IN THE UNITED STATES DISTRICT COURT FOR THE EASTERN DISTRICT OF CALIFORNIA

California corporation

Plaintiff,

v.

THE SHERWIN-WILLIAMS
COMPANY,

Defendant.

AND RELATED CROSS-ACTION

WECO SUPPLY COMPANY, INC., a

1:10-CV-00171 AWI BAM

ORDER SETTING SUPPLEMENTAL BRIEFING SCHEDULE ON SUMMARY JUDGMENT AND CONTINUING PRE-TRIAL CONFERENCE AND TRIAL DATES

On May 25, 2012, the Court issued an Order on Defendant and Cross-Complainant The Sherwin-Williams Company's Motions for Summary Judgment. See Court's Docket, Doc. No. 66. The Order stated that the Court would give leave, if desired, to file supplemental briefing on the issue of whether summary judgment on Plaintiff and Cross-Defendant Weco Supply Company's breach of contract claim precludes Weco's claim for relief for breach of the implied covenant of good faith and fair dealing. Id. at n.13. On May 31, 2012, the parties filed a stipulation to set a supplemental briefing schedule and continue the pre-trial conference and trial dates. See Court's Docket, Doc. No. 68.

Accordingly, IT IS HEREBY ORDERED that:

1. Sherwin-Williams SHALL file a supplemental brief in support of its motion for

1		summary judgment on the claim for breach of the implied covenant of good faith
2		and fair dealing no later than June 15, 2012;
3	2.	Weco SHALL file an opposition or statement of non-opposition no later than June
4		29, 2012;
5	3.	Sherwin-Williams SHALL file a reply brief, if any, no later than July 6, 2012;
6	4.	The pre-trial conference currently scheduled for June 8, 2012, is CONTINUED to
7		September 6, 2012; and
8	5.	The current trial date of July 10, 2012, is CONTINUED to October 10, 2012.
9		
10	IT IS SO OR	DERED.
11	Dated: Ma	ay 31, 2012
12	DatedWi	CHIEF UNITED STATES DISTRICT JUDGE
13		
14		
15		
16		
17		
18		
19		
20		
21		
22		
23		
24		
25		
•		