



1           WHEREAS, on August 17, 2010, Plaintiff Mitra N. Forouhar (“Plaintiff”) filed her  
2 Complaint in this matter in the United States District Court for the Northern District of California (the  
3 “Complaint”);

4           WHEREAS Plaintiff asserts that service of the Complaint was effected on specially  
5 appearing defendant Statoil ASA (“Statoil”) on October 2, 2010 under the Foreign Sovereign  
6 Immunities Act (“FSIA”), 28 U.S.C. § 1608(b)(2), and Rule 4(h)(1) of the Federal Rules of Civil  
7 Procedure;

8           WHEREAS, pursuant to the FSIA, 28 U.S.C. § 1608(d), in any action brought in a court  
9 of the United States, a foreign state or agency or instrumentality thereof shall serve an answer or  
10 responsive pleading within sixty days after service has been made under 28 U.S.C. § 1608;

11           WHEREAS, on November 2, 2010, this case was reassigned to this Court;

12           WHEREAS, on November 4, 2010, the Court issued the Amended Case Management  
13 Scheduling Order (Docket Entry (“D.E.”) 11) scheduling a case management conference for  
14 December 15, 2010;

15           WHEREAS, Statoil anticipates that it will move to dismiss the Complaint for, among  
16 other things, lack of personal jurisdiction and lack of jurisdiction under the Foreign Sovereign  
17 Immunities Act;

18           WHEREAS, Plaintiff intends to oppose Statoil’s motion;

19           WHEREAS, the Amended Case Management Scheduling Order set a case management  
20 conference for December 15, 2010 and ordered the reinstatement of the remainder of the deadlines set  
21 forth in the Order Setting Initial Case Management Conference And ADR Deadlines (“Initial Case  
22 Management Order”) (D.E. 4);

23           WHEREAS, Statoil objects to this Court’s exercise of personal jurisdiction and requests  
24 that the Case Management and other deadlines set forth in the Amended Case Management Scheduling  
25 Order and Initial Case Management Order be stayed until after the Court’s ruling regarding Statoil’s  
26 jurisdictional objections;

1           WHEREAS, Plaintiff opposes Statoil's jurisdictional objections, but consents to Statoil's  
2 request to stay the deadlines set in the Amended Case Management Scheduling Order and Initial Case  
3 Management Order;

4           WHEREAS, the parties have met, conferred and agreed, subject to Court approval, to the  
5 schedule and timing below for the response to the Complaint, the case management conference and all  
6 related matters set forth in the Initial Case Management Order;

7           NOW, THEREFORE, IT IS HEREBY STIPULATED AND AGREED by the parties,  
8 through their undersigned counsel, as follows:

9           1.     Statoil shall file and serve its motion to dismiss the Complaint on or before  
10 December 20, 2010;

11           2.     Plaintiff shall file and serve her opposition to Statoil's motion to dismiss the  
12 Complaint on or before January 26, 2011;

13           3.     Statoil shall file and serve its reply in support of its motion to dismiss the  
14 Complaint on or before February 9, 2011;

15           4.     Statoil's motion to dismiss the Complaint shall be noticed for a hearing on  
16 Tuesday, **March 8, 2011** at 1:00 pm;

17           5.     The case management conference scheduled for December 15, 2010 shall be  
18 continued to thirty days following the Court's ruling on the motion to dismiss;

19           6.     All other deadlines set forth in the Initial Case Management Order shall be  
20 continued accordingly; and

21  
22  
23  
24  
25  
26  
27  
28

1           7.       By filing this Stipulation and Proposed Order, Statoil does not waive and  
2 expressly preserves all rights, objections and defenses, including, without limitation, objections to  
3 jurisdiction, venue, service, and Statoil's right to seek dismissal of Plaintiff's Complaint on any grounds.

4           IT IS SO STIPULATED.

5 DATED: November \_\_, 2010

SCHONBRUN DESIMONE SEFLOW  
HARRIS HOFFMAN & HARRISON, LLP  
PAUL L. HOFFMAN  
MICHAEL D. SEFLOW

8  
9  
10  
11  
12  

---

Michael D. Seplow

723 Ocean Front Walk  
Venice, California 90291  
Telephone: (310) 396-0731  
Facsimile: (310) 399-7040

Attorneys for Plaintiff

13 DATED: November \_\_, 2010

SULLIVAN & CROMWELL LLP  
BRENDAN P. CULLEN  
LAURA KABLER OSWELL  
ACHYUT J. PHADKE

14  
15  
16  
17  
18  
19  
20  

---

Brendan P. Cullen

1870 Embarcadero Road  
Palo Alto, California 94303  
Telephone: (650) 461-5600  
Facsimile: (650) 461-5700

Attorneys for Specially Appearing Defendant  
Statoil ASA

21           I, Brendan P. Cullen, am the ECF user whose ID and password are being used to file this  
22 Joint Stipulation and [Proposed] Order Establishing Briefing Schedule for Motion to Dismiss and  
23 Continuing Case Management Conference and Related Deadlines. In compliance with General Order  
24 No. 45, X.B., I hereby attest that Michael D. Seplow has concurred in this filing.

25  
26  
27  
28  

---

Brendan P. Cullen

1 **ORDER**

2

3 **PURSUANT TO STIPULATION, IT IS HEREBY ORDERED THAT** the December 15, 2010  
4 telephonic Case Management Conference is **CONTINUED to April 6, 2011 at 2:30 p.m.** The parties  
5 shall meet and confer prior to the conference and shall prepare a joint Case Management Conference  
6 Statement which shall be filed no later than ten (10) days prior to the Case Management Conference that  
7 complies with the Standing Order for All Judges of the Northern District of California and the Standing  
8 Order of this Court. Plaintiff shall be responsible for filing the statement as well as for arranging the  
9 conference call. All parties shall be on the line and shall call (510) 637-3559 at the above indicated date  
10 and time.

11 IT IS SO ORDERED.

12 Dated:  
13 12/2/10 \_\_\_\_\_

14   
15 \_\_\_\_\_  
16 THE HONORABLE SAUNDRA B. ARMSTRONG  
17 UNITED STATES DISTRICT JUDGE  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28