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19 Attorneys for Plaintiff.

20 **UNITED STATES DISTRICT COURT**  
 21 **NORTHERN DISTRICT OF CALIFORNIA**

22 PLASTIC POLLUTION COALITION, a  
 23 project of EARTH ISLAND INSTITUTE, a  
 24 non-profit organization,

25 Plaintiff,

26 v.

27 TE CONNECTIVITY *dba* TYCO  
 28 ELECTRONICS CORPORATION, TE  
 CONNECTIVITY NETWORKS, and TE  
 CIRCUIT PROTECTION,

Defendants.

Case No. 15-cv-03658-CRB

**SECOND UNOPPOSED  
 MOTION FOR RELIEF  
 FROM CASE  
 MANAGEMENT  
 SCHEDULE; REQUESTING  
 28-DAY EXTENSION**

~~[PROPOSED]~~ ORDER

1 **MOTION**

2 Pursuant to Civ. L.R. 7-11 and 16-2(d), Plaintiff Plastic Pollution Coalition,  
3 a project of Earth Island Institute (“Plastic Pollution Coalition”), by and through its  
4 attorneys, hereby moves for relief from the existing Case Management Schedule  
5 (Docket 11, Aug. 11, 2015) consisting of a 28-day extension of the Initial Case  
6 Management Conference and ADR Deadlines. On November 2, 2015, the Court  
7 granted Plaintiff’s first request for relief from the Case Management Schedule. *Id.*  
8 As discussed below, a second extension is merited to resolve this case as  
9 efficiently as possible.  
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13 **POINTS AND AUTHORITIES**

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15 Good cause exists to extend the Case Management Schedule deadlines  
16 because out-of-court negotiations with Defendants have resulted in a proposed  
17 consent decree that is awaiting final client approvals. This early settlement (in the  
18 form of a consent decree) would save the Court time and resources, and the  
19 requested extension will potentially avoid unnecessary case management activities.  
20 Plaintiff’s counsel anticipates this second 28-day delay in the Initial Case  
21 Management Conference and ADR Deadlines will be sufficient to allow the parties  
22 to come to agreement on a final consent decree and file the same with the court.  
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25  
26 Plaintiff further has consulted with Defendants’ counsel, Gary J. Smith, who  
27 is aware of this motion and does not object to this second request for relief from  
28

1 the case management schedule.

2 This request is made in good faith and is not for purposes of delay. All  
3 factual representations made herein are supported by the attached Declaration of  
4 James M. Birkelund.  
5

6 This motion is unopposed as Defendants have yet to be served with the  
7 Summons and Complaint and so have not made an appearance.  
8

9  
10 Dated: November 27, 2015

JAMES M. BIRKELUND

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13 By: /s/ James Birkelund  
14 Attorney for Plaintiff

15 GARY DAVIS, ESQ  
16 RACHEL DOUGHTY, ESQ  
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**GOOD CAUSE HAVING BEEN SHOWN, IT IS SO ORDERED:**

The Order Setting Initial Case Management Conference and ADR Deadlines is hereby amended as follows:

<b>CASE SCHEDULE – ADR MULTI-OPTION PROGRAM</b>		
<b>Date</b>	<b>Event</b>	<b>Governing Rule</b>
8/11/15	Complaint Filed	
12/25/15	*Last day to: • meet and confer re: initial disclosures, early settlement, ADR process selection, and discovery plan	FRCivP 26(f) & ADR L.R. 3-5
	• file ADR Certification signed by Parties and Counsel  (form available at <a href="http://www.cand.uscourts.gov">http://www.cand.uscourts.gov</a> )	Civil L.R. 16-8(b) & ADR L.R. 3-5(b)
	• file either Stipulation to ADR Process or Notice of Need for ADR Phone Conference <a href="http://www.adr.cand.uscourts.gov">http://www.adr.cand.uscourts.gov</a>  (form available at <a href="http://www.cand.uscourts.gov">http://www.cand.uscourts.gov</a> )	Civil L.R. 16-8(c) & ADR L.R. 3-5(b)
1/8/16	Last day to file Rule 26(f) Report, complete initial disclosures or state objection in Rule 26(f) Report and file Case Management Statement per Standing Order re Contents of Joint Case Management Statement  (also available at <a href="http://www.cand.uscourts.gov">http://www.cand.uscourts.gov</a> )	FRCivP 26(a) (1) Civil L.R. 16-9
1/11/16	INITIAL CASE MANAGEMENT CONFERENCE (CMC) at 8:30 AM in:  Courtroom 6, 17th Floor Phillip Burton Federal Building 450 Golden Gate Avenue San Francisco, CA 94102	Civil L.R. 16-10

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\* If the Initial Case Management Conference is continued, the other deadlines are continued accordingly.

Date: 12/15/2015

  
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Honorable Charles R. Breyer  
District Court Judge