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10 Attorneys for Defendant CHEVRON U.S.A. INC.

11 UNITED STATES DISTRICT COURT
12 NORTHERN DISTRICT OF CALIFORNIA
13 OAKLAND DIVISION

14 GREGORY VILLAGE PARTNERS, L.P.,

15 Plaintiff,

16 vs.

17 CHEVRON U.S.A. INC., M.B.
18 ENTERPRISES, and CENTRAL CONTRA
19 COSTA SANITARY DISTRICT,

20 Defendants.

Case No. C 11-01597-PJH

**STIPULATION AND ~~[PROPOSED]~~
ORDER TO SET HEARING DATE FOR
MOTIONS TO DISMISS FIRST
AMENDED COMPLAINT**

Date: December 21, 2011
Time: 9:00 a.m.
Courtroom: 3
Judge: Honorable Phyllis J. Hamilton
Trial Date: None Set

DECLARATION OF ROBERT C. GOODMAN

21 1. I am a shareholder with the law firm of Rogers Joseph O'Donnell,
22 attorneys for Defendant Chevron U.S.A. Inc. ("Chevron"). I have personal knowledge of the
23 facts set forth herein, and if called upon could and would competently testify thereto.

24 2. On September 21, 2011 Defendants Chevron, M.B. Enterprises, and the
25 Central Contra Costa Sanitary District filed motions to dismiss Plaintiff's First Amended
26 Complaint, setting the hearing date for November 9, 2011. (Document Nos. 46, 47, and 49).

27 3. On November 3, 2011 the Court notified the parties that the hearing on
28 the motions to dismiss would be heard on November 30, 2011.

4. On November 15, 2011 Chevron filed a stipulation and proposed order requesting that the hearing date be moved to December 14, 2011. (Document 58.)

5. On November 16, 2011 the Court notified the parties that December 14, 2011 was not available. In addition, the Court ordered the parties to meet and confer and to file a stipulation selecting either December 21, 2011 or a date in February, 2012 for the hearing on the motions to dismiss. (Document 59.)

6. The parties subsequently agreed to select December 21, 2011 for the hearing.

I declare under penalty of perjury that the foregoing is true and correct.

Executed this 21st day of November 2011 in San Francisco, California.

/s/ Robert C. Goodman

ROBERT C. GOODMAN

IT IS HEREBY STIPULATED pursuant to Local Rule 6-1(b) and Rule 6-2(a),
by the parties to this action, by and through their undersigned counsel, as follows:

The hearing date on Defendants' motions to dismiss currently set for November 30, 2011 shall be set for December 21, 2011.

Dated: November 17, 2011

STANZLER LAW GROUP

By: /s/ Jordan S. Stanzler

JORDAN S. STANZLER

Attorney for Plaintiff

GREGORY VILLAGE PARTNERS, L.P.

Dated: November 17, 2011

ROGERS JOSEPH O'DONNELL

By: /s/ Robert C. Goodman

ROBERT C. GOODMAN

Attorney for Defendant

CHEVRON U.S.A. INC.

1 Dated: November 17, 2011

**SHAPIRO BUCHMAN PROVINE
BROTHERS SMITH LLP**

2
3 By: /s/ Jack C. Provine
JACK C. PROVINE
4 Attorney for Defendant
5 MB ENTERPRISES, INC.

6 Dated: November 17, 2011

**MEYERS, NAVE, RIBACK, SILVER &
WILSON**

7
8 By: /s/ Kenton L. Alm
KENTON L. ALM
9 Attorney for Defendant
10 CENTRAL CONTRA COSTA SANITARY
11 DISTRICT

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13 I attest that concurrence in the filing of this document has been obtained from Jordan S.
14 Stanzler for Plaintiff, Jack C. Provine for Defendant MB Enterprises, Inc., and Kenton L.
15 Alm for Defendant Central Contra Costa Sanitary District.

16 By: /s/ Robert C. Goodman
17 ROBERT C. GOODMAN
18 Attorney for Defendant
19 CHEVRON U.S.A. INC.

20 **ORDER**

21 The hearing date on Defendants' motions to dismiss Plaintiff's First Amended
22 Complaint is hereby set for December 21, 2011, at 9:00 a.m.

23 **IT IS SO ORDERED.**

24
25 DATED: 11/22/11

26 By JUDGE PHYLLIS J. HAMILTON
27 JUDGE PHYLLIS J. HAMILTON
28 UNITED STATES DISTRICT COURT

