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10 Attorneys for Defendant, THE SHERWIN-WILLIAMS COMPANY

11 UNITED STATES DISTRICT COURT
 12 NORTHERN DISTRICT OF CALIFORNIA – OAKLAND DIVISION

11 CITY OF EMERYVILLE, 12 Plaintiff, 13 14 v. 15 THE SHERWIN WILLIAMS COMPANY, 16 DOES 1-50, 17 Defendants.) CASE NO. 3:09-CV-05680-JCS) E-FILING) STIPULATION TO CONTINUE) CASE MANAGEMENT CONFERENCE) AND (PROPOSED) ORDER.)) Date: March 12, 2010) Time: 1:30 p.m.) Place: Courtroom A - 15 th Floor) Judge: Honorable Joseph C. Spero
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18 TO THE COURT, PARTIES, AND THEIR ATTORNEY(S) OF RECORD HEREIN:

19 IT IS HEREBY STIPULATED by and between Defendant THE SHERWIN-WILLIAMS
 20 COMPANY and Plaintiff CITY OF EMERYVILLE (collectively referred to herein as "the
 21 Parties"), by and through their respective counsel of record, that the Case Management Conference
 22 set for March 12, 2010 at 1:30 p.m. be continued for 90 days.

23 The Parties have engaged in meaningful discussions about a potential resolution of this
 24 matter, and request the continuance in order to schedule a meeting between representatives of each
 25 party to negotiate a potential resolution.

26 The Parties also request that all related dates, be continued as well in relation to the new
 27 Case Management Conference hearing date.

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 4821-4197-0437.1

**LEWIS
 BRISBOIS
 BISGAARD
 & SMITH LLP**
 ATTORNEYS AT LAW

STIPULATION TO CONTINUE CMC HEARING

1 IT IS SO STIPULATED.

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DATED: February 8, 2010

OFFICE OF THE CITY ATTORNEY, CITY OF EMERYVILLE

By Michael Guina
Michael G. Biddle
Micheal C. Guina
Attorneys for Plaintiff, City of Emeryville

DATED: February 8, 2010

LEWIS BRISBOIS BISGAARD & SMITH LLP

By Shahram Nassi
Ralph A. Zappala
Shahram Nassi
Attorneys for Defendant, The Sherwin-Williams Co.

IT IS SO ORDERED.

PURSUANT TO STIPULATION OF THE PARTIES, the Case Management Conference is Courtroom A, 15th Floor.
continued to June 4, 2010 at 1:30 a.m./p.m, in Department.

DATED: Feb. 9, 2010

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