

E-Filed 12/5/08

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11 Attorneys for Plaintiff/Defendant/Third Party
 12 Plaintiff GLASFORMS, INC., a California
 corporation

13 UNITED STATES DISTRICT COURT
 14 NORTHERN DISTRICT OF CALIFORNIA
 15 SAN JOSE DIVISION

16 DONG AH TIRE & RUBBER CO., LTD.,
 a Korean Corporation,

17 Plaintiff,

18 v.

19 GLASFORMS, INC., a California
 20 corporation,

21 Plaintiff/Defendant/
 22 Third-Party Plaintiff.

23 v.

24 CTG INTERNATIONAL (NORTH
 AMERICA) INC., an Indiana Corporation;
 25 TAISHAN FIBERGLASS, INC., a
 corporation organized under the laws of the
 26 People's Republic of China,
 Defendants/Third-Party Defendants.

CASE NO. C 06-03359 JF
 (Consolidated With Case No. C 06-00213 JF)

**REVISED STIPULATION TO TOLL
 LITIGATION ACTIVITY AND COURT-
 ORDERED DEADLINES PENDING
 MEDIATION; ~~PROPOSED~~ ORDER
 THEREON**

1 This revised stipulation is entered into between Plaintiff/Defendant/Third-Party Plaintiff
2 Glasforms, Inc. ("Glasforms"), Third-Party Defendant CTG International (North America) Inc.
3 ("CTG"), and Third-Party Defendant Taishan Fiberglass, Inc. ("Taishan"), by and through their
4 respective counsel of record.

5 **RECITALS**

6 WHEREAS, Glasforms, CTG, and Taishan (collectively the "Parties") had originally
7 executed a Stipulation to mediate the above-captioned matter before the Honorable Walter P.
8 Capaccioli (Ret.) on December 12, 2008, in San Jose, California;

9 WHEREAS, the Court on November 5, 2008 had issued an Order based upon said original
10 Stipulation which tolled all litigation activity and deadlines pending the mediation;

11 WHEREAS, due to an unfortunate miscommunication, CTG's insurance carrier will not
12 be able to participate meaningfully in a mediation on December 12, 2008;

13 WHEREAS, all parties have agreed to reschedule the mediation before Justice Capaccioli
14 (Ret.) to January 9, 2009;

15 WHEREAS, to conserve the resources of the Parties and the Court, the parties continue to
16 agree to toll all litigation activity and deadlines pending the rescheduled mediation;

17 NOW THEREFORE, IT IS HEREBY AGREED AND STIPULATED, by and between
18 Glasforms, CTG, and Taishan, through their respective counsel of record, and subject to Court
19 approval, that:

20 (A) All litigation activity and deadlines shall be tolled effective October 31, 2008,
21 pending the January 9, 2009 mediation; and

22 (B) CTG and Taishan object to the Magistrate Judge's October 29, 2008 Order Denying
23 Third-Party Defendants' Motions to Compel, And for Sanctions. The parties agree that tolling
24 further litigation activity and deadlines in this case should not in any way prejudice CTG and
25 Taishan's right to assign as error any defects in the Order or to move for reconsideration of that
26 Order pursuant to Local Rule 7-9. Accordingly, the parties respectfully and specifically request
27 that the time within which CTG and Taishan may serve and file their written objections to the
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1 Order pursuant to Fed. R. Civ. P. 72(a) and/or their motion for reconsideration pursuant to Local
2 Rule 7-9 be extended to and including January 16, 2009.

3 IT IS RESPECTFULLY REQUESTED that the Court vacate the status conference
4 currently scheduled for December 19, 2008, and re-schedule a status conference on or before
5 January 16, 2009, at which time, failing settlement, all affected deadlines shall be rescheduled as
6 expeditiously as reasonably possible.

7 IT IS SO STIPULATED:
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9 Dated: December 2, 2008

HOPKINS & CARLEY
A Law Corporation

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By: /s/ Noelle R. Dunn
Robert A. Christopher
Eugene Ashley
Noelle R. Dunn
Attorneys for Plaintiff/Defendant/Third-
Party Plaintiff GLASFORMS, INC.

15 Dated: December 2, 2008

CAMPBELL, WARBURTON,
FITZSIMMONS, SMITH, MENDELL &
PASTORE

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By: /s/ Lisa Jeong Cummins
J. Michael Fitzsimmons
Lisa Jeong Cummins
Attorneys for Third Party Defendant
CTG INTERNATIONAL (NORTH
AMERICA) INC.

22 Dated: December 2, 2008

BURROW & SHIMANE

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By: /s/ Lance Burrow
Lance Burrow
Attorneys for Third-Party Defendants
TAISHAN FIBERGLASS, INC.

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IT IS ORDERED that:

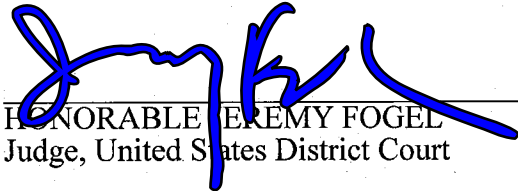
(A) All litigation activity and deadlines are tolled effective October 31, 2008, pending the January 9, 2009 mediation; and

(B) CTG and Taishan are hereby granted an enlargement of time, to and including January 16, 2009, within which to file and serve any written objections to, and/or motion for reconsideration of, the Magistrate Judge's October 29, 2008 Order Denying Third-Party Defendants' Motions to Compel, And for Sanctions. This enlargement of time is without prejudice to CTG and Taishan's rights to assign as error any defects in that Order or rights to move for reconsideration of that Order.

(C) The previously scheduled December 9, 2008 status conference is hereby vacated.

(D) The parties shall appear for a status conference on January 16, 2009, at 10:30 a.m. in Department 3 of the above-entitled Court.

Dated: 12/5/08, 2008


HONORABLE JEREMY FOGEL
Judge, United States District Court

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PURSUANT TO GENERAL ORDER NO. 45,

I, Noelle R. Dunn, the ECF User transmitting and filing this Revised Stipulation to Toll
Litigation Activity and Deadlines Pending Mediation and [Proposed] Order Thereon, attest that I
have obtained the concurrence of Lisa Jeong Cummins and Lance Burrow on this filing.

I declare the foregoing under the penalty of perjury.

Dated: December 3, 2008

HOPKINS & CARLEY
A Law Corporation

By: /s/ Noelle R. Dunn
Noelle R. Dunn
Attorneys for Plaintiff/
Defendant/Third-Party Plaintiff,
GLASFORMS, INC.