

1 **WESLEY T. GREEN SBN #201107**  
 CORPORATE COUNSEL  
 2 P.O. Box 1350  
 9500 S. DeWolf Ave.  
 3 Selma, California 93662  
 Telephone: (559) 834-6677  
 4 Facsimile: (559) 834-4848  
wgreen@lionraisins.com

6 Attorney for Plaintiff, LION RAISINS, INC.,  
 a California corporation

8 **UNITED STATES DISTRICT COURT**  
 9 **EASTERN DISTRICT OF CALIFORNIA**  
 10 **FRESNO DIVISION**

11 LION RAISINS, INC.,  
 12 Plaintiff,  
 13 vs.  
 14 UNITED STATES DEPARTMENT OF  
 AGRICULTURE,  
 15 Defendant.

Case No.: 1:08-CV-00358-OWW-SMS

**STIPULATION AND ORDER TO FURTHER  
 REVISE SUMMARY JUDGMENT MOTION  
 SCHEDULE**

19 By Stipulation and Order to Revise Summary Judgment Motion Schedule entered by this  
 20 Court on March 13, 2009 (Doc. 40), the Court revised the briefing schedule and hearing date for  
 21 motions for summary judgment. Plaintiff’s counsel, Wesley T. Green, requested this extension due  
 22 to an illness that began on March 7, 2009. Mr. Green’s physician excused him from work starting  
 23 March 9, 2009 through March 30, 2009, which was extended by his physician until April 18, 2009.  
 24 As such, Plaintiff’s counsel has requested, and Defendant’s counsel has agreed, to revise the  
 25 Summary Judgment Motion Schedule.

26 The parties, by and through their respective counsel, hereby stipulate to revise the Summary  
 27 Judgment Motion Schedule. Based on the stipulation of the parties, and for good cause shown, the  
 28 parties request that the Court adjust the summary judgment schedules as follows:

<u>EVENT</u>	<u>CURRENT DATE</u>	<u>PROPOSED DATE</u>
Motions to be filed by either party	April 13, 2009	May 4, 2009
Oppositions to be filed	April 27, 2009	May 18, 2009
Replies to be filed	May 4, 2009	May 26, 2009
Hearing (12:00 p.m.)	May 11, 2009	June 3, 2009

Dated: April 10, 2009

Respectfully submitted,  
LION RAISINS, INC.

By: /s/ Wesley T. Green  
WESLEY T. GREEN  
Corporate Counsel  
Attorney for Plaintiff

Dated: April 10, 2009

LAWRENCE G. BROWN  
Acting United States Attorney

[As authorized on 4/10/09]

By: /s/ Benjamin E. Hall  
BENJAMIN E. HALL  
Assistant U.S. Attorney  
Attorneys for Defendant

**ORDER**

IT IS SO ORDERED.

Dated: April 13, 2009

/s/ OLIVER W. WANGER  
UNITED STATES DISTRICT JUDGE