

1 J. THOMAS BOER (State Bar No. 199563); jtb@bcctlaw.com  
 RICHARD C. COFFIN (State Bar No. 70562); rcc@bcctlaw.com  
 2 LAURA S. BERNARD (State Bar No. 197556); lsb@bcctlaw.com  
 BARG COFFIN LEWIS & TRAPP, LLP  
 3 350 California Street, 22nd Floor  
 San Francisco, California 94104-1435  
 4 Telephone: (415) 228-5400  
 Fax: (415) 228-5450

5 Attorneys for Plaintiff  
 6 SCHLUMBERGER TECHNOLOGY CORPORATION, INC.

7  
 8 **UNITED STATES DISTRICT COURT**  
 9 **NORTHERN DISTRICT OF CALIFORNIA**

10  
 11 SCHLUMBERGER TECHNOLOGY  
 CORPORATION, Inc., a Texas corporation

Case No. C 11-02587 PSG

12 Plaintiff,

**STIPULATION AND  
 ORDER CONTINUING CASE  
 MANAGEMENT CONFERENCE;  
 DECLARATION OF J. THOMAS BOER**

13 v.

14 EAST CHARLESTON, INC., a California  
 15 corporation; PACIFIC AMERICAN  
 MANAGEMENT COMPANY, a California  
 16 Limited Liability Corporation

17 Defendants.

18  
 19 **STIPULATION**

20 WHEREAS, plaintiff Schlumberger Technology Corporation, Inc. (“Plaintiff”) filed the  
 21 complaint in this matter on May 27, 2011;

22 WHEREAS, defendants East Charleston, Inc., and Pacific American Management  
 23 Company (collectively, “Defendants”) waived service of process of the complaint and, consistent  
 24 with the Federal Rules of Civil Procedures and the applicable Local Rules, Defendants’ responses  
 25 to the complaint are not due until August 15, 2011;

26 WHEREAS, the Court issued its Order Setting Initial Case Management Conference and  
 27 ADR Deadlines on May 27, 2011, which set the date of the initial case management conference  
 28 for August 23, 2011;

1 WHEREAS, Plaintiff and Defendants agree that it would be beneficial to postpone the  
2 case management conference and the parties' obligations under Federal Rules of Civil Procedure  
3 Rule 26 until Defendants have served their responses to the complaint, so that counsel for the  
4 parties can have a more meaningful and productive Rule 26 conference.

5 NOW THEREFORE, consistent with Civil Local Rules 6-2 and 7-12, Plaintiff and  
6 Defendants jointly stipulate to, and ask the Court to enter the attached proposed order setting the  
7 following case management deadlines:

8 September 13, 2011

Last day to:

- 9 • Meet and confer re initial disclosures, early settlement, ADR process selection, and discovery plan
- 10 • File ADR Certification signed by Parties and Counsel
- 11 • File either Stipulation to ADR Process or Notice of Need for ADR Phone Conference
- 12 • File either Stipulation to ADR Process or Notice of Need for ADR Phone Conference

13 September 27, 2011

Last day to:

- 14 • File Rule 26(f) Report
- 15 • Complete initial disclosures or state objection in Rule 26(f) Report
- 16 • File Case Management Statement per Standing Order re Contents of Joint Case Management Statement
- 17 • File Case Management Statement per Standing Order re Contents of Joint Case Management Statement
- 18 • File consent or declination to proceed before a magistrate judge
- 19 • File consent or declination to proceed before a magistrate judge

20 October 4, 2011  
2:00 p.m.

Case Management Conference

21 IT IS SO STIPULATED.

22  
23 DATED: July 29, 2011

BARG COFFIN LEWIS & TRAPP, LLP

24  
25 By: /s/ TOM BOER

J. THOMAS BOER  
Attorneys for Plaintiff  
Schlumberger Technology Corporation, Inc.



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DATED: July 29, 2011

GREBEN & ASSOCIATES

By: /s/ JAN GREBEN  
JAN A. GREBEN  
Attorneys for Defendants  
East Charleston, Inc. and  
Pacific American Management Company

ORDER

PURSUANT TO STIPULATION, IT IS SO ORDERED.

DATED: August 1, 2011

Paul S. Grewal  
PAUL S. GREWAL  
United States Magistrate Judge



1 **DECLARATION OF J. THOMAS BOER**

2 I, J. Thomas Boer, declare as follows:

3 1. I am a partner in the law firm of Barg Coffin Lewis & Trapp LLP, attorneys of  
4 record for plaintiff Schlumberger Technology Corporation, Inc. (“Plaintiff”) in this action. I have  
5 personal knowledge of each and all of the facts stated in this declaration, except where stated on  
6 information and belief. If called to testify as a witness, I could and would do so competently.

7 2. I have conferred with counsel for defendants East Charleston, Inc. (“ECI”), and  
8 Pacific American Management Company (“PAMCO”), and we have agreed that it would be  
9 beneficial to postpone the case management conference and the parties’ obligations under Federal  
10 Rules of Civil Procedure Rule 26 until Defendants have served their responses to the complaint,  
11 so that counsel for the parties can have a more meaningful and productive Rule 26 conference.

12 3. There have been no prior time modifications in this case by stipulation or by Court  
13 order.

14 4. The requested time modification would have no significant impact on the schedule  
15 for the case.

16 5. Upon information and belief, a colleague of mine at Barg Coffin Lewis & Trapp  
17 LLP, spoke with Judge Grewal’s scheduling clerk, who indicated that October 4, 2011 at 2:00  
18 PM was an available time for a rescheduled Case Management Conference.

19 6. I exchanged electronic-mail correspondence with Jan Greben, counsel for ECI and  
20 PAMCO, on July 29 and he authorized me to sign the stipulation on his behalf and file via ECF.

21 I declare under penalty of perjury under the laws of the State of California that the  
22 foregoing is true and correct. This declaration was executed on July 29, 2011 at San Francisco,  
23 California.

24 /s/ TOM BOER

25 J. Thomas Boer  
26



**PROOF OF SERVICE**

I am a resident of the State of California, over the age of eighteen years, and not a party to this action. My business address is 350 California Street, 22<sup>nd</sup> Floor, San Francisco, California 94104.

On July 29, 2011, I served the following listed document(s), by method indicated below on the parties in this action:

**STIPULATION AND [PROPOSED] ORDER CONTINUING CASE MANAGEMENT CONFERENCE; DECLARATION OF J. THOMAS BOER**

- by transmitting via facsimile the document(s) listed above to the fax number set forth below on this date before 5:00 p.m.
- by causing personal delivery overnight delivery by Federal Express of the document(s) listed above to the person at the address set forth below.
- by dispatching a messenger from my place of business with instructions to hand-carry the above and make delivery to the following during normal business hours, by leaving a true copy thereof with the person whose name is shown or the person who was apparently in charge of that person's office or residence.
- by placing the document(s) listed above in a sealed envelope with postage thereon fully prepaid, in the United States mail at San Francisco, California addressed as set forth below.
- by transmitting via email the document(s) listed above to the email address(es) set forth below on this date before 5 p.m.

Mr. Jan Greben, Esq.  
Greben & Associates  
1332 Anacapa Street, Suite 110  
Santa Barbara, CA 93101

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct. Executed on July 29, 2011, at San Francisco, California.

/s/ JOAN FLAHERTY

JOAN FLAHERTY

