneys for Defendants EQUILON ENTERPRISES LLC,
12 and SHELL OIL PRODUCTS COMPANY LLC

13
14 IT IS SO STIPULATED

15 Date: July 25, 2011

JONES, CLIFFORD, JOHNSON, DEHNER, WONG,
16 MORRISON, SHEPPARD & BELL, LLP

17 By: /s/ Steven J. Bell
 Steven J. Bell

18 Attorneys for Plaintiff KENT WARD
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ORDER

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

DATED: July 29, 2011.



THE HONORABLE RICHARD SEEBORG
UNITED STATES DISTRICT COURT JUDGE

DAVIS WRIGHT TREMAINE LLP