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12 UNITED STATES DISTRICT COURT
13 NORTHERN DISTRICT OF CALIFORNIA
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15 MITSUI O.S.K. LINES, LTD.,

16 Plaintiff,

17 v.

18 CB FREIGHT INT'L, INC., et al.,

19 Defendants.

Case No. 4:15-cv-05289-KAW

**STIPULATION TO SEVER DEFENDANT
CB FREIGHT INT'L, INC. FROM THE
ACTION AND AMENDED ORDER**

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21 WHEREAS, this action was filed on November 18, 2015 and assigned to Magistrate Judge
22 Kandis A. Westmore;

23 WHEREAS, both Plaintiff Mitsui O.S.K. Lines, Ltd. ("MOL"), and Defendant Sky-World
24 Int'l Express, Inc. ("Sky-World") filed their consent to proceed before Magistrate Judge Westmore
25 on December 9, 2015 and March 15, 2016 respectively;

26 WHEREAS, Defendant CB Freight Int'l, Inc. ("CB Freight") has not appeared and,
27 therefore, has not consented to Magistrate Judge Westmore's jurisdiction;

28 WHEREAS, default was entered against CB Freight on March 2, 2016;

1 WHEREAS, on August 9, 2016, Plaintiff MOL and Defendant Sky-World filed a case
2 management conference statement stating that they have reached a settlement and expect to file a
3 dismissal within 90 days;

4 WHEREAS, it is necessary to sever this case as to Defendant CB Freight because it has not
5 consented to proceed before Magistrate Judge Westmore;

6 NOW THEREFORE, Plaintiff MOL and Defendant Sky-World by and through their
7 attorneys hereby stipulate and agree that Plaintiff's action against Defendant CB Freight be
8 severed.

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10 Dated: August 17, 2016

CLYDE & CO US LLP

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12 By: /s/ Conte C. Cicala
13 Conte C. Cicala
14 Attorneys for Plaintiff
15 MITSUI O.S.K. LINES, LTD.

16 Dated: August 17, 2016

MARRON LAWYERS

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18 By: /s/ Paul Arenas
19 Paul Arenas
20 Attorneys for Defendant
21 SKY-WORLD INT'L EXPRESS, INC.

22
23 Dated: August 17, 2016

GKG LAW, P.C.

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25 By: /s/ Brendan Collins
26 Brendan Collins (*pro hac vice*)
27 Attorneys Defendant
28 SKY-WORLD INT'L EXPRESS, INC.

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L.R. 5-1 (i) ATTESTATION

In compliance with Local Rule 5-1, I hereby attest that concurrence in the filing of this document has been obtained from the other signatory.

Dated: August 17, 2016

/s/ Conte C. Cicala
Conte C. Cicala

IT IS SO ORDERED, that Defendant CB Freight International, Inc., be severed from this case and that a new case be opened and directly assigned to Magistrate Judge Westmore. The filing fee is waived. The following documents are to be docketed in the new case and shall maintain their original date of filing: 1, 19, 21, 22, 23, 40 and this order.

DATED: 8/30/16

Kandis Westmore
KANDIS A. WESTMORE
United State Magistrate Judge

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