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1731 John G. Michael
BAKER MANOCK & JENSEN, PC
5260 North Palm Avenue, Fourth Floor
Fresno, California 93704
Telephone: 559.432.5400
Facsimile: 559.432.5620

Attorneys for Plaintiff RUIZ FOOD PRODUCTS, INC.

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA

RUIZ FOOD PRODUCTS, INC., a California corporation,)	Case No.: 1:09-cv-01731-AWI-SMS
)	
Plaintiff,)	STIPULATION TO AMEND SCHEDULING
)	CONFERENCE ORDER AND TO
vs.)	CONTINUE ALL DATES FOR 90 DAYS
)	AND ORDER THEREON
)	
CAMINO REAL FOODS, INC., a California corporation,)	
)	
Defendant.)	

IT IS HEREBY STIPULATED, by and between by and between Plaintiff and Cross-Defendant, RUIZ FOOD PRODUCTS, INC. (“Ruiz Foods”) and Defendant and Cross-Claimant, CAMINO REAL FOODS, INC. (“Camino Real”), as follows:

1. The parties are currently engaged in settlement discussions and the parties expect that it will take approximately 90 days to determine whether these discussions will result in a full and final settlement of this matter.

2. Accordingly, the parties request that the Court amend its Scheduling Conference Order, filed on January 28, 2010, to continue all dates therein for approximately 90 days to give the parties a chance to explore the settlement discussions without the need to start discovery and analysis of each party’s financial information, which will be time consuming and expensive for both parties.

The parties propose the following amended schedule:

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(a)The parties shall complete all discovery pertaining to non-experts on or before February 3, 2011 and all discovery pertaining to experts on or before June 9, 2011;

(b)The parties shall disclose all expert witnesses, in writing, on or before March 7, 2011;

(c) All non-dispositive pretrial motions, including all discovery motions, shall be filed on or before June 23, 2011;

(d)All dispositive pretrial motions shall be filed on or before July 7, 2011;

(e)The pretrial conference shall be held on **Friday, September 23, 2011 at 8:30 a.m.** (was 6/24/2011 and Judge Ishii hears PTC on Fridays; parties had suggested 9/22/2011); and

(f)The **Jury trial** shall commence on November 15, 2011 at 8:30 a.m. before Judge Ishii (was 8/15/2011).

3.The telephonic status conference currently set for September 7, 2010, shall be continued to December 6, 2010 at **10:00 a.m. before Judge Snyder.**

4.In all other respects, the Court’s Scheduling Conference Order, filed on January 28, 2010, shall remain in full force and effect.

BAKER MANOCK & JENSEN, PC

Dated: May 20, 2010

By: /s/John G. Michael
John G. Michael
Attorneys for Plaintiff and Cross-Defendant Ruiz Food Products, Inc.

HANKIN PATENT LAW, APC

Dated: May 20, 2010

By: /s/Marc E. Hankin
Marc E. Hankin
Attorneys for Defendant and Cross-Claimant Camino Real foods, Inc.

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IT IS SO ORDERED

Dated May 25, 2010

By: /s/ Sandra M. Snyder
Honorable Sandra M. Snyder
United States Magistrate Judge

DMS: 09cv1731.Stipo.Ruiz..Amend Sch Conf Ord.wpd