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6 ATTORNEYS FOR DEFENDANT  
 7 NEW HOLLAND TIRE, INC.

8 UNITED STATES DISTRICT COURT  
 9 NORTHERN DISTRICT OF CALIFORNIA  
 10 OAKLAND DIVISION

11 CONTAINER NAVIGATION  
 CORPORATION, a California corporation,

12 Plaintiff,

13 v.

14 NEW HOLLAND TIRE, INC., a Pennsylvania  
 15 corporation,

16 Defendant.

CASE NO. C08-04008 CW

STIPULATION AND ORDER TO  
 CONTINUE CASE MANAGEMENT  
 CONFERENCE

Date: December 23, 2008  
 Time: 2:00 PM  
 Courtroom: 2  
 Judge: Claudia Wilken

17  
 18 This stipulation is entered into by and between all parties to this case, through their  
 19 attorneys, with reference to the following facts:

- 20 1. A Case Management Conference is scheduled in this case for December 23, 2008  
 21 in Department 2 at 2:00 p.m; and  
 22 2. Plaintiff Container Navigation Corporation and Defendant New Holland Tire, Inc.  
 23 have agreed to extend the time for Defendant to file a responsive pleading to the Complaint to  
 24 February 12, 2009, as they pursue settlement discussions. Due to such extension of time, the  
 25 case is currently not at-issue.

26 Based on the foregoing, the parties request that the Court continue the Case Management  
 27 Conference from December 23, 2008 to February 24, 2009.  
 28

1 IT IS HEREBY STIPULATED AND AGREED, by and between Plaintiff Container  
2 Navigation Corporation and Defendant New Holland Tire, Inc., by and through their respective  
3 attorneys of record, that the Case Management Conference in the above-referenced matter shall  
4 be continued from December 23, 2008 to February 24, 2009 at 2:00 p.m.

5  
6 BERLINER COHEN

7  
8 By: \_\_\_\_\_  
9 Shannon N. Cogan  
10 Attorneys for Defendant New  
11 Holland Tire, Inc.

12  
13 KIM & ASSOCIATES

14 By: \_\_\_\_\_  
15 James J. Kim  
16 Attorneys for Plaintiff  
17 Container Navigation Corp.

18 **ORDER CONTINUING CASE MANAGEMENT CONFERENCE**

19 Based upon the foregoing stipulation, and good cause appearing, IT IS HEREBY  
20 ORDERED that the Case Management Conference in the above-captioned case be continued  
21 from December 23, 2008 at 2:00 p.m. to February 24, 2009 at 2:00 p.m.

22 12/22

23 DATED: \_\_\_\_\_, 2008



24 BY: \_\_\_\_\_  
25 CLAUDIA WILKEN  
26 JUDGE OF THE NORTHERN DISTRICT  
27 COURT OF CALIFORNIA  
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