

\*E-Filed: September 23, 2013\*

1 Jayni Foley Hein (Bar No. 258261)  
 2 Andrea Kopecky (Bar No. 276366)  
 3 SAN FRANCISCO BAYKEEPER  
 4 785 Market Street, Suite 850  
 5 San Francisco, California 94103  
 6 Telephone: (415) 856-0444  
 7 Facsimile: (415) 856-0443  
 8 Email: jayni@baykeeper.org  
 9 Email: andrea@baykeeper.org

10 Attorneys for Plaintiff:  
 11 BAYKEEPER

12 UNITED STATES DISTRICT COURT  
 13 NORTHERN DISTRICT OF CALIFORNIA  
 14 SAN JOSE DIVISION

15 SAN FRANCISCO BAYKEEPER, a non-profit  
 16 corporation,

17 Plaintiff,

18 v.

19 PREMIER RECYCLE COMPANY,

20 Defendant.

Civil No. C 13-01695 HRL

**STIPULATION TO CONTINUE CASE  
 MANAGEMENT CONFERENCE AND  
 ASSOCIATED DEADLINES; ~~PROPOSED~~  
 ORDER**

Fed. R. Civ. P. 26(f); L.R. 16-10

Honorable Howard R. Lloyd

1 Plaintiff San Francisco Baykeeper (“Baykeeper”) and Defendant Premier Recycle Company  
2 (“Premier Recycle”) in the above-captioned action respectfully submit this stipulation as follows:

3 **WHEREAS**, Baykeeper and Premier Recycle (collectively, the “Parties”) have been working  
4 together in good faith to reach a settlement in this action;

5 **WHEREAS**, the Parties have already exchanged and are currently finalizing the terms of what  
6 they anticipate will be a final Consent Decree for approval by the court;

7 **WHEREAS**, the Court’s Order Setting Initial Case Management Conference and ADR  
8 Deadlines (“Scheduling Order”) set the initial Case Management Conference in this matter for July 23,  
9 2013 at 1:30 pm;

10 **WHEREAS**, per a previous Stipulation and Order of the Court, the Initial Case Management  
11 Conference was continued until August 20, 2013 at 1:30 p.m.;

12 **WHEREAS**, per a previous Stipulation and Order of the Court, the Initial Case Management  
13 Conference was continued until September 10, 2013 at 1:30 p.m.;

14 **WHEREAS**, per a previous Stipulation and Order of the Court, the Initial Case Management  
15 Conference was continued until October 1, 2013 at 1:30 p.m.;

16 **WHEREAS**, the Parties submitted ADR certifications and stipulated to ADR process by  
17 mediation on September 17, 2013;

18 **WHEREAS**, the Scheduling Order states that if the Initial Case Management Conference is  
19 continued, the other deadlines are continued accordingly;

20 **WHEREAS**, the Parties desire to continue negotiating settlement in good faith and anticipate  
21 reaching a final settlement in this action within the next two (2) weeks;

22 **NOW, THEREFORE, THE PARTIES STIPULATE AS FOLLOWS:**

- 23 1. The Case Management Conference shall be continued to October 22, 2013 at 1:30 pm, or  
24 as soon thereafter as the Court is available.
- 25 2. The Parties’ Rule 26(f) Report and Joint Case Management Statement shall be due one  
26 week before the Case Management Conference.
- 27 3. The Parties shall make initial disclosures or state objections in their Rule 26(f) Report no  
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1 later than one week before the Case Management Conference.

2 Dated: September 20, 2013

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4 Respectfully submitted,

5 By:

6 /s/ Andrea Kopecky  
7 Andrea Kopecky  
8 Attorney for Plaintiff  
9 SAN FRANCISCO BAYKEEPER

10 By:

11 /s/ Anna Le May  
12 Anna Le May  
13 Attorney for Defendant  
14 PREMIER RECYCLE  
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1 **[PROPOSED] ORDER**

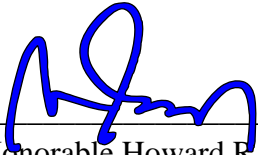
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3 GOOD CAUSE APPEARING,

- 4 1. The Case Management Conference shall be continued to October 29, 2013 at 1:30  
5 pm.  
6 2. The Parties' Rule 26(f) Report and Joint Case Management Statement shall be filed no  
7 later than October 22, 2013 .  
8 3. The Parties shall make initial disclosures or state objections in their Rule 26(f) Report no  
9 later than October 22, 2013 .

10 **IT IS SO ORDERED.**

11  
12 Date: 9/23/13

NORTHERN DISTRICT OF CALIFORNIA

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16 Honorable Howard R. Lloyd  
17 United States District Court  
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