

1 JOHN D. GIFFIN, CASB No. 89608
 john.giffin@kyl.com
 2 JULIETTE B. MCCULLOUGH, CASB No. 278929
 john.cox@kyl.com
 3 KEESAL, YOUNG & LOGAN
 A Professional Corporation
 4 450 Pacific Avenue
 San Francisco, California 94133
 5 Telephone: (415) 398-6000
 Facsimile: (415) 981-0136

6 Attorneys for Defendant
 7 KRISTEN MARINE S.A.

8 **UNITED STATES DISTRICT COURT**
 9 **NORTHERN DISTRICT OF CALIFORNIA**

10
 11 BRADFORD ISLAND RECLAMATION) Case No: C10 05980 EMC
 12 DISTRICT NO. 2059, by its trustees,)
)
 13 Plaintiff,) **JOINT CASE MANAGEMENT**
) **REPORT AND REQUEST TO**
 14 vs.) **CONTINUE CASE MANAGEMENT**
) **CONFERENCE**
 15 M/V/ PEARL BRIDGE (ex TASMAN)
 RESOLUTION), IMO NO 871918, *in rem*,)
 16 KRISTEN MARINE S.A., *in personam*,) ORDER RESETTING CMC AND EXTENDING
) DEADLINES
 17)
 Defendants.)

18
 19 On February 8, 2012, the parties participated in a lengthy settlement
 20 conference before Magistrate Judge Spero. Representatives of both parties, with
 21 settlement authority, attended the settlement conference in person. While a settlement
 22 was not concluded, Plaintiff is currently reviewing Defendant's last offer, which will
 23 remain open until February 22, 2012. The purpose of the two week review period is to
 24 allow the Plaintiff to discuss the settlement proposal with the California Department of
 25 Water Resources, from which Plaintiff has obtained funding to accomplish repairs to its
 26 levee. Plaintiff seeks damages from Defendant for damage Plaintiff claims Defendant
 27 caused to its levee.

28 Because a settlement may be concluded during the two week review period,

1 the parties, through their counsel of record, ask the court to continue the Case
2 Management Conference currently set for February 17, 2012 to March 2, 2012 or to
3 another date after February 22d which may be convenient to the court.

4 The parties have agreed to the following pre-trial schedule:

- 5 i Non-expert Discovery Close - 3/19/2012 (presently scheduled for
6 2/20/12)
- 7 i Expert Exchange and Reports - 3/19/2012 (presently scheduled for
8 3/1/12, per parties agreement)
- 9 i Rebuttal Experts Disclosure - 4/2/2012 (presently scheduled for
10 3/5/12)
- 11 i Expert Discovery Close - 4/16/2012 (presently scheduled for
12 3/19/2012)
- 13 i Last day to Hear Motion for Summary Judgment - 5/16/2012
14 (presently scheduled for 4/18/2012) 5/18/12 at 1:30 p.m.

15
16
17 DATED: February 10, 2012

DATED: February 10, 2012

18
19 By: s/ John Giffin
20 JOHN GIFFIN
21 JULIETTE MCCULLOUGH
22 KEESAL, YOUNG & LOGAN
23 ATTORNEYS FOR DEFENDANT
24 KRISTEN MARINE S.A.

By: s/ Brian Blackman
CHARLES DONOVAN
BRIAN BLACKMAN
SHEPPARD MULLIN RICHTER &
HAMPTON LLP
ATTORNEYS FOR PLAINTIFF
BRADFORD ISLAND RECLAMATION
DISTRICT NO. 2059, BY ITS
TRUSTEES

25 IT IS SO ORDERED AS REVISED.

26
27 Edward M. Chen
28 U.S. District Judge

