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\*E-FILED - 11/16/09\*

**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)

**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

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) Kassa shall submit for deposition on or before November 13, 2009;

5           (2) The Parties shall file and serve any anticipated motions for  
6 summary judgment on or before December 23, 2009;

7           (3) The Parties shall file and serve any oppositions to motions for  
8 summary judgment on or before January 6, 2010;

9           (4) The Parties shall file any replies in support of their motions for  
10 summary judgment on or before January 15, 2010;

11           (5) The Parties will exchange their expert witness reports on January  
12 19, 2010;

13           (6) The last day to hear dispositive motions shall be January 29, 2010  
14 at 9:00 a.m.;

15           (7) The Parties shall designate their rebuttal expert witnesses on  
16 February 2, 2010;

17           (8) The expert discovery cutoff shall be February 19, 2010;

18           (9) The Parties shall file their joint pre-trial statement on April 2,  
19 2010;

20           (10) The Parties' pre-trial conference shall occur on April 8, 2010 at  
21 xxxxxxxxxx 2:00 p.m.

22           (11) Trial shall commence on April 19, 2010; and

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

3 DATED: 11/16, 2009

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5 \_\_\_\_\_  
6 Honorable Ronald M. Whyte  
7 UNITED STATES DISTRICT COURT

8 DATED: October , 2009

9 Respectfully submitted,

10 KURT OSENBAUGH  
11 DEBORAH YOON JONES  
12 MacKENZIE E. HUNT  
13 **ALSTON & BIRD LLP**

14 \_\_\_\_\_  
15 /s/ MacKenzie Bright Hunt  
16 MacKenzie Bright Hunt  
17 Attorneys for Defendant and Counter Claimant  
18 BP WEST COAST PRODUCTS LLC