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14
15 **UNITED STATES DISTRICT COURT**

16 **EASTERN DISTRICT OF CALIFORNIA, SACRAMENTO DIVISION**

17 THE MORNING STAR PACKING COMPANY,
18 et al.,

19 Plaintiffs,

20 v.

21 SK FOODS, L.P., et al.,

22 Defendants.

CASE NO. 2:09-CV-00208-KJM-EFB

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28 **STIPULATION AND ORDER RE
EXTENSION OF TIME TO ANSWER THE
SECOND AMENDED COMPLAINT**

1 Plaintiffs The Morning Star Packing Company, Liberty Packing Company,
2 LLC, California Fruit and Tomato Kitchens, LLC and The Morning Star Company
3 (collectively, "Plaintiffs") and defendants Los Gatos Tomato Products and Stuart
4 Woolf (collectively, "Defendants"), by and through their respective counsel of record,
5 hereby submit the following stipulation and proposed order pursuant to Local Rule
6 144(a).

7 WHEREAS, Plaintiffs filed a second amended complaint in the above-
8 captioned case on December 6, 2010;

9 WHEREAS, counsel stipulated to an initial extension of time to respond to the
10 second amended complaint on December 22, 2010, which was followed by briefing on
11 a motion to dismiss;

12 WHEREAS, on September 30, 2011, the Court issued an order denying
13 Defendants' motion to dismiss the second amended complaint, which makes
14 Defendants' answer currently due on or before October 14, 2011;

15 WHEREAS, counsel for the parties have agreed to and hereby stipulate for a
16 second time to extend the time for Defendants to answer the second amended
17 complaint;

18 THEREFORE, Plaintiffs and Defendants, by and through their respective
19 counsel of record, hereby stipulate as follows:

20 Defendants shall file and serve an answer to the second amended complaint on
21 or before Friday, October 28, 2011.

22 IT IS SO STIPULATED.

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1 Dated: October 14, 2011

WEINTRAUB GENSHLEA CHEDIAK
Law Corporation

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3 By: /s/ - Dale Campbell
Dale Campbell
Attorneys for Plaintiffs
The Morning Star Packing Company,
4 Liberty Packing Company, LLC,
5 California Fruit & Tomato Kitchens, LLC,
6 and The Morning Star Company
7

8 Dated: October 14, 2011

GIBSON, DUNN & CRUTCHER

9 By: /s/ - George A. Nicoud III
George A. Nicoud III
Attorneys for Defendant
10 Los Gatos Tomato Products
11

12
13 Dated: October 14, 2011

COLLETTE ERICKSON FARMER &
O'NEILL LLP

14 By: /s/ - William Farmer
William Farmer
Attorneys for Defendant
15 Stuart Woolf
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19 **ORDER**

20 IT IS SO ORDERED.

21 **Date: 10/24/2011**

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UNITED STATES DISTRICT JUDGE
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