

1 BINGHAM MCCUTCHEN LLP  
 Stephen Zovickian (SBN 78697)  
 2 stephen.zovickian@bingham.com  
 Sujal Shah (SBN 215230)  
 3 sujal.shah@bingham.com  
 Kyle Zipes (SBN 251814)  
 4 kyle.zipes@bingham.com  
 Three Embarcadero Center  
 5 San Francisco, CA 94111-4067  
 Telephone: 415.393.2000  
 6 Facsimile: 415.393.2286

7 Attorneys for Defendant  
 Ingomar Packing Company

8  
 9 RAMSEY & EHRLICH LLP  
 Miles Ehrlich (SBN 237954)  
 miles@ramsey-ehrllich.com  
 10 803 Hearst Avenue  
 Berkeley, CA 94710  
 11 Telephone: (510)548-3600  
 Facsimile: (510)291-3060

12 Attorneys for Defendant  
 13 Greg Pruett

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 15 UNITED STATES DISTRICT COURT  
 16 EASTERN DISTRICT OF CALIFORNIA, SACRAMENTO DIVISION  
 17

18 The Morning Star Packing Company, et al.,

19 Plaintiffs,

20 v.

21 S.K. Foods, L.P., et al.

22 Defendants.  
 23  
 24  
 25  
 26  
 27  
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No. 2:09-CV-00208-KJM-EFB

**STIPULATION AND ORDER RE  
 EXTENSION OF DISCOVERY AND  
 DISPOSITIVE MOTION  
 DEADLINES**

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

7 WHEREAS, the parties have continued to take discovery in this action but both agree  
8 that the process is taking longer than previously expected;

9 WHEREAS, the Court has granted two previous extensions of the parties’ discovery and  
10 dispositive motion deadlines by between 120 and 122 days; and

11 WHEREAS, Plaintiffs and Defendants have met to explore the possibility of a negotiated  
12 resolution of this litigation, and have determined that the prospects for reaching such a  
13 resolution, as well as the prospects for conducting this litigation more efficiently if such a  
14 resolution cannot be reached, will be materially increased by further extending the discovery  
15 deadlines set in this Court’s February 13, 2014 Minute Order;

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

18 1. The deadline to complete all non-expert related discovery shall be extended  
19 ninety (90) days to December 8, 2014.

20 2. The deadline for the Court to hear disputes related to discovery shall be extended  
21 ninety-seven (97) days to January 16, 2015.

22 3. The deadline for Plaintiffs to complete expert disclosures under Rule 26 of the  
23 Federal Rules of Civil Procedure shall be extended ninety-seven (97) days to February 23, 2015.

24 4. The deadline for Defendants to complete expert disclosures under Rule 26 of the  
25 Federal Rules of Civil Procedure shall be extended ninety-six (96) days to April 2, 2015.

26 5. The deadline for parties who previously disclosed an expert to submit a  
27 supplemental list of expert witnesses who will express an opinion on a subject covered by an  
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1 expert designated by an adverse party, if the party supplementing an expert witness has not  
2 previously retained an expert to testify on that subject, and to submit an accompanying written  
3 report shall be extended ninety-six (96) days to May 7, 2015.

4 6. The deadline to complete all expert discovery shall be extended ninety-six (96)  
5 days to July 16, 2015.

6 7. The deadline to file all dispositive motions, except motions for continuances,  
7 temporary restraining orders, or other emergency applications, shall be extended one hundred  
8 and two (102) days to August 31, 2015. For the Court's convenience, the parties include the  
9 below table of the stipulated revised deadlines.

Event	Current Deadline	Stipulated and Proposed New Deadline
Discovery Deadline	9/8/2014	12/8/2014
Discovery Dispute Deadline	10/10/2014	1/16/2015
Plaintiff's expert disclosures due	11/17/2014	2/23/2015
Defendants' expert disclosures due	12/26/2014	4/2/2015
Supplemental Expert List Due	1/30/2015	5/7/2015
Expert Discovery Deadline	4/10/2015	7/16/2015
Dispositive Motion Deadline	5/20/2015	8/31/2015

24 The court considers these dates firm.

25 **IT IS SO ORDERED.**

26 Dated: July 31, 2014.

27   
28 UNITED STATES DISTRICT JUDGE

1 Stipulated to and approved by:

2 DATED: July 31, 2014

BINGHAM McCUTCHEN LLP

3 By: /s/ - Stephen Zovickian

4 Stephen Zovickian  
5 Attorneys for Defendant  
6 Ingomar Packing Company

7 DATED: July 31, 2014

RAMSEY & EHRLICH, LLP

8 By: /s/ - Miles Ehrlich (as authorized on 7/15/2014)

9 Miles Ehrlich  
10 Attorneys for Defendant Greg Pruett

11 DATED: July 31, 2014

FARMER BROWNSTEIN JAEGER, LLP

12 By: /s/ - Charles Ralph Jaeger (as authorized on 7/15/2014)

13 Charles Ralph Jaeger  
14 Attorneys for Defendants Los Gatos Tomato Products

15 DATED: July 31, 2014

FARMER BROWNSTEIN JAEGER LLP

16 By: /s/ - Charles Ralph Jaeger (as authorized on 7/15/2014)

17 Charles Ralph Jaeger  
18 Attorneys for Defendant Stuart Woolf

19 DATED: July 31, 2014

WEINTRAUB GENSHLEA CHEDIAK LAW  
CORPORATION

20 By: /s/ - James Kachmar (as authorized on 7/15/2014)

21 James Kachmar  
22 Attorneys for Plaintiffs The Morning Star Packing  
23 Company, Liberty Packing Company, LLC, California  
24 Fruit and Tomato Kitchens, LLC and The Morning Star  
25 Company  
26  
27  
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