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

IN THE UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

MITSUI O.S.K. LINES, LTD.
Plaintiff,
vs.
U.S. PACIFIC TRANSPORT, INC., and DOES
1 through 20,
Defendants.

) Case No.: CV 10 5590 MEJ
)
) **JOINT CMC STATEMENT AND**
) **STIPULATION/REQUEST FOR**
) **CONTINUANCE OF CMC AND OTHER**
) **LITIGATION DEADLINES**
)
) Date: June 2, 2011
) Time: 8:30 a.m.
)

Plaintiff MITSUI O.S.K. LINES, LTD. (“MOL”) and Defendant U.S. PACIFIC
TRANSPORT, INC. (“USPTI”) have previously requested, and this court granted, a continuance
of litigation-related deadlines so that they may engage in settlement discussions regarding this
case. As a consequence of those discussions, the parties are very close to reaching a settlement

1 that will result in a dismissal of this action in its entirety, and therefore respectfully request a
2 further 45-60 day continuance of the CMC and all other pending deadlines.

3 Such postponement is in the interest of the parties and judicial economy since such
4 discussions could lead to resolution of the matter and/or refinement of issues. Accordingly, they
5 respectfully request that this Court grant an extension of USPTI to and including June 30, 2011
6 to respond to the Amended Complaint hereunder, and to continue all other hearings and
7 deadlines in this case approximately sixty days from their current dates.
8

9 DATED: May 26, 2011

FLYNN, DELICH & WISE LLP

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12 By: _____/s/_____
13 Erich P. Wise
14 Conte C. Cicala
15 Attorneys for Plaintiff
16 MITSUI O.S.K. LINES, LTD.

17 DATED: May 26, 2011

RODRIGUEZ, O'DONNELL, GONZALEZ
& WILLIAMS, P.C.

18
19
20 By: _____/s/_____
21 Carlos Rodriguez
22 Henry Gonzalez
23 Attorneys for Defendant
24 U.S. PACIFIC TRANSPORT, INC.

25 ~~PROPOSED~~ ORDER

26 Pursuant to stipulation, and good cause having been shown, the Court orders as follows:

- 27 1) USPTI shall have to and including June 30, 2011 to respond to the complaint;
28

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1 2) The last day to meet and confer re: initial disclosures, etc., and to file an ADR
2 certification and stipulation for ADR or request for ADR phone conference, is continued to: July
3 _____, 2011.

4 3) The last day to file a rule 26 report, complete initial disclosures and file a case
5 management conference is continued to July 21, 2011.

6 4) The initial case management conference is continued to July 28, 2011 at 10:00
7 a.m., in Courtroom B, 15th Floor, San Francisco. All dates are adjusted accordingly.
8

9 IT IS SO ORDERED.

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11 Dated: May 26, 2011
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15 _____
16 UNITED STATES MAGISTRATE JUDGE
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