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11 Attorneys for Defendant  
 12 VENTILEX B.V.

13 **UNITED STATES DISTRICT COURT**  
 14 **EASTERN DISTRICT OF CALIFORNIA, FRESNO DIVISION**

16 PARAMOUNT FARMS, INC., a  
 Delaware corporation,  
 17  
 Plaintiff,

18 vs.

19 VENTILEX B.V., a business entity of  
 20 form unknown; and DOES 1-20,  
 inclusive,  
 21  
 Defendants.

Case No. 08-CV-01027-LJO-SMS

**STIPULATION TO EXTEND  
 DISCOVERY, PRE-TRIAL AND  
 TRIAL DEADLINES; ORDER**

23 Whereas, pursuant to the Scheduling Conference Order, dated February 24,  
 24 2009 (“the Scheduling Order”), dates were set for the trial and various pre-trial  
 25 matters in this action and pursuant to Paragraph 16 of the Scheduling Order the  
 26 parties were directed to advise the Court immediately if the schedule set forth could  
 27 not be met; and  
 28

1           Whereas, the parties have engaged in extensive discovery since the  
 2 Scheduling Order was signed, including the exchange of many thousands of pages  
 3 of documents, and certain depositions, but have not completed discovery; and

4           Whereas, counsel for the parties are currently engaged in an arbitration  
 5 proceeding entitled *Paramount Farms, Inc. v. Ventilex USA, Inc.*, AAA Case No.  
 6 72110Y0058108, (the “Arbitration”) arising out of the same transaction at issue in  
 7 this action, and the arbitration hearings are scheduled to be completed in December  
 8 2009; and

9           Whereas, a determination in the Arbitration may resolve and/or limit certain  
 10 or all of the claims and/or defenses in this action, and it would be disruptive in any  
 11 event to the continued preparation and conduct of the Arbitration as well as  
 12 counterproductive and inefficient to continue with discovery in this action prior to  
 13 the completion of the Arbitration; and

14           Whereas, the parties wish to conserve their own and judicial resources and  
 15 foster an efficient Litigation process.

16  
 17           Now, therefore, Plaintiff Paramount Farms, Inc. and Defendant Ventilex  
 18 B.V., by and through their respective counsel, hereby stipulate and agree as follows:  
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20           1.     The discovery deadline for discovery pertaining to non-experts shall be  
 21 extended to April 30, 2010.

22           2.     The deadline for disclosing all expert witnesses shall be extended to  
 23 March 26, 2010, and the deadline for completing discovery relating to experts shall  
 24 be extended to April 30, 2010.

25           3.     The non-dispositive and dispositive motion filing deadline shall be  
 26 extended until July 10, 2010.

27           4.     The pre-trial conference presently scheduled for March 19, 2010, shall  
 28 be adjourned until a date in August to be set by the Court.

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The trial presently scheduled to begin on April 26, 2010, shall be adjourned to a date in October 2010 to be set by the Court.

DATED: November 10, 2009      ROLL INTERNATIONAL CORP. - LEGAL DEPT.  
and  
LOEB & LOEB LLP  
ANDREW CLARE  
MARK CAMPBELL

By: /s/ Christopher Van Gundy  
Christopher Van Gundy  
Attorneys for Plaintiff PARAMOUNT FARMS, INC.

DATED: November 11, 2009      PIRCHER, NICHOLS & MEEKS  
JAMES L. GOLDMAN  
ALAN S. PETLAK  
and  
MORRISON COHEN LLP  
DONALD H. CHASE  
LATISHA V. THOMPSON

By: /s/ Alan S. Petlak  
Alan S. Petlak  
Attorneys for Defendant VENTILEX B.V.

**ORDER**

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Pursuant to the parties' Stipulation and good cause appearing therefore, it is ordered that discovery deadlines previously set forth in the Scheduling Conference Order dated February 24, 2009, shall be extended as follows: (1) The discovery deadline for discovery pertaining to non-experts shall be extended to April 30, 2010; (2) The deadline for disclosing all expert witnesses shall be extended to March 26, 2010, and the deadline for completing discovery relating to experts shall be extended to April 30, 2010; (3) The non-dispositive and dispositive motion filing deadline shall be extended until July 10, 2010; (4) The pre-trial conference presently scheduled for March 19, 2010, shall be adjourned until August 24, 2010 at 8:30 a.m.; (5) The trial presently scheduled to begin on April 26, 2010, shall be adjourned to October 25, 2010 at 8:30 a.m.. Except as set forth above, the Scheduling Conference Order shall remain unchanged.

**IT IS SO ORDERED.**

**Dated: November 30, 2009**

**/s/ Sandra M. Snyder**  
**UNITED STATES MAGISTRATE JUDGE**