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7 Attorneys for the Federal Defendant

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 9 UNITED STATES DISTRICT COURT
 10 NORTHERN DISTRICT OF CALIFORNIA
 11 SAN FRANCISCO DIVISION

12 ABF FREIGHT SYSTEMS, INC.,)
 13 Plaintiff,)
 14 v.)
 15 UNITED STATES OF AMERICA, WEST)
 16 BAY BUILDERS,)
 17 Defendants.)

No. C-10-5188 SI

**STIPULATION AND [~~PROPOSED~~] ORDER
 TO CONTINUE INITIAL CASE
 MANAGEMENT CONFERENCE**

18 Defendant UNITED STATES OF AMERICA ("Federal Defendant"), Defendant WEST BAY
 19 BUILDERS, INC. ("WEST BAY") and Plaintiff ABF FREIGHT SYSTEMS, INC. ("ABF") by and
 20 through their respective counsel of record, do hereby stipulate as follows:

- 21 1. On February 23, 2011, the Court set the Initial Case Management Conference ("ICMC") in
 22 this matter for March 25, 2011 at 2:30pm in Courtroom #10, 19th Floor, 450 Golden Gate Ave., San
 23 Francisco, CA 94102.
 24 2. Counsel for the Federal Defendant has a previously scheduled Case Management Conference
 25 set for March 25, 2011 at 1:30pm in the matter of *Korjavin v. U.S. Department of Education*, Case
 26 No. A.P. # 10-3036 DM, at the U.S. Bankruptcy Court, 235 Pine St. 22nd Fl., San Francisco, CA
 27 94104.
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STIPULATION AND [PROPOSED] ORDER
 TO CONTINUE INITIAL CMC
 C 10-5188 SI

1 3. Since the matters are located in different courthouses, Counsel for the Federal Defendant is
2 concerned that he will not be able to make a timely appearance at the ICMC in this matter. The
3 parties therefore request that the Court continue the ICMC in this matter to April 1, 2011 at 2:30
4 pm, or as soon thereafter as possible, and set the Joint Case Management Conference Statement to
5 be filed one week prior to the ICMC.

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7 DATED: March 8, 2011

MELINDA L. HAAG
United States Attorney

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11 DATED: March 8, 2011

/s/
JUAN D. WALKER
Special Assistant United States Attorney
Attorneys for Federal Defendant

LEWIS BRISBOIS BISGAARD & SMITH LLP

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16 DATED: March 9, 2011

/s/
MICHAEL S. ROMEO
Attorneys for Defendant WEST BAY

LAW OFFICE OF CLARK W. PATTEN

17
18 /s/
CLARK W. PATTEN
Attorneys for Plaintiff ABF

19
20
21 **[PROPOSED] ORDER**

22 Pursuant to stipulation, IT IS SO ORDERED.

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24 Dated: 3/10/11



SUSAN ILLSTON
United States District Judge