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 TYCO THERMAL CONTROLS, LLC
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9 UNITED STATES DISTRICT COURT
 10 NORTHERN DISTRICT OF CALIFORNIA
 11

12 TYCO THERMAL CONTROLS, LLC
 13 Plaintiff,
 14 v.
 15 REDWOOD INDUSTRIALS, et al.,
 16 Defendants.

Case No.: CV-06-07164-SBA

**REQUEST FOR CONTINUANCE OF
 DECEMBER 2011 CASE
 MANAGEMENT DEADLINES IN
 PREPARATION FOR FURTHER
 SETTLEMENT CONFERENCE**

Dept.: Courtroom 1, 4th Floor
 Judge: The Honorable Sandra Brown
 Armstrong

17 ROWE INDUSTRIES, INC.,
 18 Counter-Claimant,
 19 v.
 20 TYCO THERMAL CONTROLS, LLC,
 21 Counter-Defendant.

Complaint Filed: November 17, 2006
 Trial Date: March 5, 2012

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 23 TYCO THERMAL CONTROLS LLC,
 24 Plaintiff,
 25 v.
 26 ROWE INDUSTRIES, INC.,
 27 Defendant.
 28

Related Action:
 Case No. CV-10-01606-SBA

1 Plaintiff and Counter-Defendant Tyco Thermal Controls LLC (“Tyco”) and Defendant
2 and Counter-Claimant Rowe Industries, Inc. (“Rowe”) (collectively the “Parties”), by and
3 through their respective attorneys of record, have recently met and conferred, and at the direction
4 of the Honorable Donna M. Ryu, agree that a continuation of the current December 2011 case
5 management deadlines is warranted in order to concentrate resources on settlement efforts
6 including the Further Settlement Conference scheduled for January 5, 2012.

7 **WHEREAS** the Parties attended the Settlement Conference in this matter on December
8 2, 2011 with the Honorable Donna M. Ryu.

9 **WHEREAS** on December 5, 2011, Judge Ryu issued a Minute Order (Dkt. 368, Dkt. 74)
10 requiring: (1) Tyco to provide investigation/remediation/future monitoring cost information to
11 Rowe by December 9, 2011; (2) Rowe to provide insurance policies, reservation of rights letters,
12 and financial information regarding Rowe to Tyco by December 9, 2011; and (3) the Parties to
13 submit a stipulation and proposed order to the Court by December 5, 2011 seeking a two-week
14 continuance of all December 2011 case management deadlines in order to concentrate resources
15 on settlement efforts.

16 **WHEREAS** on December 5, 2011, Judge Ryu issued a Notice of Further Settlement
17 Conference and Settlement Conference Order (Dkt. 369, Dkt. 75) scheduling a Further
18 Settlement Conference for January 5, 2012 at 11:00 a.m.

19 **WHEREAS** the current December 2011 case management deadlines are as follows: (1)
20 Parties to designate any experts by December 9, 2011; (2) Parties to submit rebuttal disclosure on
21 December 16, 2011; and (3) all non-expert discovery to be completed December 30, 2011.

22 **THEREFORE**, the parties hereby request that the current December 2011 case
23 management deadlines are continued as follows: (1) Parties to designate any experts by
24 December 23, 2011; (2) Parties to submit rebuttal disclosure on December 30, 2011; and (3) all
25 non-expert discovery to be completed January 13, 2012.

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1 **IT IS SO STIPULATED.**

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3 DATED: December 6, 2011

DONGELL LAWRENCE FINNEY LLP

4
5 */s/ Thomas F. Vandenburg*

By: _____

6 Thomas F. Vandenburg

7 New Attorneys for Plaintiff and Counter-
8 Defendant Tyco Thermal Controls, LLC

9
10 DATED: December 6, 2011

GORDON & REES LLP

11 */s/ Mordecai D. Boone*

12 By: _____

13 Mordecai D. Boone

14 Attorneys for Defendant and Counter-
15 Claimant ROWE INDUSTRIES, INC.

16
17 **ORDER**

18 Based on the Stipulation of the Parties and good cause appearing, the current December
19 2011 case management deadlines are continued as follows: (1) Parties to designate any experts
20 by December 23, 2011; (2) Parties to submit rebuttal disclosure on December 30, 2011; and (3)
21 all non-expert discovery to be completed January 13, 2012.

22
23 Dated: _12/6/11

Sandra B. Armstrong

24 Hon. Sandra Brown Armstrong
25 UNITED STATES DISTRICT JUDGE

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PROOF OF SERVICE

ECF/PACER FILE AND SERVE

I, Thomas F. Vandenburg, declare:

1. I am over the age of 18 years and am not a party to the within action. I am employed by Dongell Lawrence Finney LLP in the City of Los Angeles, State of California.

2. My business address is 707 Wilshire Boulevard, 45th Floor, Los Angeles, CA 90017-3609.

On December 6, 2011, I served a copy of the foregoing document, titled:
REQUEST FOR CONTINUANCE OF DECEMBER 2011 CASE MANAGEMENT DEADLINES IN PREPARATION FOR FURTHER SETTLEMENT CONFERENCE, by:

Filing and serving directly through ECF/Pacer at the USDC-Northern District of California website at: website at:
<https://ecf.cand.uscourts.gov> at approximately 6:00 p.m. PST.

I declare under penalty of perjury under the laws of the State of California and the United States of America that the foregoing is true and correct. Executed on December 5, 2011, at Los Angeles, California.

By: /s/ Thomas F. Vandenburg
Thomas F. Vandenburg

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PROOF OF SERVICE VIA U.S. MAIL

**Re: Tyco Thermal Controls, LLC v. Redwood Industrials, et al.
United States District Court, Northern District Case No. 4:06-cv-07164-SBA**

I am employed in the County of Los Angeles, State of California. I am over the age of 18 and not a party to the within action; my business address is 707 Wilshire Boulevard, 45th Floor, Los Angeles, CA 90017-3609.

On the date set forth below, I served the foregoing documents described as follows by placing a true copy thereof enclosed in a sealed envelope(s) addressed as follows:

REQUEST FOR CONTINUANCE OF DECEMBER 2011 CASE MANAGEMENT DEADLINES IN PREPARATION FOR FURTHER SETTLEMENT CONFERENCE

By placing a true copy thereof enclosed in a sealed envelope(s) addressed on the *Attached Service List* on the interested parties named herein and in the manner indicated

BY MAIL I deposited such envelopes in the mail at Los Angeles, California. I am readily familiar with the firm's practice of collection and processing of correspondence for mailing. Under that practice it would be deposited with the U.S. Postal Service on that same day with postage thereon fully prepaid at Los Angeles, California, in the ordinary course of business.

(STATE) I declare under penalty of perjury that the foregoing is true and correct.

(FEDERAL) I declare that I am employed in the office of a member of the bar of this court at whose direction the service was made.

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct and that this declaration was executed on December 5, 2011, at Los Angeles, California.

By: /s/ Thomas F. Vandenburg
Thomas F. Vandenburg

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SERVICE LIST (via U.S. Mail)

Tyco Thermal Controls, LLC v. Redwood Industrials, et al.
United States District Court—Northern District of California
Case No. 4:06-cv-07164-SBA

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