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 11 GREEN VALLEY CORPORATION

\*\*E-Filed 3/24/2010\*\*

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

11 GREEN VALLEY CORPORATION,  
 12 Plaintiff,  
 13 vs.  
 14 CALDO OIL COMPANY, et al.,  
 15 Defendants.

No. C 09-4028 JF

**STIPULATED REQUEST TO CONTINUE  
 CASE MANAGEMENT CONFERENCE  
 AND [PROPOSED] ORDER**

Civil L.R. 16-2(e), 7-12

Case Management Conference:  
 Judge Fogel  
 Courtroom 3  
 March 26, 2010  
 10:30 a.m.

**Introduction**

20 The parties stipulate to and jointly request a further brief continuance of the Case Management  
 21 Conference currently set for this Friday, March 26, 2010, at 10:30 a.m. in Courtroom 3.

**Why a Continuance is Necessary**

23 The Court will recall that Defendants Caldo Oil Company, Victor LoBue and the Victor LoBue  
 24 Trust (the “Caldo defendants”) had not waived service and had not yet been served as of January 22,  
 25 2010, the date of the Initial Case Management Conference. The Court therefore continued the Case  
 26 Management Conference to Friday, March 26, 2010. See Court Docket, Document 25.

27 On March 5, 2010, Plaintiff Green Valley Corporation (“Green Valley”) served the Caldo  
 28 defendants with process by substituted service on their attorney, Gregg Garrison, who agreed to accept



1 service on their behalf. Green Valley filed proof of such service on March 16, 2010. *See* Court Docket,  
2 Document 26.

3 However, the Caldo defendants have not yet responded to Green Valley's First Amended  
4 Complaint. (Their response is not due until March 26, 2010, the same day as the continued Case  
5 Management Conference.) They also did not participate in drafting the Continued Joint Case  
6 Management Statement, which Green Valley and Defendant Nella Oil Company ("Nella") jointly  
7 drafted and which Green Valley filed on March 19, 2010. *See* Court Docket, Document 27.

8 Green Valley and Nella believe that the Continued Case Management Conference would be more  
9 useful and effective if it were held *after* the Caldo defendants respond to the First Amended Complaint  
10 and *after* they set forth their positions in a further Joint Case Management Statement.

11 **Stipulation**

12 Accordingly, Green Valley and Nella, through their attorneys of record, hereby stipulate to and  
13 jointly request that the Case Management Conference currently set for Friday, March 26, 2010, be  
14 continued for three weeks to Friday, April 16, 2010 (the time and place to remain the same: 10:30 a.m.  
15 in Courtroom 3) or that it be continued to such other date and time as the Court may deem just and  
16 proper. *See* Civil L.R. 16-2(e), 7-12.

17 SO STIPULATED:

18 DATED: March 23, 2010

PALADIN LAW GROUP<sup>®</sup> LLP

19 /s/  
20 \_\_\_\_\_

21 Brian R. Paget  
22 Counsel for Plaintiff  
GREEN VALLEY CORPORATION

23 DATED: March 23, 2010

ARONOWITZ & SKIDMORE, INC.

24 /s/  
25 \_\_\_\_\_

26 Kathleen Cordova Lyon  
27 Counsel for Defendant  
NELLA OIL COMPANY, LLC

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**[Proposed] Order:**

The Case Management Conference set for March 26, 2010, is continued to April 16, 2010, at 10:30 a.m. in Courtroom 3. PURSUANT TO STIPULATION, IT IS SO ORDERED.

DATED: March 24, 2010

Case No. C 09-4028 JF

  
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Judge Jeremy Fogel  
U.S. District Court  
Northern District of California

