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 Attorneys for Plaintiff
 6 NORTHERN CALIFORNIA RIVER WATCH

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 8 UNITED STATES DISTRICT COURT
 9 NORTHERN DISTRICT OF CALIFORNIA

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 11 NORTHERN CALIFORNIA RIVER WATCH,
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 Plaintiff,
 13 v.
 14 OLYMPIAN OIL COMPANY, LLC,
 et al,
 15
 Defendants.

CASE NO.: 4:11-cv-00849 SBA

**STIPULATION RE CONTINUANCE
 OF INITIAL CASE MANAGEMENT
 SCHEDULE; ORDER
 [L.R. 16-2(e)]**

Case Mgmt. Conf. - June 9, 2011

16 _____/
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 18 Pursuant to Civil Local Rule 16-2(e), the parties to this action, by and through their
 19 respective counsel, hereby stipulate as follows:

20 This action was filed on February 23, 2011. The pleadings have been served on named
 21 defendants by way of executed Waivers of Service of the Summons. The initial Case
 22 Management Conference has been set by the Court for June 9, 2011 (Court Doc #6). The parties
 23 have stipulated that Defendants be granted an extension of time to respond to the Complaint to
 24 May 20, 2011 (Court Doc # 8).

25 The parties have been in active communication with respect to resolution of the dispute
 26 which is the subject of these proceedings, including a face-to-face meeting including the parties
 27 and their counsel on May 4, 2011. Defendants have provided Plaintiff with documentation
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1 relating to current and ongoing remediation of the sites at issue, and are waiting for the Regional
2 Water Quality Control Board to approve a draft remediation plan for the sites.

3 The parties are unable to move forward with further discussion or efforts to resolve any
4 remaining disputes until the Regional Water Quality Control Board completes its review and
5 issues its findings with regard to Defendants' sites, which findings are not expected to be
6 completed for at least two more months.

7 Therefore, parties believe a continuance of the Case Management Conference, and other
8 deadlines tied to the Case Management Conference date, as well as a further continuance of
9 Defendant's responsive pleading deadline, is appropriate and will not harm or hinder these
10 proceedings in any way.

11 IT IS THEREFORE STIPULATED by and between counsel for Plaintiff and Defendants
12 as follows:

- 13 a) That the responsive pleadings deadline for Defendants may be further continued
14 to August 3, 2011;
- 15 b) That the last day to meet and confer re Initial Disclosures, file an ADR
16 Certification and either a Stipulation to ADR Process or Notice of Need for ADR
17 Phone Conference may be extended to September 14, 2011;
- 18 c) That the last day to file Rule 26(f) Report may be extended to September 28,
19 2011;
- 20 d) That the Initial Case Management Conference may be continued from June 9,
21 2011 to October 6, 2011 at 3:00 p.m. in Courtroom 1, 4th Floor, via telephone.
22 Plaintiff's counsel to set up the conference call with all the parties on the line
23 and call chambers at (510) 637-3559.

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25 Dated: May 9, 2011

/s/ Jack Silver

JACK SILVER
Attorney for Plaintiff
NORTHERN CALIFORNIA RIVER WATCH

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Dated: May 10, 2011

/s/ Daphne Lin for Bruce D. Prescott
BRUCE D. PRESCOTT
Attorney for Defendants
OLYMPIAN OIL COMPANY, LLC,
OLYMPIAN GULF PROPERTIES, INC.

Pursuant to the parties' Stipulation, IT IS HEREBY ORDERED THAT:

- a) That the responsive pleadings deadline for Defendants may be further continued to August 3, 2011;
- b) That the last day to meet and confer re Initial Disclosures, file an ADR Certification and either a Stipulation to ADR Process or Notice of Need for ADR Phone Conference may be extended to September 14, 2011;
- c) That the last day to file Rule 26(f) Report may be extended to September 28, 2011;
- d) That the Initial Case Management Conference may be continued from June 9, 2011 to October 6, 2011 at 3:00 p.m. in Courtroom 1, 4th Floor, via telephone. Prior to the date scheduled for the conference, the parties shall meet and confer and prepare a joint Case Management Conference Statement. The joint statement shall be filed no later than ten (10) days prior to the conference and shall comply with the Standing Order for All Judges of the Northern District of California and the Standing Order of this Court. Plaintiff shall be responsible for filing the statement as well as for arranging the conference call. All parties shall be on the

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2 line and shall call (510) 637-3559 at the above indicated date and time.

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5 DATED: May 13, 2011


SANDRA BROWN ARMSTRONG

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United States District Judge

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