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

15 DONG AH TIRE & RUBBER CO., LTD.,  
 Plaintiff,  
 16 v.  
 17 GLASFORMS, INC.,  
 Defendant/Third-Party  
 18 Plaintiff,  
 19 v.  
 20 CTG INTERNATIONAL (NORTH  
 AMERICA) INC., and TAISHAN  
 21 FIBERGLASS, INC.,  
 22 Third-Party Defendants.

CASE NO. C06-3359 JF (RS)  
 (Consolidated With Case No. C06-00213 JF)

**STIPULATION AS TO PRETRIAL  
 DEADLINES; ~~PROPOSED~~ ORDER**

23  
 24 This stipulation is entered into between Plaintiff/Defendant/Third-Party Plaintiff  
 25 Glasforms, Inc. (“Glasforms”), Third-Party Defendant CTG International ( North America) Inc.  
 26  
 27  
 28

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

3 **RECITALS**

4 WHEREAS, Glasforms, CTG, and Taishan (collectively the “Parties”) executed a  
5 stipulation to stay this action and mediate their dispute before the Honorable Walter P.  
6 Capaccioli (Ret.) beginning December 12, 2008;

7  
8 WHEREAS, the Court on November 5, 2008 issued an order based on the Parties’  
9 stipulation that tolled all litigation activity and deadlines pending the mediation;

10 WHEREAS, the Parties stipulated to reschedule the mediation for January 9,  
11 2009;

12  
13 WHEREAS, the Court on December 5, 2008 issued an order based upon the  
14 Parties’ stipulation which tolled all litigation activity and deadlines pending the rescheduled  
15 mediation;

16 WHEREAS, the Parties did not reach a settlement at the mediation;

17 WHEREAS, the Parties, by their respective counsel, met and conferred by  
18 telephone on January 13, 2009 concerning appropriate schedules and pretrial deadlines in this  
19 action;

20  
21 WHEREAS, the Court held a status conference in this action on January 16, 2009  
22 during which the Court scheduled this action for jury trial on July 10, 2009; and

23 WHEREAS, on January 30, 2009 Glasforms filed its Motion For Leave To  
24 Amend Its First Amended Complaint ("Motion to Amend") (Doc. 183) which is set to be heard  
25 on March 6, 2009,  
26  
27  
28

1 NOW THEREFORE, THE PARTIES HEREBY AGREE AND STIPULATE,  
2 subject to Court approval, that:

3 (A) The first available hearing date for Third-Party Defendants' Motions for  
4 Partial Summary Judgment is March 27, 2009;

5 (B) Any responses to the Motions for Partial Summary Judgment shall be filed  
6 on or before February 18, 2009;

7 (C) Any replies in support of the Motions for Partial Summary Judgment shall  
8 be filed on or before March 4, 2009;

9 (D) Expert depositions will be scheduled during March and April 2009; each  
10 expert shall produce all requested documents no later than two weeks (14 days) prior to his or  
11 her deposition; and all expert discovery shall be completed on or before April 30, 2009;

12 (E) Final Witness and Exhibit Lists shall be filed and served no later than  
13 May 7, 2009;

14 (F) Motions in Limine shall be filed and served no later than May 22, 2009;  
15 and

16 (G) Oppositions to Motions in Limine and Trial Briefs shall be filed and  
17 served no later than June 8, 2009.

18 (H) This Stipulation is without prejudice to any future modifications of the  
19 pretrial or trial schedule that Taishan or CTG may seek if the Court grants Glasforms' Motion To  
20 Amend. While Glasforms believes adding a new cause of action would not affect the schedule,  
21 Taishan and CTG disagree. The parties agree that nothing in this Stipulation should be  
22 interpreted to restrict any party's right to request future modifications as necessary.  
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1 IT IS SO STIPULATED:

2 Dated: February 6, 2009

BAKER & DANIELS LLP

3  
4 By:/s/ Kevin M. Toner  
5 David K. Herzog  
6 Kevin M. Toner  
7 April Sellers  
8 Jennifer M. Phelps  
9 *Attorneys for Third-Party Defendants*  
10 *TAISHAN FIBERGLASS INC. AND CTG*  
11 *INTERNATIONAL (NORTH AMERICA)*  
12 *INC.*

BURROW & SHIMANE

11  
12 By:/s/ Lance Burrow  
13 Lance Burrow  
14 *Attorneys for Third-Party Defendant*  
15 *TAISHAN FIBERGLASS, INC.*

16 CAMPBELL, WARBURTON,  
17 FITZSIMMONS, SMITH, MENDELL &  
18 PASTORE

19 By:/s/ J. Michael Fitzsimmons  
20 J. Michael Fitzsimmons  
21 Lisa Jeong Cummins  
22 *Attorneys for Third Party Defendant*  
23 *CTG INTERNATIONAL (NORTH*  
24 *AMERICA) INC.*

HOPKINS & CARLEY, A LAW CORPORATION

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

IT IS ORDERED that:

(A) Any responses to the Motions for Partial Summary Judgment shall be filed on or before February 18, 2009;

(B) Any replies in support of the Motions for Partial Summary Judgment shall be filed on or before March 4, 2009;

(C) Expert depositions will be scheduled during March and April 2009; each expert shall produce all requested documents no later than two weeks (14 days) prior to his or her deposition; and all expert discovery shall be completed on or before April 30, 2009;

(D) Final Witness and Exhibit Lists shall be filed and served no later than May 7, 2009;

(E) Motions in Limine shall be filed and served no later than May 22, 2009; and

(F) Oppositions to Motions in Limine and Trial Briefs shall be filed and served no later than June 8, 2009.

Dated: 2/23, 2009

  
JEREMY FOGEL  
United States District Judge