

1 MICHELE HEFFES #160733  
 1 ACTING PORT ATTORNEY  
 2 DONNELL CHOY #85458  
 2 DEPUTY PORT ATTORNEY  
 3 PORT OF OAKLAND  
 3 530 Water Street, 4<sup>th</sup> Floor  
 4 Oakland, California 94607  
 4 Telephone: (510) 627-1346

5  
 6 RICHARD T. WHITE #58622  
 6 J. BRITTAIN HABEGGER #57192  
 7 FITZGERALD ABBOTT & BEARDSLEY LLP  
 7 1221 Broadway, 21<sup>st</sup> Floor  
 8 Oakland, California 94612  
 8 Telephone: (510) 451-3300  
 9 Facsimile: (510) 451-1527  
 9 Email: rwhite@fablaw.com; bhabegger@fablaw.com

10 Attorneys for Plaintiff City of Oakland,  
 11 A Municipal Corporation, Acting By and  
 11 Through Its Board of Port Commissioners

12 UNITED STATES DISTRICT COURT  
 13  
 14 NORTHERN DISTRICT OF CALIFORNIA

15 CITY OF OAKLAND, a Municipal  
 15 Corporation, Acting By and Through Its  
 16 Board of Port Commissioners

17 Plaintiff,

18 vs.

19 SSA TERMINALS, LLC, SSA TERMINALS  
 19 (OAKLAND), LLC and DOES 1 through 50,  
 20 inclusive,

21 Defendant.

22 SSA TERMINALS, LLC; SSA TERMINALS  
 22 (OAKLAND), LLC,

23 Counterclaimants,

24 vs.

25 CITY OF OAKLAND and Does 1 through 10,

26 Counter-Defendants.

CASE NO.: C11-01446 YGR

**SIXTH STIPULATION FURTHER  
 AMENDING TRIAL-RELATED DATES  
 AND ~~PROPOSED~~ ORDER**

27  
 28 1.

**SIXTH STIPULATION FURTHER AMENDING TRIAL-RELATED DATES AND  
~~PROPOSED~~ ORDER CASE NO.: C11-01446 YGR**

1 After conference with the Court and counsel on December 17, 2012, Plaintiff and  
2 Counter-Defendant City of Oakland, a Municipal Corporation, Acting By and Through its  
3 Board of Port Commissioners (the "Port"), and Defendants and Counter-Claimants SSA  
4 Terminals, LLC, and SSA Terminals (Oakland), LLC ("SSAT"), seek a fifth order  
5 modifying the trial and pretrial scheduling dates in the Order Regarding Fourth Stipulation  
6 Further Amending Trial-Related Dates dated October 29, 2012 ("Fourth Order,"  
7 Document 111), and the Civil Minutes issued following a telephone conference between  
8 the Court and counsel held on November 7, 2012 ("Minutes," Document 112) as follows:

9 1. The pre-trial and trial dates set forth in the Fourth Order (Document 111)  
10 and Minutes (Document 112) are vacated.

11 2. The following new dates apply:

12 (a) the trial date will be set on not less than three weeks' notice from  
13 the Court on or after May 3, 2013, with Jury Selection to occur when the Court  
14 designates;

15 (b) close of all discovery on February 22, 2013;

16 (c) the pretrial conference, exchange of exhibits, pretrial conference  
17 motions and statements, and the filing of all trial documents be rescheduled as follows:

- 18 • March 29 Exchange trial exhibits and Motions in Limine [MIL]
- 19 • April 5 Last day to meet and confer re Joint Pretrial Statement
- 20 • April 12 File Joint Pretrial Conference Statement
- 21 • April 19 File opposition to MILs
- 22 • April 26 File all trial documents [Proposed Order re Stipulations, Witness  
23 Lists, Expert Witness Lists, Exhibit Lists, Discovery Excerpts, Jury  
24 Instructions, Joint Statement of Case, Voir Dire List and Proposed  
25 Verdict Forms]

26 ///

27 ///

- May 3 Pre-Trial Conference

Dated: December \_\_\_\_\_, 2012

Respectfully,

FITZGERALD ABBOTT & BEARDSLEY LLP

By \_\_\_\_\_

Richard T. White

Attorneys for Plaintiff and Counter-Defendant

Dated: December \_\_\_\_\_, 2012

RUSSELL, MIRKOVICH & MORROW

By \_\_\_\_\_

Joseph N. Mirkovich

Attorneys for Defendants and Counterclaimants

SSA Terminals, LLC and SSA Terminals  
(Oakland), LLC

ORDER

Pursuant to the above Stipulation, **IT IS SO ORDERED**. This Order terminates Dkt.  
Nos. 115 & 117.

Dated: December 19, 2012



YVONNE GONZALEZ ROGERS

UNITED STATES DISTRICT COURT JUDGE