

1 Lawrence M. Hadley (SBN 157728)
2 MCKOOL SMITH HENNIGAN, P.C.
3 865 South Figueroa Street, Suite 2900
4 Los Angeles, California 90017
5 (213) 694-1200
6 (213) 694-1234 (fax)
7 lhadley@mckoolsmithhennigan.com

8 Attorneys for Plaintiffs DELANO FARMS CO., FOUR STAR FRUIT, INC., AND
9 GERAWAN FARMING, INC.

10 Randolph D. Moss (pro hac vice)
11 Brian M. Boynton (SBN 222193)
12 Thomas G. Saunders (pro hac vice)
13 WILMER CUTLER PICKERING
14 HALE AND DORR LLP
15 1875 Pennsylvania Avenue, N.W.
16 Washington, D.C. 20006
17 (202) 663-6000
18 (202) 663-6363 (fax)
19 randolph.moss@wilmerhale.com
20 brian.boynton@wilmerhale.com
21 thomas.saunders@wilmerhale.com

22 Attorneys for Defendant THE CALIFORNIA TABLE GRAPE COMMISSION

23 [Additional counsel listed in signature block]

24 **UNITED STATES DISTRICT COURT**
25 **EASTERN DISTRICT OF CALIFORNIA**

26 DELANO FARMS COMPANY; FOUR)
27 STAR FRUIT, INC.; AND GERAWAN)
28 FARMING, INC.,)

Plaintiffs,)

v.)

THE CALIFORNIA TABLE GRAPE)
COMMISSION; UNITED STATES OF)
AMERICA; UNITED STATES)
DEPARTMENT OF AGRICULTURE;)
AND TOM VILSACK, SECRETARY)
OF THE UNITED STATES)
DEPARTMENT OF AGRICULTURE)
(IN HIS OFFICIAL CAPACITY),)

Defendants.)

CASE NO. 1:07-cv-01610 LJO JLT

STIPULATION REGARDING HEARING
ON MOTION TO AMEND AND MID-
DISCOVERY STATUS CONFERENCE

1 WHEREAS, pursuant to the scheduling order entered on February 16, 2012, the parties are
2 currently scheduled to appear at a mid-discovery status conference on May 18, 2012, at 9:30 a.m.,
3 before the Honorable Jennifer L. Thurston, United States Magistrate Judge;

4 WHEREAS, as described in the attached declaration, counsel for the California Table Grape
5 Commission are counsel in an administrative hearing set to begin on May 7, 2012, and to end on
6 May 18, 2012;

7 WHEREAS, on April 6, 2012, plaintiffs filed a Motion for Leave to File a Third Amended
8 Complaint (Dkt. No. 156);

9 WHEREAS, the hearing on plaintiffs' motion is currently scheduled for April 26, 2012,
10 which is 20 days after the date of filing of the motion;

11 WHEREAS, Local Rule 230(b) provides that, without leave a court, a civil motion should be
12 set for hearing no earlier than 28 days after the motion is filed and served;

13 WHEREAS, the parties agree that the hearing date on plaintiffs' motion for leave to amend
14 should be moved to a date at least 28 days from the date the motion was filed, and further agree that
15 it would be most efficient to hold the hearing on plaintiffs' motion on the same date as the mid-
16 discovery status conference;

17 IT IS HEREBY STIPULATED by the parties to this case, through their respective counsel,
18 subject to the Court's availability and approval, as follows:

19 1. The mid-discovery status conference, which is currently scheduled for May 18, 2012,
20 shall be rescheduled for May 21, 2012, or the first available date thereafter that is convenient for the
21 Court; and

22 2. The hearing on plaintiffs' Motion for Leave to File a Third Amended Complaint
23 (Dkt. No. 156), which is currently scheduled for April 26, 2012, shall be rescheduled for May 21,
24 2012, or the first available date thereafter that is convenient for the Court.

25
26
27
28

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

DATED: April 12, 2012

WILMER CUTLER PICKERING
HALE AND DORR LLP
Randolph D. Moss (pro hac vice)
Brian M. Boynton (SBN 222193)
Thomas G. Saunders (pro hac vice)
1875 Pennsylvania Avenue, N.W.
Washington, D.C. 20006
(202) 663-6000
(202) 663-6363 (fax)
randolph.moss@wilmerhale.com
brian.boynton@wilmerhale.com
thomas.saunders@wilmerhale.com

By /s/ Brian M. Boynton
Brian M. Boynton

Attorneys for Defendant THE CALIFORNIA TABLE
GRAPE COMMISSION

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

DATED: April 12, 2012

HENNIGAN, BENNETT & DORMAN LLP
LAWRENCE M. HADLEY (SBN 157728)
hadleyl@hbdlawyers.com
865 South Figueroa Street, Suite 2900
Los Angeles, California 90017
Telephone: (213) 694-1200
Facsimile: (213) 694-1234
lhadley@McKoolSmithHennigan.com

THE LAW OFFICES OF RALPH B. WEGIS
RALPH B. WEGIS (SBN 67966)
1930 Truxtun Avenue
Bakersfield, CA 93301
Telephone: (661) 635-2100
Facsimile: (661) 635-2107

LAW OFFICES OF BRIAN C. LEIGHTON
BRIAN C. LEIGHTON (SBN 090907)
701 Pollasky Avenue
Clovis, CA 93612
Phone: (559) 297-6190
Facsimile: (559) 297-6194
bleighton@arrival.net

Attorneys for Plaintiffs DELANO FARMS
COMPANY; FOUR STAR FRUIT, INC.; GERAWAN
FARMING, INC.;

By /s/ Lawrence M. Hadley (as authorized 4/11/2012)
Lawrence M. Hadley

1 DATED: April 11, 2012

2 STUART DELERY
Acting Assistant Attorney General
3 JOHN FARGO
Director
4 BENJAMIN B. WAGNER
United States Attorney
5 SUSAN L. C. MITCHELL
Trial Attorney
6 UNITED STATES DEPARTMENT OF JUSTICE
COMMERCIAL LITIGATION BRANCH
7 CIVIL DIVISION
Washington, D.C. 20530

8
9 By _____
Susan L. C. Mitchell

10 Attorneys for Defendants
11 THE UNITED STATES OF AMERICA, THE UNITED
12 STATES DEPARTMENT OF AGRICULTURE, AND
TOM VILSACK

13 **ORDER**

14
15 Good cause appearing, the Court **ORDERS:**

- 16 1. The mid-discovery status conference, currently set on May 18, 2012, is
17 **CONTINUED** to May 22, 2012 at 9:00 a.m.;
- 18 2. The hearing on plaintiffs' Motion to file an amended complaint (Doc. 156) currently
19 scheduled for April 26, 2012, is **CONTINUED** to May 22, 2012 at 9:00 a.m.;
- 20 3. Counsel are authorized to appear by CourtCall provided they submit written
21 notification of their intent to appear by telephone to
22 aleon-guerrero@caed.uscourts.gov, at least 5 court days before the hearing.

23
24
25 IT IS SO ORDERED.

26 Dated: April 12, 2012

/s/ Jennifer L. Thurston
UNITED STATES MAGISTRATE JUDGE

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28