

1 J. Michael Fitzsimmons (SBN 132343)  
 jfitzsimmons@campbellwarburton.com  
 2 Lisa Jeong Cummins (SBN 118087)  
 lcummins@campbellwarburton.com  
 3 CAMPBELL, WARBURTON, FITZSIMMONS,  
 SMITH, MENDELL & PASTORE  
 4 64 West Santa Clara Street  
 San Jose, CA 95113-1806  
 5 Telephone: 408-295-7701  
 Facsimile: 408-295-1423  
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7 Attorneys for Defendant/Third Party Defendant  
 CTG INTERNATIONAL (NORTH AMERICA) INC.

8  
 9 **UNITED STATES DISTRICT COURT**  
 10 **NORTHERN DISTRICT OF CALIFORNIA**  
 11 **SAN JOSE DIVISION**

12 DONG AH TIRE & RUBBER CO., )  
 13 LTD., a Korean Corporation, )  
 )  
 14 Plaintiff, )  
 )  
 15 v. )  
 16 GLASFORMS, INC., a California )  
 Corporation, )  
 17 Plaintiff/Defendant/ )  
 Third-Party Plaintiff, )  
 18 v. )  
 19 CTG INTERNATIONAL (NORTH )  
 20 AMERICA) INC., an Indiana )  
 Corporation; TAISHAN )  
 21 FIBERGLASS, INC., a corporation )  
 organized under the laws of the )  
 22 People’s Republic of China, )  
 )  
 23 Defendants/ )  
 Third-Party Defendants. )

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

**STIPULATION TO VACATE BOTH  
 THE PRETRIAL CONFERENCE  
 SCHEDULED FOR JANUARY 9,  
 2009 AND TRIAL DATE OF  
 JANUARY 20, 2009 (JANUARY 19,  
 2009 BEING COURT HOLIDAY)  
 AND [PROPOSED] ORDER  
 THEREON**

24 \_\_\_\_\_ )  
 25 AND RELATED COUNTERCLAIMS )  
 26 \_\_\_\_\_ )

27 This Stipulation is entered into between Plaintiff/Defendant/Third-Party Plaintiff Glasforms,  
 28 Inc. (“Glasforms”), Third-Party Defendant CTG International (North America) Inc. (“CTG”), and

1 Third-Party Defendant Taishan Fiberglass, Inc. (“Taishan”), by and through their respective  
2 counsel of record.

3 **RECITALS**

4 WHEREAS, the Pretrial Conference in this matter is presently set for January 9, 2009;

5 WHEREAS, Trial in this matter is presently scheduled to commence on January 20, 2009  
6 (January 19, 2009 being a Court holiday);

7 WHEREAS, all parties have agreed to mediate before Justice Walter P. Capaccioli (Retired)  
8 on January 9, 2009;

9 WHEREAS, in view of the pending Mediation on January 9, 2009 all parties have agreed  
10 and stipulated that all litigation activity and deadlines have been tolled effective October 31, 2008  
11 effectively rendering all parties unprepared for Trial on January 19, 2009;

12 WHEREAS, if this matter does not resolve at Mediation on January 9, 2009, all parties are  
13 to appear for a Status Conference on January 16, 2009 at 10:30 A.M. in Department 3 at which time  
14 all affected deadlines shall be rescheduled as expeditiously as reasonably possible;

15 WHEREAS, to alleviate any ambiguity and concerns as to surprise, the parties agree that  
16 the phrase “all litigation activities and deadlines”, includes both the Pretrial Conference and the  
17 Trial of this matter;

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

21 The Pretrial Conference previously scheduled for January 9, 2009 and the previously  
22 scheduled Trial date of January 20, 2009 (January 19, 2009 being a Court holiday) shall be vacated  
23 and, failing settlement, will be among the affected deadlines to be rescheduled as expeditiously as  
24 reasonably possible at the Status Conference on January 16, 2009.

25 IT IS RESPECTFULLY REQUESTED that the Court vacate both the Pretrial Conference  
26 presently set for January 9, 2009 and the Trial date currently scheduled for January 20, 2009

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ORDER

IT IS ORDERED THAT:

- A. The previously scheduled Pretrial Conference date of January 9, 2009 is hereby vacated; and
- B. The previously scheduled Trial date of January 20, 2009 (January 19, 2009 being a Court holiday) is hereby vacated.

Dated: December 10, 2008

  
\_\_\_\_\_  
HONORABLE JEREMY FOGEL  
Judge of the United States District Court

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PURSUANT TO GENERAL ORDER 45,

I, Lisa Jeong Cummins, the ECF User transmitting and filing this **STIPULATION TO VACATE BOTH THE PRETRIAL CONFERENCE SCHEDULED FOR JANUARY 9, 2009 AND TRIAL DATE OF JANUARY 20, 2009 (JANUARY 19, 2009 BEING A COURT HOLIDAY) AND [PROPOSED] ORDER THEREON**, attest that I have obtained the concurrence of Robert A. Christopher and Lance Burrow on this filing. I declare the foregoing under the penalty of perjury.

DATED: December 9, 2008

CAMPBELL, WARBURTON, FITZSIMMONS,  
SMITH, MENDELL & PASTORE

By: \_\_\_\_\_ /s/ Lisa Jeong Cummins  
Lisa Jeong Cummins  
Attorneys for Third-Party Defendant  
CTG INTERNATIONAL (NORTH  
AMERICA) INC.