

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28

**\*E-FILED - 8/12/09\***

**UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA**

OMER KASSA individually; OMER  
KASSA dba H & O, INC., and H & O,  
INC.,

Plaintiffs,

v.

BP WEST COAST PRODUCTS, LLC, dba  
ARCO PRODUCTS COMPANY and  
DOES 1 to 50,

Defendants.

Case No: C08-02725 RMW(PVTx)

**~~[PROPOSED]~~ ORDER  
CONTINUING TRIAL AND ALL  
DATES ATTENDANT THERETO**

**[Joint Stipulation To Continue Trial  
And All Dates Attendant Thereto filed  
concurrently herewith.]**

Judge Ronald M. Whyte  
Courtroom 6

~~[PROPOSED]~~ ORDER CONTINUING  
TRIAL AND ALL DATES ATTENDANT THERETO

1           After considering the papers submitted in support of the Joint Stipulation  
2 to Continue Trial And All Dates Attendant Thereto, and for good cause shown,

3           IT IS HEREBY ORDERED, ADJUDGED AND DECREED as follows:

4           (1) The discovery cutoff in the instant Action shall be October 16,  
5 2009;

6           (2) The Parties will exchange their expert witness reports on October  
7 16, 2009;

8           (3) The Parties shall designate their rebuttal expert witnesses on  
9 October 23, 2009;

10          (4) The expert discovery cutoff shall be November 6, 2009;

11          (5) The Parties shall file and serve any anticipated motions for  
12 summary judgment on or before November 6, 2009;

13          (6) The Parties shall file and serve any oppositions to motions for  
14 summary judgment on or before November 20, 2009;

15          (7) The Parties shall file any replies in support of their motions for  
16 summary judgment on or before December 4, 2009;

17          (8) The last day to hear dispositive motions shall be December 18,  
18 2009 at 9:00 a.m.;

19          (9) The Parties shall file their joint pre-trial statement on February 5,  
20 2010;

21          (10) The Parties' pre-trial conference shall occur on February 11, 2010  
22 at 9:00 a.m.;

23          (11) Trial shall commence on February 22, 2010; and  
24  
25  
26  
27  
28

1 (12) All dates attendant to trial shall be postponed in accordance with  
2 the new trial date.

3  
4 DATED: 8/12, 2009

*Ronald M. Whyte*  
\_\_\_\_\_  
Honorable Ronald M. Whyte  
UNITED STATES DISTRICT COURT

5  
6  
7 DATED: July 22, 2009

Respectfully submitted,

8  
9 KURT OSENBAUGH  
DEBORAH YOON JONES  
MacKENZIE E. HUNT  
10 **ALSTON & BIRD LLP**

11  
12 /s/ MacKenzie Bright Hunt  
MacKenzie Bright Hunt  
13 Attorneys for Defendant and Counter Claimant  
14 BP WEST COAST PRODUCTS LLC