

1 Allen Ruby, Esq. SB #47109
 SKADDEN, ARPS, SLATE, MEAGHER & FLOM LLP
 2 525 University Avenue, Suite 1100
 Palo Alto, California 94301
 3 Telephone: (650) 470-4500

4 Steven A. Ellenberg, Esq., SB # 151489
 Mark V. Boennighausen, Esq. SB# 142147
 5 LAW OFFICES OF STEVEN A. ELLENBERG
 6 4 N. Second Street, Suite 1240
 San Jose, California 95113
 7 Telephone: (408) 998-8500

8 Attorneys for Plaintiffs

9 GLYNN & FINLEY, LLP
 10 ADAM FRIEDENBERG, Bar No. 205778
 JONATHAN A. ELDREDGE, Bar No. 238559
 11 One Walnut Creek Center
 100 Pringle Avenue, Suite 500
 12 Walnut Creek, CA 94596
 Telephone: (925) 210-2800
 13 Facsimile: (925) 945-1975

14 Attorneys for Defendants
 BP P.L.C., BP Exploration and Oil, Inc.,
 15 BP Products North America, Inc., and
 BP Corporation North American, Inc.
 16 and ConocoPhillips Company

17
 18 UNITED STATES DISTRICT COURT
 19 NORTHERN DISTRICT OF CALIFORNIA
 20 SAN JOSE DIVISION

22 Maria Barrous, an individual and as Trustee
 of the Barrous Living Trust, Demetrios
 23 Barrous, an individual, dba Jimmy's
 Restaurant
 24 Plaintiffs,
 v.
 25 BP p.l.c., BP Exploration and Oil, Inc., BP
 Products North America, Inc., BP
 26 Corporation North America, Inc.,
 ConocoPhillips Company and DOES 1-20
 27 Defendants.

Case No. C 10-02944 LHK

**JOINT CASE MANAGEMENT
 STATEMENT; REQUEST TO CONTINUE
 HEARING TO MAY 11, 2011; [PROPOSED]
 ORDER** as modified by the Court

**Date: February 23, 2011
 Time: 2:00 pm
 Courtroom: 4, 5th Floor**

28

1 Pursuant to Federal Rule of Civil Procedure 26(f) and Civil Local Rule 16-9, plaintiffs
2 Maria Barrous and Demetrios Barrous (collectively "Plaintiffs") defendants BP p.l.c., BP
3 Exploration and Oil, Inc., BP Products North America, Inc. and BP Corporation North America,
4 Inc. (collectively "BP") and defendant ConocoPhillips Company ("ConocoPhillips") submit the
5 following Joint Case Management Statement to the Court in preparation for the February 23, 2011
6 status conference. (BP and ConocoPhillips are referred to collectively herein as "Defendants.")
7

8 **1. Status of Pleadings**

9 Since the initial Case Management Conference, Plaintiffs filed a First Amended Complaint
10 ("FAC"). Defendants filed an Answer to the FAC on November 24, 2010.
11

12 **2. Discovery**

13 Defendants have propounded document requests and interrogatories. Plaintiffs have
14 responded to this discovery, producing roughly 9,000 pages of documents. Plaintiffs and
15 defendants are meeting and conferring over certain document requests.

16 Defendants have propounded third-party document request discovery. Defendants recently
17 served an additional round of third-party discovery.

18 Plaintiffs have propounded document requests and interrogatories to Defendants. Plaintiffs
19 expect Defendants to produce documents in the near future.

20 After reviewing the documents produced, the parties expect to take limited deposition
21 discovery in preparation for the mediation.
22

23 **3. Mediation / ADR**

24 As explained in the parties January 2011 stipulation, Defendants and Plaintiffs counsel
25 have been in contact with mediator Michael Sobel. The parties agreed to move the mediation
26 completion date from the February 4, 2011 date set in the Court's October 12, Case Management
27 Order to April 30, 2011 in order to allow the discovery described above to be completed. The
28 Court granted this request on January 31, 2011.


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4. Request to Continue Case Management Conference to May 11, 2011

At the present time, the parties do not anticipate the need to move any other dates set out in the Court's initial Case Management Order. The Court initially scheduled the February 23 case management conference in coordination with the February 4 mediation deadline. In light of the new mediation deadline (April 30), the parties suggest that this hearing be continued to May 11, 2011 or another day in May selected by the Court.

Law Offices of Steven A. Ellenberg

Glynn & Finley, LLP

By: 
Mark V. Boennighauen

AUTHORIZED TO FILE BY E-MAIL
By _____
Adam Friedenberg

Counsel for Plaintiffs

Counsel for Defendants

Dated: February 14, 2011

Dated: February 14, 2011

ORDER

In light of the new mediation date, the Court continues the February 23, 2011 Case Management Conference to ~~May 11, 2011~~ **May 18, 2011** at 2:00 PM.

Dated: February 17, 2011



U.S. District Court Judge