

1 LAWYERS FOR CLEAN WATER
 2 DANIEL COOPER (Bar No. 153576)
 3 CAROLINE KOCH (Bar No. 266068)
 1004-a O'Reilly Avenue
 3 San Francisco, CA 94129
 Telephone: (415) 440-6520
 4 Facsimile: (415) 440-4155
 Daniel@lawyersforcleanwater.com

5
 6 Attorneys for Plaintiff
 SAN FRANCISCO BAYKEEPER

7
 8 DOWNEY BRAND LLP
 9 MELISSA A. THORME (Bar No. 151278)
 OLIVIA M. WRIGHT (Bar No. 240200)
 621 Capitol Mall, 18th Floor
 10 Sacramento, CA 95814-4731
 Telephone: (916) 444-1000
 11 Facsimile: (916) 444-2100
 12 mthorme@downeybrand.com

13 Attorneys for Defendant
 14 WEST BAY SANITARY DISTRICT

15 *Additional Counsel of Record listed below.*

16 UNITED STATES DISTRICT COURT
 17 NORTHERN DISTRICT OF CALIFORNIA

19 SAN FRANCISCO BAYKEEPER, a
 20 California non-profit corporation,

21 Plaintiff,

22 v.

23 WEST BAY SANITARY DISTRICT, a
 24 California independent municipal
 corporation,

25 Defendant.

Case No. C-09-05676 EMC (LB)

**STIPULATION RE: PROPOSED
 SETTLEMENT CONFERENCE DATE;
 [Proposed] ORDER**

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ATCHISON, BARISONE, CONDOTTI &
KOVACEVICH
ANTHONY P. CONDOTTI (Bar No. 149886)
333 Church Street
Santa Cruz, CA 95060
Telephone: (831) 423-8383
Facsimile: (831) 423-9401
TCondotti@abc-law.com

Attorneys for Defendant
WEST BAY SANITARY DISTRICT

ENVIRONMENTAL ADVOCATES
CHRISTOPHER SPROUL (Bar No. 126398)
5135 Anza Street
San Francisco, CA 94121
Telephone: (415) 533-3376
Facsimile: (415) 358-5695
csproul@enviroadvocates.com

Attorneys for Plaintiff
SAN FRANCISCO BAYKEEPER

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STIPULATION

WHEREAS, the parties consented to proceed before a magistrate judge on 23 February 2010, (Docket Nos. 7 and 9) and the Court ordered the parties to conduct their settlement conference before a magistrate judge, (Docket No. 179);

WHEREAS, Magistrate Beeler set the settlement conference for 27 January 2012 at 9:30 a.m. (Docket No. 180);

WHEREAS, Plaintiff San Francisco Baykeeper (“Baykeeper”) has a scheduling conflict due to a mediation date in the Central District on 27 January 2012;

WHEREAS, the THIRD AMENDED CASE MANAGEMENT AND PRETRIAL ORDER FOR COURT TRIAL, (Docket No. 159) sets the due date for parties’ motions in limine for 27 January 2012, and the parties seek to avoid where possible litigation costs that may be rendered unnecessary by the settlement conference;

WHEREAS, the Court has indicated that it is available for the settlement conference on 10 January 2012, and the parties are also available on that date;

THEREFORE, San Francisco Baykeeper and West Bay Sanitary District hereby stipulate to and request the Court permit the settlement conference to be held on 10 January 2012 at 1:30 p.m. A proposed order has been provided by the parties.

IT IS SO STIPULATED.

Respectfully submitted,

LAWYERS FOR CLEAN WATER, INC.

Dated: December 23, 2011

By: /s/Daniel Cooper
Daniel Cooper, Attorney for Plaintiff
SAN FRANCISCO BAYKEEPER

Dated: December 23, 2011

By: /s/Melissa Thorme
Melissa Thorme, Attorney for Defendant
WEST BAY SANITARY DISTRICT

1 **~~PROPOSED~~ ORDER**

2 TO ALL PARTIES AND COUNSEL OF RECORD:

3 The above captioned matter was referred to United States Magistrate Judge Laurel Beeler
4 for settlement purposes.

5 **A. Time and Location of Settlement Conference**

6 Parties are hereby notified that a settlement conference is scheduled for **January 10,**
7 **2012, at 9:30 p.m.,** 3rd Floor, Federal Building, 1301 Clay Street, Oakland, CA 94612. Further
8 details about the location are contained in the last section of the NOTICE AND ORDER
9 REGARDING SETTLEMENT CONFERENCE, dated 21 December 2011 (Docket No. 180).
10 The parties shall notify the Court's chambers immediately at (510) 637-3324 if the case settles
11 before the settlement conference.

12 **B. Participants**

13 Lead trial counsel for each party shall attend the settlement conference with the parties
14 and person(s) having full authority to negotiate and settle the case as set forth in the previous
15 order (Dkt. 180).

16 **C. Settlement Conference Statement**

17 **Parties will lodge (not e-file or file) two copies of the required settlement conference**
18 **statements on ~~January 4, 2012~~ January 3, 2012 at NOON** as set forth in the NOTICE AND ORDER REGARDING
19 SETTLEMENT CONFERENCE, dated 21 December 2011 (Docket No. 180). The statements
20 will be submitted to chambers via the court's proposed order box, lbpo@cand.uscourts.gov. on
21 January 3, 2012 at Noon.

22 **IT IS SO ORDERED**

23 DATED: December 27 , 2011



24 LAUREL BEELER
25 United States Magistrate Judge