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Attorneys for Sonoma Tires, Inc. and  
 John G. Rhie, IV

UNITED STATES DISTRICT COURT  
 NORTHERN DISTRICT OF CALIFORNIA  
 SAN FRANCISCO DIVISION

SONOMA TIRES, INC., a California  
 Corporation,

Plaintiff,

v.

BIG O TIRES, LLC, a Colorado Limited  
 Liability Company,

Defendant.

BIG O TIRES, LLC, a Nevada Limited Liability  
 Company,

Counter-claimant,

v.

SONOMA TIRES, INC, a California  
 Corporation, and JOHN G. RHIEL, IV, an  
 individual,

Counter-defendants.

Case No. C 11-0818 RS

**NOTICE OF BANKRUPTCY FILING  
 OF COUNTER-DEFENDANT JOHN G.  
 RHIEL, IV AND STIPULATION  
 REGARDING LITIGATION  
 DEADLINES AND ~~PROPOSED~~  
 ORDER**

**[L.R. 7-12]**

1 Big O Tires, LLC ("Big O"), on the one hand, and Sonoma Tires, Inc. ("Sonoma"), on  
2 the other hand, by and through their respective undersigned counsel, hereby stipulate and jointly  
3 request that the Court issue an Order as follows:

4 WHEREAS, on December 31, 2013, counter-defendant John G. Rhie, IV ("Rhie") filed  
5 a voluntary Chapter 7 bankruptcy petition in the U.S. Bankruptcy Court for the Northern District  
6 of California, Case No. 13-46855.

7 WHEREAS, Rhie's Chapter 7 Schedules are not due to be filed in the Bankruptcy Court  
8 until January 27, 2014 and the meeting of creditors is not until January 31, 2014.

9 WHEREAS, the current expert discovery cut-off is January 31, 2014 (meaning Big O  
10 would otherwise have to depose Sonoma's expert by January 31, 2014) and pretrial motion  
11 hearing cut-off is March 13, 2014 (meaning the deadline to file a pretrial motion is February 6,  
12 2014).

13 WHEREAS, Big O and Sonoma met and conferred and jointly desire to continue the  
14 current litigation deadlines that will otherwise occur prior to the February 13, 2014 Case  
15 Management Conference to allow them time to further confer on the impact of Rhie's  
16 bankruptcy filing on this action without incurring potentially unnecessary costs and expenses.

17 **IT IS THEREFORE STIPULATED AND JOINTLY REQUESTED** that:

- 18 1. The Court order that all currently pending deadlines that will otherwise arise  
19 before the February 13, 2014 Case Management Conference be continued  
20 pending further discussion regarding case scheduling at the upcoming Case  
21 Management Conference, should such a conference be necessary.

22 **IT IS SO STIPULATED.**

23  
24 Dated: January 28, 2014

SEYFARTH SHAW LLP

25 By /s/ Joseph J. Orzano  
26 Joseph J. Orzano  
27 Attorneys for Big O Tires, LLC  
28

1 Dated: January 28, 2014

LAGARIAS & BOULTER, LLP

3 By /s/ Peter C. Lagarias  
4 Peter C. Lagarias  
5 Attorneys for Sonoma Tires, Inc. and  
6 John G. Rhiel, IV

7 ~~[PROPOSED]~~ ORDER

8 PURSUANT TO STIPULATION, IT IS SO ORDERED,

- 9 1. All currently pending deadlines that will otherwise arise before the February 13,  
10 2014 Case Management Conference are hereby continued pending further  
11 discussion regarding case scheduling at the upcoming Case Management  
12 Conference, as necessary.
- 13 2. The parties need not file a Joint Case Management Conference Statement before  
14 the upcoming Case Management Conference, should such a Case Management  
15 Conference be necessary.
- 16 3. The parties may, however, file independent Case Management Statements in  
17 advance of the Case Management Conference setting forth their position on the  
18 impact of John Rhiel's bankruptcy filing on this action.

19 Dated: 1/29/14

20   
21 The Honorable Richard Seeborg

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23 16777266v.1