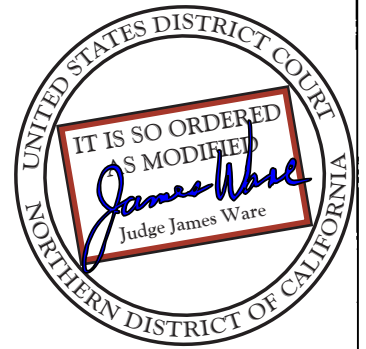


1 UNITED STATES DISTRICT COURT
2 NORTHERN DISTRICT OF CALIFORNIA
3 SAN JOSE DIVISION



4 GRANITE ROCK COMPANY,

5 Plaintiff,

6 v.

7 TEAMSTERS LOCAL 287 &
8 INTERNATIONAL BROTHERHOOD OF
9 TEAMSTERS,

10 Defendants.

Case No. C-04-2767-JW

~~PROPOSED~~ ORDER STAYING
COMPLIANCE WITH THE REMAND
ORDER AND MANDATE OF THE NINTH
CIRCUIT PENDING PETITION FOR
WRIT OF CERTIORARI


Hearing date: March 9, 2009
Time: 10:00 a.m.
Courtroom: 8
Judge: Honorable James Ware

11 The Court having been informed by counsel for both parties that Plaintiff intends to petition
12 the United States Supreme Court for a Writ of Certiorari; counsel for both parties having requested
13 the Court to issue an order staying compliance with the remand Order and Mandate of the Ninth
14 Circuit Court of Appeals; and good cause having been shown:

15 IT IS ORDERED THAT, upon stipulation of the parties, compliance with the remand Order
16 and Mandate of the Ninth Circuit Court of Appeals in this case is stayed until final disposition of
17 Plaintiff's anticipated Petition for Writ of Certiorari to the United States Supreme Court, or through
18 March 30, 2009, in the event that such petition is not filed on or before that date.

19 Accordingly, the Ninth Circuit Mandate shall be STAYED up to **April 3, 2009**. On or
20 before **April 13, 2009 at 10 a.m.**, the parties shall appear for a Status Conference. On or before
21 **April 3, 2009**, the parties shall file a Joint Status Statement, in which they shall apprise the Court of
22 the status of Plaintiff's anticipated petition for writ of certiorari. If Plaintiff files such a petition, as
23 proposed, the Court will stay all proceedings in this matter and vacate the April 13 Case
24 Management Conference.
25

26 Dated: March 5, 2009

27 
JAMES WARE
United States District Judge

28 [PROPOSED] ORDER STAYING CASE
MANAGEMENT CONFERENCE
CASE NO. C-04-2767-JW