

1 COLLEEN BAL (SBN 167637)
JOHN P. FLYNN (SBN 141094)
2 WILSON SONSINI GOODRICH & ROSATI
Professional Corporation
3 One Market Plaza
4 Spear Tower, Suite 3300
San Francisco, California 94105
5 Telephone: (415) 947-2000
Facsimile: (415) 947-2099
6 Email: jflynn@wsgr.com; cbal@wsgr.com

STUART A. WILLIAMS (*pro hac vice*)
WILSON SONSINI GOODRICH & ROSATI
Professional Corporation
375 Southpointe Boulevard
Canonsburg, Pennsylvania 15317
Telephone: (917) 288-5094
Facsimile: (212) 999-5899
Email: swilliams@wsgr.com

7 DYLAN J. LIDDIARD (SBN 203055)
8 WILSON SONSINI GOODRICH & ROSATI
Professional Corporation
9 650 Page Mill Road
Palo Alto, California 94304
10 Telephone: (650) 493-9300
Facsimile: (650) 565-5100
11 Email: dliddiard@wsgr.com

12 *Attorneys for Plaintiff*

13 UNITED STATES DISTRICT COURT
14 EASTERN DISTRICT OF CALIFORNIA
15 FRESNO DIVISION

16 _____)
G.P.P., INC. d/b/a GUARDIAN INNOVATIVE)
17 SOLUTIONS,)
18 Plaintiff,)
19 v.)
20 GUARDIAN PROTECTION PRODUCTS, INC.,)
21 and RPM WOOD FINISHES GROUP, INC.,)
22 Defendants.)
23 _____)

Case No. 1:15-cv-00321-SKO
**STIPULATION AND ORDER
REGARDING DEADLINE FOR
BILL OF COSTS**
(Doc. 500)
Courtroom: 7 (Sixth Floor)
Judge: Hon. Sheila K. Oberto

1 WHEREAS, the Court entered judgment in this matter on December 13, 2021, Dkt. 499;

2 WHEREAS, under Local Rule 292, the current deadline to file bills of costs is December
3 27, 2021 and the current deadline to file motions for attorneys' fees is January 10, 2022;

4 WHEREAS, plaintiff G.P.P. Inc. d/b/a Guardian Innovative Solutions ("GIS"), intends to
5 file a motion pursuant to FRCP 50(b) on or before January 10, 2022, which will toll the deadline
6 to file motions for attorneys' fees until twenty-eight (28) days after the Court issues its Order on
7 GIS's FRCP 50(b) motion. *See, e.g., Bailey v. Cty. of Riverside*, 414 F.3d 1023, 1025 (9th Cir.
8 2005); *Hopkins v. Wells Fargo Bank, N.A.*, No. 2:13-444 WBS CKD, 2014 U.S. Dist. LEXIS
9 89612, at *2-3 n.4 (E.D. Cal. July 1, 2014);

10 WHEREAS, the parties have met and conferred and agreed that the deadline to file bills of
11 costs should be continued to match the deadline to file motions for attorneys' fees;

12 WHEREAS, the parties believe that there is good cause to extend the deadline to file bills
13 of costs due to the upcoming holidays and to avoid duplicative briefing on issues common to both
14 bills of costs and motions for attorneys' fees;

15 WHEREAS, the parties have not sought any prior extensions of the deadline to file bills of
16 costs;

17 THEREFORE, the parties hereby stipulate and respectfully request that the Court order
18 that: the deadline for any party to file a bill of costs shall be the same day as the applicable
19 deadline to file a motion for attorneys' fees, and that the applicable deadline to file both a bill of
20 costs and a motion for attorneys' fees shall be twenty-eight (28) days after the Court's ruling on
21 GIS's anticipated FRCP 50(b) motion in accordance with FRCP 54, E.D. Cal. L.R. 293, and
22 applicable law. In the event GIS does not file such a motion, then the parties request that motions
23 for fees and bills of cost be due on or before February 7, 2022 (28 days after the January 10, 2022
24 deadline for a Rule 50(b) motion).

25
26
27
28

1 **IT IS SO STIPULATED.**

2 Dated: December 20, 2021

Respectfully submitted,

3

WILSON SONSINI GOODRICH & ROSATI
Professional Corporation

4

5

By: s/ Colleen Bal

6

Attorneys for Plaintiff

7

8

GORDON & REES LLP

9

By: s/ Aaron Rudin
(as authorized on December 20, 2021)

10

11

Attorneys for Defendants

12

13

ORDER

14

Pursuant the parties' above stipulation (Doc. 500), and for good cause shown,

15

IT IS HEREBY ORDERED that the deadline for any party to file a bill of costs shall be the same day as the applicable deadline to file a motion for attorneys' fees, and that the applicable deadline to file both a bill of costs and a motion for attorneys' fees shall be twenty-eight (28) days after the Court's ruling on Plaintiff GIS's anticipated Rule 50(b) motion. In the event GIS does not file a Rule 50(b) motion, the parties' motions for fees and bills of cost shall be filed by no later than February 7, 2022.

21

22

IT IS SO ORDERED.

23

Dated: December 21, 2021

/s/ Sheila K. Oberto
UNITED STATES MAGISTRATE JUDGE

24

25

26

27

28