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15 Attorneys for Plaintiff  
16 MITSUI O.S.K. LINES, LTD.

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18 IN THE UNITED STATES DISTRICT COURT  
19 NORTHERN DISTRICT OF CALIFORNIA  
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21 MITSUI O.S.K. LINES, LTD.

22 Plaintiff,

23 vs.

24 COHESION FREIGHT (HK) LIMITED and  
25 DOES 1 through 20,

26 Defendants.

27 Case No.: CV 10 5585 MEJ

28 **CASE MANAGEMENT CONFERENCE  
STATEMENT OF PLAINTIFF MITSUI  
O.S.K. LINES, LTD.**

Date: March 17, 2011  
Time: 10:00 a.m.

29 Plaintiff MITSUI O.S.K. LINES, LTD. (“MOL”) respectfully submits the following:

30 Service in this case was made on Defendant Cohesion Freight (HK) Limited

31 (“Cohesion”) on or about December 28, 2010. Thereafter, Cohesion began contacting this firm  
32 directly. We responded by suggesting that Cohesion immediately retain legal counsel who could  
33 advise and represent their interests in this matter. Finally, on March 4, 2011, just before MOL  
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was prepared to file a request for default, we were contacted by Kerri D'Ambrosio of the law firm Chalos & Co, P.C., who advised that her firm had been retained to represent Cohesion. She requested an additional 30 days to obtain local counsel, to submit a *pro hac vice* application, and to respond to the complaint. We advised that we were not opposed to such an extension, provided the Court was amenable, but that under the Court's Local Rules, Court approval was necessary and therefore the parties would need to provide a stipulation and proposed order to that effect. Ms. D'Ambrosio agreed to prepare such a stipulation.

Yesterday, when we had not received a proposed stipulation, we followed up with Ms. D'Ambrosio and learned that she had suffered a death in the family that had taken her out of the office, and that her senior partner, Mr. Chalos, was also out of the office on his honeymoon. Given these circumstances, in lieu of a stipulation, we agreed to submit a case management conference statement advising this court of the situation, and that we were amenable to granting Cohesion a 30 day extension to respond to the Complaint, from March 4, 2011 to April 3, 2011. We further request that all other court deadlines (e.g. the "meet and confer" deadline, initial disclosures, ADR stipulation, filing an initial joint CMC statement and the CMC itself) be continued approximately 45 days.

Ms. D'Ambrosio has confirmed that Cohesion will not be objecting to service. While Cohesion was dilatory in appointing counsel, now that they have done so, it appears that judicial economy will be served by granting the above further extensions in order to allow Cohesion to appear and address the merits of this action.

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DATED: March 10, 2011

FLYNN, DELICH & WISE LLP

By: 

Erich P. Wise  
Conte C. Cicala  
Attorneys for Plaintiff  
MITSUI O.S.K. LINES, LTD.

The CMC is continued to May 19, 2011 at 10:00 a.m. All deadlines are adjusted accordingly.

Dated: March 11, 2011

