

1 Randal M. Barnum State Bar No. 111287  
 Carrie E. Croxall State Bar No. 190430  
 2 LAW OFFICES OF RANDAL M. BARNUM  
 279 East H Street  
 3 Benicia, CA 94510  
 Telephone: (707) 745-3747  
 4 Facsimile: (707) 745-4580  
 rmblaw@pacbell.net  
 5 ccroxall@rmblaw.com

6 Attorneys for Plaintiff  
 JAREK BENSON

7 SEYFARTH SHAW LLP  
 8 William J. Draitsas (SBN 97523)  
 Emily E. Barker (SBN 275166)  
 9 wdraitsas@seyfarth.com  
 ebarker@seyfarth.com  
 10 560 Mission Street, 31st Floor  
 San Francisco, California 94105  
 11 Telephone: (415) 397-2823  
 Facsimile: (415) 397-8549

12 Attorneys for Defendant  
 13 TESORO REFINING & MARKETING COMPANY  
 LLC

14  
 15 **UNITED STATES DISTRICT COURT**  
 16 **NORTHERN DISTRICT OF CALIFORNIA**  
 17

18 JAREK BENSON,

19 Plaintiff,

20 v.

21 TESORO REFINING & MARKETING  
 22 COMPANY, LLC; and DOES 1 through 50,  
 inclusive,

23 Defendant.  
 24

CASE NO. 3:14-cv-05240-EMC

**STIPULATION AND ~~[PROPOSED]~~  
 ORDER CONTINUING CASE  
 MANAGEMENT CONFERENCE**

Date: March 10, 2015  
 Time: 9:30 a.m.  
 Courtroom: 5, 17th Floor  
 Judge: Hon. Edward M. Chen

25 Plaintiff JAREK BENSON and Defendant TESORO REFINING & MARKETING  
 26 COMPANY, collectively "the PARTIES", by and through their attorneys of record, stipulate and  
 27 agree as follows:  
 28

1           1.       WHEREAS, this action was filed on October 2, 2014.

2           2.       WHEREAS, the initial Case Management Conference (hereinafter "CMC") is  
3 scheduled for March 10, 2015 at 9:30 a.m.,

4           3.       WHEREAS, the PARTIES wish to continue the March 10, 2015 CMC for a  
5 period of 60 to 90 days for the following reasons:

6                 a.       Counsel for Plaintiff JAREK BENSON are unavailable for the CMC on  
7 March 10, 2015. Randal M. Barnum will be out of the country. The father-in-law of Carrie E.  
8 Croxall is hospitalized in San Diego in critical condition. Ms. Croxall will need to be in San  
9 Diego to assist in end of life and final planning decisions.

10                b.       The PARTIES have stipulated to mediation. ALJ David Kelley has been  
11 appointed as mediator. The parties anticipate completing mediation on or before May 7, 2015.

12                NOW THEREFORE, all PARTIES hereto stipulate and agree, and request, that the Court  
13 enter an Order continuing the CMC currently scheduled for March 10, 2015 at 9:30 am in  
14 Courtroom 5 be rescheduled to a new date to be determined by the Court that is 60 to 90 days  
15 after March 10, 2015.

16 **IT IS SO STIPULATED AND AGREED TO BY:**

18 Dated: February 26, 2015

LAW OFFICES OF RANDAL M. BARNUM

19 By:           /s/ Carrie E. Croxall            
20 Randal M. Barnum  
21 Carrie E. Croxall  
22 Attorneys for Plaintiff JAREK BENSON

22 Dated: February 27, 2015

SEYFARTH SHAW LLP

24 By:           /s/ Emily E. Barker            
25 William J. Dritsas  
26 Emily E. Barker  
27 Attorneys for Defendant TESORO  
28 REFINING & MARKETING COMPANY  
LLC

**ORDER OF CONTINUANCE**

1  
2 Based upon the Stipulation of the parties to continue the March 10, 2015 Case  
3 Management Conference and finding good cause therefore, the Court hereby orders the Case  
4 Management Conference in this matter to be continued to June 11, 2015  
5 at 9:30 a.m. in Courtroom 5. A joint CMC statement shall be filed by June 4, 2015.

Counsel must appear in person.

6 IT IS SO ORDERED.

7 DATED: 3/3/15

