

1 BINGHAM MCCUTCHEN LLP
 CHRISTOPHER P. BERKA (SBN 94911)
 2 chris.berka@bingham.com
 HOLLY PEARSON (SBN 226523)
 3 holly.pearson@bingham.com
 EMILY LEAHY (SBN 253866)
 4 emily.leahy@bingham.com
 1900 University Avenue
 5 East Palo Alto, CA 94303-2223
 Tel: 650.849.4400; Fax: 650.849.4800

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 7 Attorneys for Plaintiff and Counterdefendant
 SANTA CLARA VALLEY WATER DISTRICT

8 MORGAN, LEWIS & BOCKIUS LLP
 MICHAEL E. MOLLAND, State Bar No. 111830
 9 BENJAMIN P. SMITH, State Bar No. 197551
 AARON S. DUTRA, State Bar No. 216971
 10 One Market, Spear Street Tower
 San Francisco, CA 94105
 11 Tel: 415.442.1000; Fax: 415.442.1001
 E-mail: mmolland@morganlewis.com
 12 bpsmith@morganlewis.com
asdutra@morganlewis.com

13 CREECH, LIEBOW & KRAUS
 14 RANDALL C. CREECH, Cal. Bar #65542
 333 West San Carlos Street, Suite 1600
 15 San Jose, CA 95110
 Tel: (408) 993-9911; Fax: (408) 993-1335
 16 E-mail: rcreech@sjlegal.com

17 Attorneys for Defendant and Counterclaimant
 OLIN CORPORATION

18
 19 UNITED STATES DISTRICT COURT
 20 NORTHERN DISTRICT OF CALIFORNIA
 21 SAN JOSE DIVISION

22 SANTA CLARA VALLEY WATER
 DISTRICT,

Plaintiff,

vs.

24
 25 OLIN CORPORATION, and DOES 1-10,
 26 inclusive,

Defendant.

Case No. C07-03756 RMW

**STIPULATION AND [PROPOSED]
 ORDER MODIFYING CASE
 MANAGEMENT ORDER**

Judge: The Honorable Ronald M. Whyte

AND RELATED CROSS-ACTION.

MORGAN, LEWIS &
 BOCKIUS LLP
 ATTORNEYS AT LAW
 SAN FRANCISCO

STIP. AND ORDER MODIFYING CASE
 MANAGEMENT ORDER
 DR7/11074199 I

USDC -- N.D. Case No. C 07-03756 RMW

1 WHEREAS, the Santa Clara Valley Water District ("District") filed this action on July 20,
2 2007, against Defendant Olin Corporation ("Olin"), and filed a First Amended Complaint on
3 October 18, 2007;

4 WHEREAS, Olin filed a counterclaim on November 1, 2007, and the District's motion to
5 dismiss Olin's counterclaim is still under submission by the Court;

6 WHEREAS, a Case Management Conference was held before the Court on February 15,
7 2008, resulting in a Case Management Order of February 28, 2008, (Docket No. 57) specifying a
8 trial date of April 20, 2009, and the close of fact discovery on January 30, 2009;

9 WHEREAS, the District and Olin have exchanged written discovery and are currently
10 engaged in significant deposition discovery;

11 WHEREAS, Olin supplemented its initial disclosures on October 20, 2008, and the
12 District supplemented its initial disclosures on or about November 10, 2008, to assert a new
13 damages claim against Olin;

14 WHEREAS, at the stipulation of the parties, the Case Management Order was modified by
15 the Court on December 4, 2008, (Docket No. 63) specifying a trial date on or after July 20, 2009,
16 and the close of fact discovery on March 27, 2009;

17 WHEREAS, Olin filed a motion for leave to amend its counterclaim on February 6, 2009;

18 WHEREAS, discovery is continuing;

19 WHEREAS, the parties do not believe that it will be possible to complete all remaining
20 fact discovery on or before March 27, 2009;

21 NOW THEREFORE, FOR GOOD CAUSE SHOWN, THE PARTIES HEREBY
22 STIPULATE and AGREE and respectfully request that the Court modify the existing Case
23 Management Order dates and continue the deadlines set forth in that Order as follows:

24 Trial Date: ~~The Court's first available trial date on or after July 20, 2009~~ @ 1:30 pm.

25 Disclosure of Expert Witnesses: On or about May 18, 2009

26 Disclosure of Rebuttal Expert Witnesses: On or about June 10, 2009

27 Close of Fact Discovery: On or about April 30, 2009

28 Close of Expert Discovery: On or about June 30, 2009

