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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
 CONTINUING CASE MANAGEMENT
 CONFERENCE

Judge: Hon. 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 February 24, 2009,
 21 in Department 2 at 2:00 p.m;

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 as
 24 they discuss venue and settlement. Due to such extension of time, the case is currently not at-
 25 issue.

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

5 Based on the foregoing, the parties request that the Court continue the Case Management
6 Conference from February 24, 2009, to March 24, 2009.

7 IT IS SO STIPULATED.

8 DATED: FEBRUARY 20, 2009

BERLINER COHEN

9
10 BY: /s/

SHANNON N. COGAN
ATTORNEYS FOR DEFENDANT
NEW HOLLAND TIRE, INC.

11
12
13 DATED: FEBRUARY 20, 2009

KIM & ASSOCIATES

14
15 BY: /s/

JAMES J. KIM
ATTORNEYS FOR PLAINTIFF
CONTAINER NAVIGATION CORPORATION

16
17 **ORDER CONTINUING CASE MANAGEMENT CONFERENCE**

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

21 2/23

22 DATED: _____, 2009



23
24 BY: _____

CLAUDIA WILKEN
JUDGE OF THE NORTHERN DISTRICT
COURT OF CALIFORNIA