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6 Attorneys for Defendants/Cross-Complainants  
NORTH BAY CONSTRUCTION, INC.

8 UNITED STATES DISTRICT COURT  
9 NORTHERN DISTRICT OF CALIFORNIA

10 ISCO INDUSTRIES,

Case No. 4:06-CV-07082-CW

11 Plaintiff,

**STIPULATION AND ORDER  
CONTINUING CASE MANAGEMENT  
CONFERENCE**

12 v.

13 NORTH BAY CONSTRUCTION, INC., et  
al.,

14 Defendants.

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16 \_\_\_\_\_/  
NORTH BAY CONSTRUCTION, INC. et  
al,

17  
18 Defendants/Cross-  
Complainant,

19 v.

20 ISCO INDUSTRIES, LLC, a Kentucky  
limited liability company, and ROES 1  
21 through 50, inclusive,

22 Defendants.  
23 \_\_\_\_\_/

24 Pursuant to Civil L.R. 7-12, that parties to the above-entitled action certify that they met  
25 and conferred at least ten (10) days prior to the subsequent case management conference  
26 scheduled in this case and jointly submit this Stipulation and [Proposed] Order Continuing the  
27 Case Management Conference currently scheduled for April 19, 2011, for 90 days until July 19,  
28 2011.

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DESCRIPTION OF CASE DEVELOPMENTS

1. The following progress or changes have occurred since the last case management statement filed by the parties:

Pursuant to Order of this Court signed June 18, 2009, this matter is stayed pending completion of the leachate pipeline which is the subject matter of this litigation. Physical repair on the pipeline is completed, final testing of the pipeline is currently underway and approval of the pipeline will occur in the next 30 days, with leachate flowing thereafter.

2. North Bay Construction has initiated litigation against Sonoma County in Sonoma County Superior Court, case number SCV-249232. The parties are discussing finding a joint forum to resolve all of the issues and are addressing bringing all parties to either mediation or arbitration.

3. The parties jointly request the Court to make the following Order:  
The parties request the Court set this matter for a further case management conference for not less than ninety (90) days from now, on July 19, 2011.

Dated: April 12, 2011  
LEWIS BRISBOIS BISGAARD & SMITH, LLP  
By \_\_\_\_\_  
Jeffrey G. Bairey  
Lorena Matei  
Attorneys for Cross-Defendant  
ISCO INDUSTRIES, LLC

Dated: April 12, 2011  
BELL, ROSENBERG & HUGHTS LLP  
By \_\_\_\_\_  
Roland Nikles  
Attorneys for Plaintiff and Cross-Defendants  
ISCO INDUSTRIES, LLC

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Dated: April 12, 2011

ABBEY, WEITZENBERG, WARREN & EMERY

By \_\_\_\_\_

David W. Berry, Esq.  
Kate Mullins Henderson, Esq.  
Attorneys for Defendant/Cross-Complainants  
NORTH BAY CONSTRUCTION, INC.

**SUPPLEMENTAL CASE MANAGEMENT ORDER**

The Stipulation to Continue the April 19, 2011, Case Management Conference is hereby adopted by the Court and the parties are ordered to comply with this Order. The Case Management Conference is continued to July 26, 2011, at 2:00 p.m. Updated Case Management Conference Statements due one week prior to conference.

*[In addition the Court orders as follows:]*

Dated: 4/15/2011

  
UNITED STATES DISTRICT COURT JUDGE  
Claudia Wilken