

United States District Court  
For the Northern District of California

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UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA  
SAN JOSE DIVISION

GREEN VALLEY CORPORATION, a California corporation, dba Barry Swenson Builder,	)	Case No.: 09-CV-04028-LHK
	)	
	)	
	)	
Plaintiff,	)	
v.	)	
	)	MINUTE ORDER AND FURTHER CASE MANAGEMENT ORDER
CALDO OIL COMPANY, a California corporation; VICTOR J. LOBUE, an individual and as trustee of the Victor J. LoBue Trust; THE VICTOR J. LOBUE TRUST; NELLA OIL COMPANY, LLC, a California limited liability company; and DOES 1 through 100,	)	
	)	
Defendants.	)	

Clerk: Martha Parker Brown	Plaintiff Attorney: John Richard Till, Brian Paget
Reporter: Lee Anne Shortridge	Defendants Attorney: Herman Kalfen
	Third Party Defendants Attorney: Andrew M. Smith

A case management conference was held on August 11, 2011.

By Tuesday, August 16, 2011, Plaintiff shall submit a declaration, signed under penalty of perjury by both Barry Swenson or another Green Valley employee with personal knowledge *and* attorney John Till, with the following information:

- Whether any logs regarding discovery of contamination at 2266 Senter Road, San Jose, California, 95112 (“the Property”) have ever been created, maintained, reviewed, destroyed, or misplaced by anyone working for Plaintiff Green Valley Corporation. If any such documents exist, they shall be produced by August 18, 2011.
- Whether all documents relating to efforts to sell the Property have been produced. If any such documents have yet to be produced, they shall be produced by August 18, 2011.
- Whether any documents exist or ever existed relating to discovery of pollution in placement of footings on the Property. If such documents exist, they shall be produced by August 18, 2011.
- When anyone at Green Valley Corporation, including Barry Swenson, first learned about the case number 109CV155976 pending in the Superior Court of Santa Clara County.

The Case schedule was amended as set forth below.

ADR DEADLINE: The deadline for completion of private mediation is September 21, 2011.

DISCOVERY PLAN: Per Fed. R. Civ. Pro. and Local Rules.

DESIGNATION OF EXPERTS: August 5, 2011.

Case No.: 09-CV-04028-LHK  
MINUTE ORDER AND FURTHER CASE MANAGEMENT ORDER

1 DEADLINE FOR PRODUCTION OF DEFENDANT AND THIRD PARTY DEFENDANT'S  
EXPERT REPORTS: August 15, 2011 at 9 a.m., to be hand-served to Plaintiff  
2 DEADLINE FOR DEFENDANT AND THIRD PARTY DEFENDANT'S REBUTTAL EXPERT  
3 REPORTS: August 19, 2011  
4 DEADLINE FOR PLAINTIFF'S REBUTTAL EXPERT REPORTS: September 12, 2011  
5 FACT DISCOVERY CUTOFF is September 23, 2011.  
6 EXPERT DISCOVERY CUTOFF is September 26, 2011  
7 DISPOSITIVE MOTIONS shall be filed by September 29, 2011  
and are set for hearing on November 8, 2011 at 1:30 P.M.  
8 FURTHER CASE MANAGEMENT CONFERENCE is set to follow the November 8, 2011  
hearing on dispositive motions. If no dispositive motions are filed, the CMC will go forward.  
9 PRETRIAL CONFERENCE DATE is December 14, 2011 at 2:00 P.M.  
10 JURY TRIAL DATE is January 23, 2012 at 9:00 A.M. in courtroom 4, 5th floor.  
11 TRIAL LENGTH is estimated to be 10 days.

12 No further extensions will be granted.

13 **IT IS SO ORDERED.**

14 Dated: August 12, 2011

  
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LUCY H. KOH  
United States District Judge