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**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA**

E. & J. GALLO WINERY, a California corporation,

Plaintiff

v.

GRENADE BEVERAGE LLC, a California limited liability company,

Defendant.

CASE NO. 1:13-CV-0770-AWI-SAB

ORDER REFERRING PENDING MOTION TO DISMISS OR TRANSFER TO MAGISTRATE JUDGE STANLEY A. BOONE

ORDER VACATING SEPTEMBER 9, 2013 HEARING DATE

Plaintiff E. & J. Gallo Winery has filed a complaint in which it alleges Defendant is violating Plaintiff E. & J. Gallo Winery's trademark . On July 22, 2013, Defendant filed a motion to dismiss or to transfer this action on the ground that the Eastern District of California is an improper venue for this action. The motion to dismiss or transfer is currently set for oral argument before the undersigned on September 9, 2013. The Court has reviewed the pending motion, and the Court finds that the pending motion should be referred to Magistrate Judge Stanley A. Boone for entry Findings and Recommendations pursuant to 28 U.S.C. § 636(b)(1) and Local Rule 72.

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Accordingly, it is HEREBY ORDERED that:

- 1. The pending motion to dismiss or transfer is REFERRED to Magistrate Judge Stanley A. Boone;
- 2. The September 9, 2013 hearing before the undersigned is VACATED; and
- 3. The parties are hereby informed that Magistrate Judge Stanley A. Boone'

Chambers will set a new hearing date and/or a briefing schedule at Magistrate Judge Stanley A. Boone's convenience.

IT IS SO ORDERED.

Dated: July 23, 2013



SENIOR DISTRICT JUDGE