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13 Attorneys for Plaintiff  
 GLOBAL COMMUNITY MONITOR

14 **UNITED STATES DISTRICT COURT**  
 15 **IN AND FOR THE NORTHERN DISTRICT OF CALIFORNIA**  
 16 **SAN JOSE DIVISION**

19 GLOBAL COMMUNITY MONITOR, a non-  
 profit corporation  
 20 Plaintiff,

22 ENVIRONMENTAL RESOURCE  
 RECOVERY, INC. dba VALLEY  
 23 RECYCLING, INC., a corporation

24 Defendant.  
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Case No.: CV 11-02372 PSG

**STIPULATION AND [ Proposed ]  
 ORDER TO CONTINUE CASE  
 MANAGEMENT CONFERENCE**

**Judge:** Magistrate Judge Paul S. Grewal  
**CMC Date:** October 11, 2011  
**Time:** 2:00 PM

1 WHEREAS Plaintiff GLOBAL COMMUNITY MONITOR filed its complaint in the  
2 above-entitled matter on May 13, 2011;

3 WHEREAS Defendant ENVIRONMENTAL RESOURCE RECOVERY, INC. agreed to  
4 a waiver of service of said complaint and service was completed on August 29, 2011;

5  
6 WHEREAS an answer or motion pursuant to Rule 12 in response to Plaintiff's complaint  
7 is not due until October 28, 2011;

8  
9 WHEREAS this Court previously granted Plaintiff GLOBAL COMMUNITY  
10 MONITOR's request to continue the Case Management Conference from August 2, 2011 at  
11 2:00 PM to October 11, 2011 in light of ongoing efforts between the parties toward a settlement  
12 arrangement;

13 WHEREAS the parties continue their efforts to reach a settlement before moving forward  
14 with litigation and have made further steps toward this end;

15  
16 WHEREAS the parties and their counsel do not wish to needlessly expend the time  
17 resources of the Court in a case that appears headed toward a cooperative resolution;

18  
19 WHEREAS efforts toward cooperative resolution would be best served with additional  
20 time to afford both more time to complete a settlement agreement and to submit it to the 45-day  
21 review period of the Environmental Protection Agency and Department of Justice pursuant to 40  
22 C.F.R. § 135.5;

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1  
2 IT IS HEREBY AGREED AND STIPULATED, that the Case Management Conference  
3 presently set for October 11, 2011 at 2:00 PM in this matter shall be continued to  
4 December 20, 2011 at 2:00 PM.

5  
6 IT IS SO STIPULATED.

7 DATED: October 3, 2011

8 **THE LITIGATION LAW GROUP**

9 By: /s/ Lindsey R. Adams  
10 Lawrence P. Ramirez, Esq.  
11 Lindsey R. Adams, Esq.  
12 ATTORNEYS FOR DEFENDANT  
13 ENVIRONMENTAL RESOURCE  
14 RECOVERY, INC.  
15 (VALLEY RECYCLING)

16 DATED: October 3, 2011

17 **LOZEAU DRURY, LLP**

18 By: Douglas J. Chermak  
19 Douglas J. Chermak  
20 ATTORNEYS FOR PLAINTIFF  
21 GLOBAL COMMUNITY MONITOR

22 (Counsel unavailable for physical signature;  
23 Signature authorized via electronic mail as of  
24 October 3, 2011 (See Adams Decl. ¶10.)  
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[ PROPOSED ] ORDER:

PURSUANT TO STIPULATION IT IS SO ORDERED that the Case Management Conference presently set for October 11, 2011 at 2:00 PM in this matter shall be continued to December 20, 2011 at 2:00 PM.

DATE: October 6, 2011

  
Magistrate Judge Paul S. Grewal  
United States Magistrate Judge