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9 GERAWAN FARMING, INC.

10
11 UNITED STATES DISTRICT COURT
12 EASTERN DISTRICT OF CALIFORNIA, FRESNO DIVISION
13

14 Gerawan Farming, Inc.,

15 Plaintiff,

16 v.

17 Rehrig Pacific Company, and Does 1-10,
inclusive,,

18 Defendants.
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Case No. 11-cv-01273-LJO-BAM

**STIPULATION AND [PROPOSED]
ORDER TO CONTINUE HEARING ON
DEFENDANT'S MOTION TO DISMISS**

Date: January 17, 2012
Time: 8:30 a.m.
Ctrm.: 4 (7th Floor)
Judge.: Hon. Lawrence J. O'Neill

Complaint Filed: July 29, 2011
Trial Date: Not set

22 Pursuant to Local Rule 230(f), plaintiff Gerawan Farming, Inc. ("Gerawan") and defendant
23 Rehrig Pacific Company ("Rehrig") hereby stipulate, subject to the Court's approval, that the
24 hearing on Defendant's Motion to Dismiss currently set for January 17, 2012 at 8:30 a.m. be
25 continued to **January 24, 2012 at 8:30 a.m.**

26 On December 9, 2011, Defendant filed a Motion to Dismiss noticed for hearing on January
27 17, 2012, at 8:30 a.m. [*Docket No. 11.*] Plaintiff filed its opposition brief on January 3, 2012.
28 [*Docket No. 16.*]

1 The parties request a continuance of the hearing on the Defendant's Motion to Dismiss for
2 scheduling reasons and unanticipated travel conflicts. The parties also note that the principals
3 have recently agreed to meet in-person on January 23, 2012, and discuss this matter. This is the
4 first extension of the Hearing on Defendant's Motion to Dismiss requested.

5 IT IS HEREBY STIPULATED by and between plaintiff and defendant, pursuant to Local
6 Rule 230(f), that the hearing on Defendant's Motion to Dismiss be continued to January 24, 2012
7 at 8:30 a.m. Defendant may file its reply not less than seven days preceding the date of such
8 continued hearing, pursuant to Local Rule 230(d).

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Dated: January 10, 2012 SHEPPARD, MULLIN, RICHTER & HAMPTON LLP
By /s/ Shannon S. King
Shannon S. King
Attorneys for Plaintiff
Gerawan Farming, Inc.

Dated: January 10, 2012 SLATER HERSEY & LIEBERMAN LLP
By /s/ Jonathan P. Hersey (as authorized on 1/10/2012)
Jonathan P. Hersey
Attorneys for Defendant
Rehrig Pacific Company

ORDER

Pursuant to its practice, this Court will consider defendant's motion to dismiss on the record and:

1. VACATES the January 17, 2012 hearing; and
2. ORDERS defendants, no later than January 17, 2012, to file and serve reply papers

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3. with points and authorities limited to no more than 10 pages.

IT IS SO ORDERED.

Dated: January 10, 2012

/s/ Lawrence J. O’Neill
UNITED STATES DISTRICT JUDGE