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BY ALAMEDA SUPERIOR COURT

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Attorneys for Plaintiffs
LAVON GODFREY and GARY GILBERT

8 IN THE SUPERIOR COURT OF THE STATE OF CALIFORNIA

9 IN AND FOR THE COUNTY OF ALAMEDA

10	LAVON GODFREY and GARY GILBERT, on)	Case No.	RG08379099
11	behalf of themselves and all others similarly)		
12	situated,)		
13	Plaintiffs,)	[PROPOSED] CASE MANAGEMENT	
14	v.)	CONFERENCE ORDER	
15	OAKLAND PORT SERVICES CORP. d/b/a)	Date: May 13, 2011	
16	AB TRUCKING, and DOES 1 through 20,)	Time: 10:00 a.m.	
17	inclusive,)	Judge: Robert B. Freedman	
18	Defendants.)	Dept.: 20	

18 A Complex Case Management Conference ("CCMC") in this matter was held on May 13,
19 2011 at 10:00 a.m. Plaintiffs Lavon Godfrey and Gary Gilbert ("Plaintiffs") appeared through their
20 counsel Lisl R. Duncan of Weinberg, Roger & Rosenfeld. Defendant Oakland Port Services
21 Corporation ("Defendant") appeared through its counsel Jay Ian Aboudi.

22 Having considered the comments and proposals of the parties presented at the CCMC, the
23 Court hereby ORDERS:

24 1. Plaintiffs informed the Court it is their position that there is no issue triable by jury
25 in this matter. Defendant informed the Court that it is its position that there is no issue triable by
26 jury, barring any issues arising out of any dispositive motions filed by the parties. No jury trial has
27 been set. The date for trial previously set of November 29, 2011 remains on calendar, as well as
28 the trial management conference set for November 10, 2011.

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2. The trial will be bifurcated to separate liability and damages. The parties advised the Court that to date neither side anticipates testimony from expert witnesses at the first liability stage of the trial.

3. The parties will schedule a date for mediation with a mediator selected by the Court from three nominated by Plaintiffs and three nominated by Defendant.

4. The parties will present a thorough trial management plan for the Court's consideration, unless mediation proves successful.

5. Defendant indicated it would file a motion for decertification and the Court set the hearing date for that motion for August 5, 2011 at 11:00 a.m. in Department 20.

6. Plaintiffs indicated that a protective order from the Court, or other form of assistance and intervention, may be sought after further evidence is gathered regarding whether or not undue influence has occurred as a number of the requests for exclusion from the class are identical in format and/or from current employees. The Court advised that it takes this type of issue very seriously.

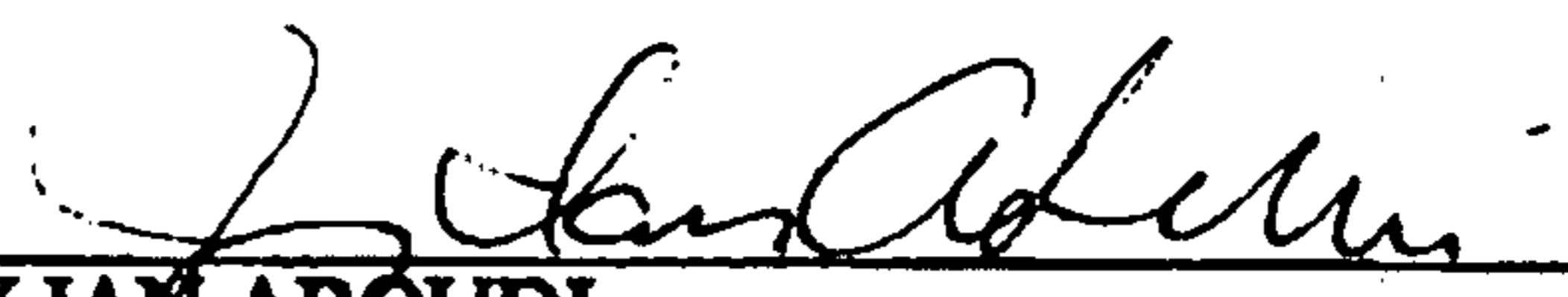
IT IS SO ORDERED.

JUDGE ROBERT B. FREEDMAN

Approved as to form:

Dated: May 19, 2011

THE LAW OFFICE OF JAY IAN ABOUDI

By: 
JAY IAN ABOUDI
ATTORNEYS FOR OAKLAND PORT SERVICES
CORP. dba AB TRUCKING

118212/621134

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PROOF OF SERVICE
(CCP 1013)

I am a citizen of the United States and an employee in the County of Alameda, State of California. I am over the age of eighteen years and not a party to the within action; my business address is 1001 Marina Village Parkway, Suite 200, Alameda, California 94501-1091. On May 19, 2011, I served upon the following parties in this action:

Jay Ian Aboudi
The Law Office of Jay Ian Aboudi
1855 Olympic Blvd., Ste. 210
Walnut Creek, CA 94596
jay@aboudi-law.com

copies of the document(s) described as:

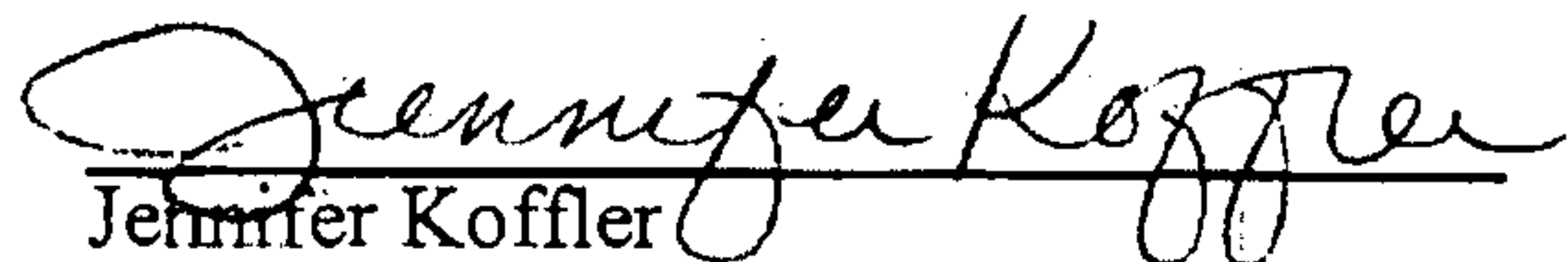
[PROPOSED] CASE MANAGEMENT CONFERENCE ORDER

BY MAIL I placed a true copy of each document listed herein in a sealed envelope, addressed as indicated herein, and caused each such envelope, with postage thereon fully prepaid, to be placed in the United States mail at Alameda, California. I am readily familiar with the practice of Weinberg, Roger & Rosenfeld for collection and processing of correspondence for mailing, said practice being that in the ordinary course of business, mail is deposited in the United States Postal Service the same day as it is placed for collection.

BY OVERNIGHT DELIVERY SERVICE I placed a true copy of each document listed herein in a sealed envelope, addressed as indicated herein, and placed the same for collection by Overnight Delivery Service by following the ordinary business practices of Weinberg, Roger & Rosenfeld, Alameda, California. I am readily familiar with the practice of Weinberg, Roger & Rosenfeld for collection and processing of Overnight Delivery Service correspondence, said practice being that in the ordinary course of business, Overnight Delivery Service correspondence is deposited at the Overnight Delivery Service offices for next day delivery the same day as Overnight Delivery Service correspondence is placed for collection.

BY E-MAIL I caused to be transmitted each document listed herein via the e-mail address(es) listed above or on the attached service list.

I certify under penalty of perjury that the above is true and correct. Executed at Alameda, California, on May 19, 2011.


Jennifer Koffler

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