1 2	JOHN F. DOYLE – BAR NO. 142447 JOHN H. ADAMS, JR. – BAR NO. 25334 HOGE, FENTON, JONES & APPEL, INC.	
3	Sixty South Market Street, Suite 1400 San Jose, California 95113-2396 Phone: (408) 287-9501	
4	Fax: (408) 287-2583	
5	Attorneys for Cross-Defendant WONDER ICE CREAM LLC	
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8	UNITED STAT	ES DISTRICT COURT
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10	EASTERN DIST	FRICT OF CALIFORNIA
11	BEN & JERRY'S FRANCHISING, INC., a Vermont corporation, and BEN &	No. CV-07-2599-JAM-KJM
12	JERRY'S HOMEMADE INC., a Vermont corporation,	JOINT REQUEST TO AMEND STATUS (PRE-TRIAL SCHEDULING) ORDER
13	Plaintiff,	(ASSIGNED TO HON. JOHN A. MENDEZ)
14	VS.	Trial Date: December 7, 2009
15	MEHRDAD PORGHAVAMI, et al.,	
16	Defendants.	
17		
18	MEHRDAD PORGHAVAMI, et al.,	
19	Cross-Complainant,	
20	v.	
21	BEN & JERRY'S FRANCHISING INC., a Vermont corporation, and BEN &	
22	JERRY'S HOMEMADE INC., a Vermont corporation, and BEN &	
23	JERRY'S OF CALIFORNIA INC., a California corporation, and WONDER	
24	ICE CREAM LLC.	
25	Cross-Defendants.	
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27	////	
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	JOINT STIPULATION REGARDING DEADLINE FOR DISCLC	JOURE OF EXPERT WITNESSES

WHEREAS, on November 6, 2008, the Court signed a Status (Pre-Trial Scheduling)
 Order (the "Scheduling Order") in this matter setting a trial date of December 7, 2009 and
 an estimated trial length of approximately fifteen (15) days;

WHEREAS, the Scheduling Order sets March 31, 2009 as the deadline for
disclosure of expert witnesses and May 29, 2009 as the deadline for supplemental
disclosures and disclosures of any rebuttal experts;

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WHEREAS, the Scheduling Order sets a discovery cut-off date of June 30, 2009; WHEREAS, the Scheduling Order sets May 1, 2009 as the deadline for dispositive motions and June 3, 2009 as the hearing date for any dispositive motions;

10 WHEREAS, the parties continue to engage in the meet-and-confer process
11 regarding certain documents sought through discovery and necessary for the development
12 of expert witness opinions, and production of those documents is scheduled to take place
13 after the deadline for disclosure of expert witnesses;

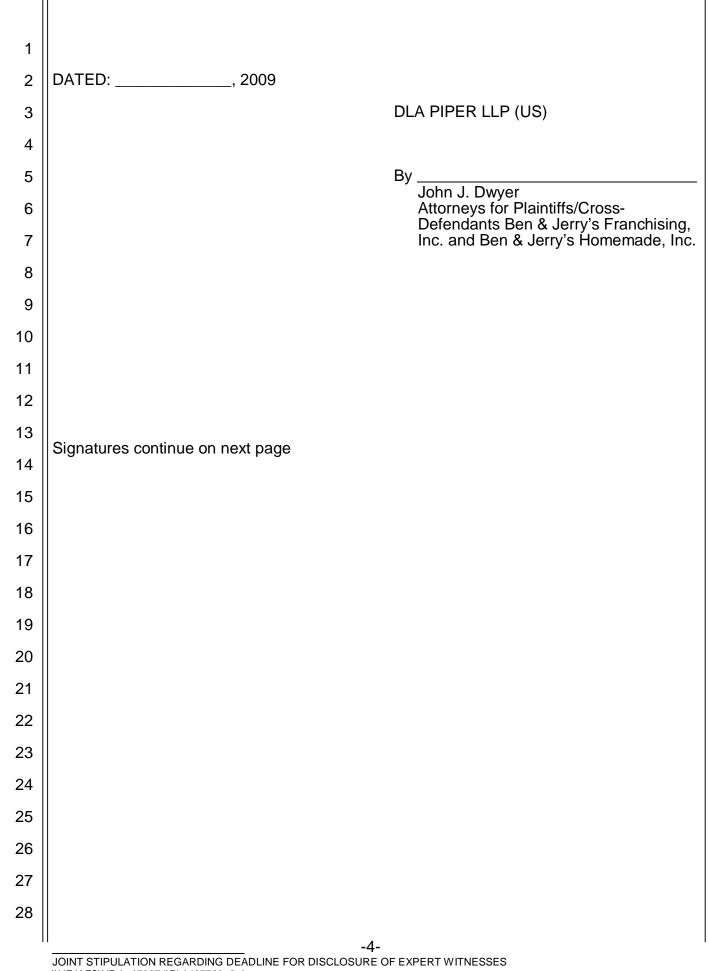
WHEREAS, counsel for Wonder Ice Cream LLC ("Wonder"), Ben & Jerry's 14 15 Franchising, Inc. ("Ben & Jerry's") and Ben & Jerry's Homemade, Inc. ("Homemade") and 16 Mehrdad Porghavami ("Porghavami") have agreed to request an amendment to the Scheduling Order as follows: to move the deadline for expert witness disclosure from 17 18 March 31, 2009 to May 15, 2009; to move the deadline for supplemental and rebuttal expert witness disclosure from May 29, 2009 to June 15, 2009; to move the discovery 19 20 cutoff date from June 30, 2009 to July 6, 2009; to move the deadline for dispositive 21 motions from May 1, 2009 to August 5, 2009; and to move the date for hearing of 22 dispositive motions from June 3, 2009 to September 9, 2009.

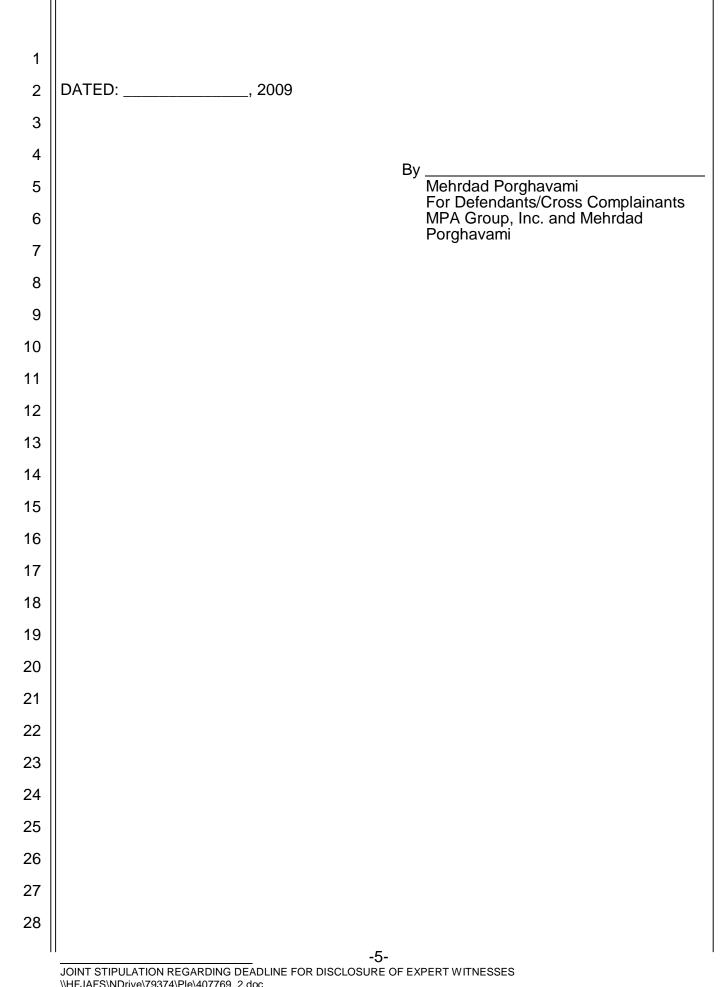
WHEREAS, the parties do not seek the requested amendments to the SchedulingOrder for the purposes of delay.

25 WHEREFORE, the parties request that the Court amend the Scheduling Order as26 follows:

27 1. That the parties shall make expert witness disclosures under Fed. R. Civ. P.
28 26(a)(2) by May 15, 2009.

1	2.	That the parties shall make supplemental disclosures and disclosure of any
2	rebuttal exp	perts under Fed. R. Civ. P. 26(a)(2)(c) by June 15, 2009.
3	3.	That the discovery cutoff be set for July 6, 2009.
4	4.	That the deadline for dispositive motions be set for August 5, 2009.
5	5.	That the date for the hearing of dispositive motions be set for September 9,
6	2009 at 9:0	0 a.m.
7	A pro	oposed order is submitted herewith.
8	DATED: Ap	oril 3, 2009
9		HOGE, FENTON, JONES & APPEL, INC.
10		
11		By John H. Adams, Jr.
12		Attorneys for Cross-Defendant WONDER ICE CREAM LLC, a
13		California limited liability company
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18	Signatures	continue on next page
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I	JOINT STIPULA	-3- TION REGARDING DEADLINE FOR DISCLOSURE OF EXPERT WITNESSES





1	ORDER
2	GOOD CAUSE APPEARING, IT IS HEREBY ORDERED that the proposed dates in this
3	joint request are approved.
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5	DATED: April 6, 2009
6	/s/ John A. Mendez
7	The Honorable John A. Mendez U.S. District Court Judge
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