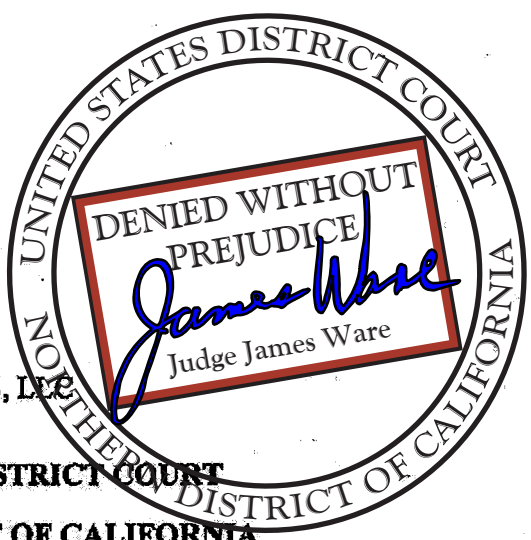


1 Matthew Vafidis (California Bar #103578)  
 2 Tianjing Zhang (California Bar #256759)  
 3 HOLLAND & KNIGHT LLP  
 4 50 California Street, 28th Floor  
 San Francisco, California 94111  
 Telephone: (415) 743-6900  
 Facsimile: (415) 743-6910

5 Attorneys for Defendants  
 6 BRIDGESTONE AMERICAS TIRE OPERATIONS, LLC  
 and BRIDGESTONE AMERICAS, INC.



7 UNITED STATES DISTRICT COURT  
 8 NORTHERN DISTRICT OF CALIFORNIA  
 9 SAN JOSE DIVISION

10 VERNON DOWER; MIRIAM DOWER;  
 11 ANDREW DOWER; LESHIA LEILANI  
 12 DOWER; LUCAS DOWER; GABRIEL  
 DOWER; EARLINE ROTHERMICH; and  
 LOIS HIJA,

13 Plaintiffs,

14 vs.

15 BRIDGESTONE AMERICAS TIRE  
 16 OPERATIONS, LLC; and BRIDGESTONE  
 AMERICAS, INC.,  
 Defendants.

17 And Related Third Party Complaint

) Case No. C 06-06837 JW (RS)

) ORDER DENYING STIPULATION RE:  
 ) CONSOLIDATION OF RELATED  
 ) ACTIONS

19 PEGGY PARKER; BRIAN PARKER;  
 20 PATRICIA ANNE ROEL; MICHAEL  
 21 PETERSON; DAVID PETERSON; JAMES  
 22 PETERSON; TOM WAGNER; CAROL  
 23 WAGNER; ROBERT WAGNER;  
 24 WAYLAND WAGNER; DAVE DUNGAN;  
 LINDA DUNGAN; STEVE CRAWFORD,  
 SUSAN CRAWFORD; SHANNAN  
 CRAWFORD; and JASON CRAWFORD

25 Plaintiffs,

26 v.

27 BRIDGESTONE AMERICAS TIRE  
 OPERATIONS, LLC  
 28 Defendant.

) Case No. C 08-05704 JW (RS)

HOLLAND & KNIGHT LLP  
 50 California Street, 28th Floor  
 San Francisco, CA 94111  
 Tel: (415) 743-6900  
 Fax: (415) 743-6910

HOLLAND & KNIGHT LLP  
50 California Street, 28th Floor  
San Francisco, CA 94111  
Tel: (415) 743-6900  
Fax: (415) 743-6910

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

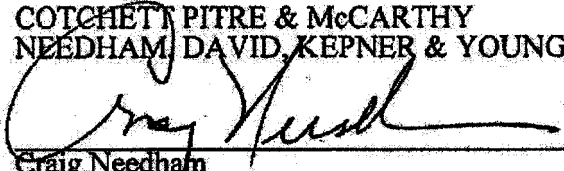
By Order of this Court dated January 14, 2009 (entered in the docket of the first-filed case as Document No. 200), the above-captioned two actions were ordered related.

IT IS HEREBY STIPULATED by all parties appearing in these actions, by and through their respective counsel of record, that, subject to the Courts' Order below, the two-captioned actions be consolidated pursuant to Rule 42(a)(2) of the Federal Rules of Civil Procedure, since they involve common issues of law and fact and are appropriate for consolidation.

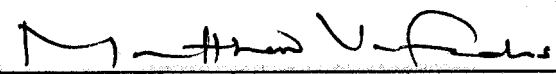
Notwithstanding such stipulation, each party hereto fully reserves any and all claims and defenses, and expressly preserves all other rights with respect to these actions, including, but not limited to, the right to move for a separate trials pursuant to Rule 42(b) and/or bifurcation of issues for trial.

SO STIPULATED:


Dated: April 2, 2009

COTCHETT PITRE & McCARTHY  
NEEDHAM DAVID, KEPNER & YOUNG LLP  
  
Craig Needham  
Attorneys for Plaintiffs

Dated: April 3, 2009

HOLLAND & KNIGHT LLP  
  
Matthew P. Vafidis  
Attorneys for Defendants  
BRIDGESTONE AMERICAS TIRE  
OPERATIONS, LLC and  
BRIDGESTONE AMERICAS, INC.

Dated: April 2, 2009

CITY OF SALINAS, OFFICE OF CITY  
ATTORNEY  
LAW OFFICES OF THOMAS M. BRUEN  
  
Thomas M. Bruen  
Attorneys for Third Party Defendants  
CITY OF SALINAS  
SALINAS VALLEY SOLID WASTE  
AUTHORITY


Holland & Knight LLP  
50 California Street, 28th Floor  
San Francisco, CA 94111  
Tel: (415) 743-6900  
Fax: (415) 743-6910

1 \*\*\* ORDER DENYING STIPUATION \*\*\*

2 Upon consideration, the Court DENIES the parties' Stipulation because the parties have  
3 failed to provide sufficient information for the Court to consider whether consolidation of a  
4 2006 case with a 2008 case is appropriate. The parties have failed to provide comprehensive  
5 details as to the state of each case and whether consolidation is for all purposes. Further, the  
6 Court would wish to know whether consolidation would further delay the 2006 case which has  
7 now been pending almost three years.  
8

9  
10 The Parker case is currently set for a Case Management Conference for **June 1, 2009 at**  
11 **10 a.m.** The Court sets a Case Management Conference for the Dower case on the same day  
12 to discuss the parties' desire to have these cases consolidated. On or before **May 22, 2009**, the  
13 parties shall file a Joint Statement re: Consolidation and provide their positions with respect to  
14 the issues raised by the Court above.  
15

16 Dated: April 10, 2009

17  
18   
19 JAMES WARE  
20 United States District Judge  
21  
22  
23  
24  
25  
26  
27  
28