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 9 NORTHERN CALIFORNIA RIVER WATCH

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21 Attorneys for Defendant  
 22 EXXON MOBIL CORPORATION

23 UNITED STATES DISTRICT COURT  
 24 NORTHERN DISTRICT OF CALIFORNIA

25 NORTHERN CALIFORNIA RIVER  
 26 WATCH, a non-profit corporation,

Case No. 4:10-cv-00534 PJH

27 Plaintiff,

**STIPULATION TO CONTINUE CASE  
 MANAGEMENT CONFERENCE DATE;  
 [PROPOSED] ORDER**

28 v.

29 EXXON MOBIL CORPORATION  
 30 and DOES 1 - 20, Inclusive,

Date: September 16, 2010  
 Time: 2:00 p.m.  
 Ctrm.: 3, 3<sup>rd</sup> Floor

31 Defendants

Trial Date: None Set

1 WHEREAS, this action was filed on February 10, 2010 and initially assigned to the  
2 Honorable Elizabeth D. Laporte. On April 27, 2010 the matter was reassigned to the Honorable  
3 Phyllis J. Hamilton, who set the Initial Case Management Conference for July 22, 2010; and,

4 WHEREAS, Defendant Exxon Mobil Corporation filed a Motion to Dismiss and Motion  
5 to Strike which were set for hearing on July 30, 2010. As a result, the Court continued the  
6 Initial Case Management Conference to September 16, 2010. The Court ruled on Defendant's  
7 Motions on August 11, 2010; and,

8 WHEREAS, on April 16, 2010, Plaintiff served a supplemental Notice of Violations  
9 under the RCRA on Defendant Exxon Mobil Corporation as well as additional entities. The 90-  
10 day notice period having expired, Plaintiff will amend its complaint to add the additional parties.  
11 A Stipulation re the filing of an amended pleading is expected to be filed shortly; and,

12 WHEREAS, Defendant Exxon Mobil Corporation as well as the additional defendants  
13 named in the amended pleading will require time (30 days) to file responsive pleadings, the  
14 parties hereto believe good cause exists for the continuance of the Initial Case Management  
15 Conference from its present date;

16 IT IS HEREBY STIPULATED by and between counsel for Plaintiff and Defendant as  
17 follows:

- 18 a) That the Case Management Conference scheduled for September 16, 2010 be  
19 continued to November 18, 2010 at 2:00 p.m.;
- 20 b) That the last day to file a Joint Case Management Statement be continued to  
21 November <sup>10</sup>~~17~~, 2010.

22  
23 DATED: September 6, 2010 SHEPPARD, MULLIN, RICHTER & HAMPTON LLP

24 By: /s/ Jeffrey J. Parker  
25 JEFFREY J. PARKER  
26 Attorneys for Defendant  
27 EXXON MOBIL CORPORATION  
28

1 In addition to stipulating to the above, I, Jack Silver, attest that concurrence in the filing  
2 of this Stipulation to Continue Case Management Conference Date; [Proposed] Order has been  
3 obtained from the other signatory to this document.

4  
5  
6 DATED: September 3, 2010

LAW OFFICE OF JACK SILVER

7 By: /s/ Jack Silver

8 JACK SILVER

9 Attorneys for Plaintiff

10 NORTHERN CALIFORNIA RIVER WATCH

11  
12  
13 **[PROPOSED] ORDER**

14 PURSUANT TO SAID STIPULATION, AND GOOD CAUSE APPEARING,

15 **IT IS SO ORDERED** as follows:

- 16
- 17 1. The Case Management Conference scheduled for September 16, 2010  
18 is continued to November 18, 2010 at 2:00 p.m., in Courtroom 3,  
19 Federal Building, 1301 Clay Street, Oakland, California;
  - 20 2. A Joint Case Management Statement shall be filed no later than  
21 November ~~11~~ 10, 2010.

22 Dated: 9/8/10

23 PHYLLIS  
24 United State

