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12 Attorneys for Plaintiff  
 TRANSBAY AUTO SERVICE, INC.

14 UNITED STATES DISTRICT COURT  
 15 NORTHERN DISTRICT OF CALIFORNIA

17 TRANSBAY AUTO SERVICE, INC., a )  
 18 California corporation, )

19 Plaintiff, )

20 vs. )

21 CHEVRON CORPORATION, a Delaware )  
 corporation, CHEVRON U.S.A. INC., a )  
 22 Delaware corporation, and DOES 1 through )  
 10, Inclusive, )

23 Defendants. )  
 24 \_\_\_\_\_ )

**Case No. CV 09-4932 SI**

**STIPULATION, DECLARATION OF**  
**ROBERT C. PHELPS, AND**  
**~~PROPOSED~~ ORDER REGARDING**  
**CASE MANAGEMENT CONFERENCE**  
**DATE**

Trial Date: June 20, 2011  
 Time: 9:00 a.m.  
 Courtroom: 10, 19th Floor  
 Judge: Hon. Susan Illston

25 This matter is currently set for a Case Management Conference on August 5, 2011, at  
 26 3:00 p.m.. By this Stipulation and Proposed Order, and for the reasons set forth in the  
 27 Declaration of Robert C. Phelps, submitted herewith, defendant CHEVRON U.S.A. INC.  
 28

1 ("Chevron") requests that the Case Management Conference be continued (or advanced) to a new  
2 date convenient to the Court. Counsel for plaintiff does not object to this request. The parties  
3 have inquired of the Court's staff and have been advised that the Court would be able to hear this  
4 matter on September 2, 2011, at 3:00 p.m. That date and time is acceptable to both parties,  
5 provided telephonic appearances will be accepted.

6 Dated: July 21, 2011

7 GLYNN & FINLEY, LLP  
8 ROBERT C. PHELPS

9 By /s/ Robert C. Phelps  
10 Robert C. Phelps

11 Attorneys for Defendant  
12 Chevron U.S.A. Inc.

13 Dated: July \_\_, 2011

14 BLEAU/FOX A P.L.C.  
15 THOMAS P. BLEAU

16 By \_\_\_\_\_

17 Attorneys for Plaintiff  
18 Transbay Auto Service, Inc.

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6 Dated: July \_\_, 2011

7 GLYNN & FINLEY, LLP  
8 ROBERT C. PHELPS

9 By \_\_\_\_\_  
10 Robert C. Phelps

11 Attorneys for Defendant  
12 Chevron U.S.A. Inc.

13 Dated: July 21, 2011

14 BLEAU/FOX A P.L.C.  
15 THOMAS P. BLEAU  
16 SAMUEL T. REES

17 By  \_\_\_\_\_  
18 Samuel T. Rees

19 Attorneys for Plaintiff  
20 Transbay Auto Service, Inc.

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1 of getting to Annandale-On-Hudson, NY, in time for my daughter's dorm check-in deadline, it is  
2 impractical for us to leave for New York later than the morning of August 5, 2011.

3 7. On July 18, 2011, I met with Dr. Matthew Dixon, M.D., the surgeon at Kaiser  
4 Permanente in Oakland, CA, who did my surgery on June 21, 2011. At that meeting, Dr. Dixon  
5 cleared me to travel with my daughter to New York City.

6 8. When I realized that the Case Management Conference conflicted with my  
7 daughter's college start date, I advised Transbay's counsel, Mr. Rees, of the conflict. Mr. Rees  
8 indicated that he did not object to changing the date of the Case Management Conference.

9 I declare under penalty of perjury under the laws of the State of California that the  
10 foregoing is true and correct. Executed this 21st day of July, 2011, in Walnut Creek, California.

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/s/ Robert C. Phelps  
Robert C. Phelps

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[PROPOSED] ORDER

Based upon the parties' stipulation and for the reasons set forth in the Declaration of Robert C. Phelps, the Case Management Conference in this matter, currently set for August 5, 2011, is hereby rescheduled to 9/2, 2011, at 3 p.m.

IT IS SO ORDERED.

Dated: July 21, 2011.



Hon. Susan Illston  
U.S. District Judge