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13 Attorneys for Defendant and Cross-Claimant
 HORNBILL FOODS CORP

14 UNITED STATES DISTRICT COURT

15 NORTHERN DISTRICT OF CALIFORNIA - SAN FRANCISCO DIVISION

16 SIME DARBY JOMALINA SDN BHD, a
 Malaysian corporate entity,

17 Plaintiff,

18 v.

19 HORNBILL FOODS CORP., a California
 Corporation,

20 Defendant.

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 23 HORNBILL FOODS CORP., a California
 Corporation,

24 Cross-Claimant,

25 v.

26 WESTERN PACIFIC OIL, LLC, a California
 Limited Liability Corporation

27 Cross-Defendant.
 28

Case No. CV-13-01837 SI

**STIPULATION REGARDING
 CONTINUING FURTHER CASE
 MANAGEMENT CONFERENCE AND
 PROPOSED ORDER**

Present Date of CMC:
 October 11, 2013

Requested Date of Further CMC:
 November 15, 2013

Time: 2:30 p.m.
 Courtroom: 10, 19th Floor
 Before: The Hon. Susan Illston

Date Complaint Filed: April 22, 2013

1 In accordance with Local Rules 6-2 and 7-12, and pursuant to the Court's Civil Pretrial
2 Minutes of August 30, 201, Sime Darby Jomalina SDN BHD ("Sime Darby" or "Plaintiff"), and
3 Defendant and Cross-Claimant Hornbill Foods Corp. ("Hornbill" or "Defendant") (collectively, "the
4 Parties") have conferred and submit this Stipulation Continuing the Further Joint Case Management
5 Statement and Proposed Order.

6 WHEREAS, on June 17, 2013, Defendant Hornbill filed a Cross-Claim for Indemnity,
7 Contribution and Declaratory Relief against Cross-Defendant Western Pacific Oil, LLC ("Western
8 Pacific" or "Cross-Defendant");

9 WHEREAS, counsel for Cross-Defendant has waived service of the Cross-Claim;

10 WHEREAS, Cross-Defendant's responsive pleading to the Cross-Claim is due on or before
11 October 28, 2013;

12 WHEREAS, the Further Case Management Conference in this matter is currently set for
13 October 11, 2013;

14 WHEREAS, the current date for Cross-Defendant to file a responsive pleading is October 28,
15 2013, which falls after the Further Case Management Conference hearing date of October 11, 2013;

16 WHEREAS, in view of the fact that the case will not be at issue until after Cross-Defendant
17 files its responsive pleading on October 28, 2013, the Parties have stipulated and agreed that Further
18 Case Management Conference of October 11, 2013 should be continued to November 15, 2013;

19 WHEREAS, this is the first Stipulation between the Parties for the continuance of the date of
20 the Further Case Management Conference, presently set for October 11, 2013.

21 **THEREFORE, IT IS HEREBY STIPULATED AND AGREED between the Parties as**
22 **follows:**

23 The Further Case Management Conference, presently set for October 11, 2013, will be
24 continued to **November 15, 2013, at 2:30 p.m.**

25 The Parties shall file an updated Joint Case Management Conference Statement on
26 **November 8, 2013.**

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IT IS SO STIPULATED.

Dated: October 4, 2013

BAKER & MCKENZIE LLP
Bruce H. Jackson
Christina M. Wong

By: /s/ Christina M. Wong
Christina M. Wong
Attorneys for Plaintiff
SIME DARBY JOMALINA SDN BHD

Dated: October 4, 2013

GOINS & ASSOCIATES
Vernon C. Goins II
Veronica H. Garcia

By: /s/ Veronica H. Garcia
Veronica H. Garcia
Attorneys for Defendant and Cross-
Claimant
HORNBILL FOODS CORP.

ATTESTATION

I, Christina M. Wong, attest that I am one of the attorneys for Plaintiff SIME DARBY JOMALINA SDN BHD. As the ECF user and filer of this document, I attest that concurrence in the filing of this document has been obtained from its signatories.

Dated: October 4, 2013

/s/ Christina M. Wong
Christina M. Wong

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1 **SIME DARBY JOMALINA SDN BHD v. HORNBILL FOODS CORP.**
2 **And related Cross-Claim:**
3 **Case No. CV-13-01837 SI**

4 **ORDER**

5 PURSUANT TO STIPULATION, the following is ORDERED:

6 The Further Case Management Conference, presently set for October 11, 2013, shall be
7 continued to ²²November ~~15~~, 2013, at 2:30 p.m.

8 The Parties shall file an updated Joint Case Management Conference Statement on
9 ¹⁵November ~~15~~, 2013.

10 PURSUANT TO STIPULATION, IT IS SO ORDERED.

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12
13 Dated: 10/7/13



14 _____
15 The Honorable Susan Illston
16 United States District Judge

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6 Attorneys for Plaintiff
SIME DARBY JOMALINA SDN BHD
7

8 UNITED STATES DISTRICT COURT
9 NORTHERN DISTRICT OF CALIFORNIA
10 SAN FRANCISCO DIVISION
11

12 SIME DARBY JOMALINA SDN BHD, a
13 Malaysian corporate entity,

14 Plaintiff,

15 v.

16 HORNBILL FOODS CORP., a California
17 Corporation,

18 Defendant.

19 _____
20 HORNBILL FOODS CORP., a California
21 Corporation,

22 Cross-Claimant,

23 v.

24 WESTERN PACIFIC OIL, LLC, a California
25 Limited Liability Corporation

26 Cross-Defendant.
27
28

Case No. CV-13-01837 SI

CERTIFICATE OF SERVICE

Courtroom: 10, 19th Floor
Before: The Hon. Susan Illston

Date Complaint Filed: April 22, 2013

1 **CERTIFICATE OF SERVICE**

2 I, Nada K. Hitti, declare: I am employed in the City and County of San Francisco,
3 California. I am over the age of 18 years and not a party to the within action. My business address
4 is Two Embarcadero Center, Suite 1100, San Francisco, CA 94111. On **October 4, 2013**, I served
5 the attached

6 **STIPULATION REGARDING CONTINUING FURTHER CASE MANAGEMENT
7 CONFERENCE AND PROPOSED ORDER**

8 on counsel for the parties in this action as ECF filers via the Court's ECF filing system, as follows:

9 **Vernon C. Goins II, Esq.**
10 **Veronica H. Garcia, Esq.**
11 **GOINS & ASSOCIATES**
12 **1330 Broadway, Suite 930**
13 **Oakland, CA 94612**
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Counsel for Defendant and Cross-Claimant
HORNBILL FOODS CORP

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18 **(VIA CM/ECF NOTICE OF ELECTRONIC FILING):** I caused said document(s) to be
19 served by means of the Court's electronic transmission of the Notice of Electronic Filing
20 through the Court's transmission facilities, to the parties and/or counsel noted above who are
21 registered as CM/ECF Users, as set forth in the service list of the Court

22 and on

23 **Sam S. Yebri, Esq.**
24 **Merino Yebri, LLP**
25 **1925 Century Park East, Suite 2140**
26 **Los Angeles, CA 90067**
27 **syebri@mylawllp.com**

Counsel for Cross-Defendant
WESTERN PACIFIC OIL, LLC

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(BY U.S. MAIL) I placed such sealed envelope, with postage thereon fully prepaid for first-
class mail, for collection and mailing at **BAKER & McKENZIE LLP, San Francisco,**
California, following ordinary business practices. I am readily familiar with the practice of
BAKER & McKENZIE LLP for collection and processing of correspondence, said practice
being that in the ordinary course of business, correspondence is deposited in the United States
Postal Service the same day as it is placed for collection.

I declare under penalty of perjury under the laws of the United States of America and the
State of California that the foregoing is true and correct. Executed at San Francisco, California on
October 4, 2013.

Nada K. Hitti
Nada K. Hitti