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11 Attorneys for Plaintiff

12 UNITED STATES DISTRICT COURT  
 13 NORTHERN DISTRICT OF CALIFORNIA

15 BRADFORD ISLAND RECLAMATION  
 DISTRICT NO. 2059, by its trustees,  
 16  
 Plaintiff,  
 17  
 v.  
 18 M/V PEARL BRIDGE (ex TASMAN  
 19 RESOLUTION). IMO No. 871918, *in rem*,  
 KRISTEN MARINE S.A., *in personam*,  
 20  
 Defendants.  
 21

Case No. C 10-05980 EMC

**STIPULATION AND [Proposed]  
 ORDER EXTENDING  
 CERTIFICATION DEADLINE IN  
 CONDITIONAL DISMISSAL ORDER**

The Hon. Edward M. Chen

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1 Plaintiff Bradford Island Reclamation District No. 2059 (the "District") and  
2 defendants Kristen Marine, S.A. and M/V PEARL BRIDGE (ex TASMAN  
3 RESOLUTION). IMO No. 871918, (collectively "Defendants"), by and through their  
4 counsel, stipulate:

5 1. The District filed its Verified Complaint In Admiralty on December 30,  
6 2010, alleging defendant vessel struck and damaged the Bradford Island levee.  
7 (Dkt. No. 1.)

8 2. Defendants answered the Complaint on March 15, 2011 and March 22, 2011,  
9 alleging various defenses. (Dkt. Nos. 6 and 8.)

10 3. Following a Settlement Conference before Magistrate Judge Joseph C.  
11 Spero, the parties agree to settle the action and filed a notice of settlement with the Court  
12 on April 3, 2012. (Dkt. No. 37.)

13 4. On April 6, 2012, the Court entered an order conditionally dismissing the  
14 action, unless a party certified to the Court, with a proof of service of a copy on opposing  
15 counsel, within 90-days, that the agreed consideration for the settlement had not been  
16 delivered. (Dkt. No. 39.) The ninety-day deadline expires on July 5, 2012.

17 5. The parties are still in the process of concluding their settlement. The  
18 process has taken longer than expected due to the cancellation of the District's June 2012  
19 Board of Directors meeting where the Settlement Agreement was to be presented for  
20 approval and execution. The Board meeting has been rescheduled for July 3, 2012, which  
21 will not leave sufficient time to circulate a fully executed agreement and transfer the  
22 settlement consideration prior to the certification deadline set forth in the Court conditional  
23 dismissal order.

24 6. The parties respectfully request the Court extend the certification deadline  
25 set forth in its conditional dismissal order (Dkt. No. 39) by two weeks to July 19, 2012 to  
26 give the parties time to complete their settlement.

27 **IT IS SO STIPULATED.**

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**CERTIFICATION**

I, Brian Blackman, am the ECF User whose identification and password are being used to file this Stipulation and [Proposed] Order Extending Certification Deadline In Conditional Dismissal Order. In compliance with General Order 45.X.B., I hereby attest that John D. Giffin concurs in this filing.

Dated: June 27, 2012 SHEPPARD MULLIN RICHTER & HAMPTON LLP

By /s/ Brian R. Blackman  
BRIAN R. BLACKMAN  
Attorney for Plaintiff