

1 WHEREAS, on July 17, 2017, the Court issued an Order pursuant to a stipulation
2 between the parties in which it set the final pre-trial conference in this matter for
3 February 23, 2018 at 10:00 a.m., with the remaining parties to file a joint final pre-trial
4 statement due no later than February 2, 2018. (See Stipulation and Order, Dkt. #307, at p.
5 3.)

6 WHEREAS, on July 12, 2017, Morning Star filed a motion for reconsideration of the
7 Court's ruling on the summary judgment motions of the Ingomar Defendants and
8 Defendants Los Gatos Tomato Products, LLC, and Stuart Wolf, which was eventually set
9 for hearing on November 17, 2017. (Dckt. #306.)

10 WHEREAS, on November 13, 2017, the Court issued a Minute Order stating that it
11 was taking the motion for reconsideration under submission without the need for oral
12 argument. (See Dkt. #316.)

13 WHEREAS, the Court has not issued a ruling on the motion for reconsideration,
14 which could affect the number of parties and/or issues to be the subject of any trial in this
15 matter.

16 WHEREAS, Morning Star and the Ingomar Defendants in the meantime have
17 engaged in settlement discussions that are ongoing.

18 WHEREAS, the parties believe that in light of the above, that it will be more
19 efficient and economical, as well as preserving judicial resources, to vacate the final pre-
20 trial conference scheduled for February 23, 2018 and continue it to an available date that
21 is 90-120 days later, pursuant to the Court's calendar.

22 THEREFORE, the Parties, by and through their respective counsel of record, hereby
23 stipulate as follows:


24 1. The Parties request that the final pretrial conference be continued to the
25 first available court date no earlier than 90-120 days after the currently scheduled date of
26 February 23, 2018, with the required joint final pre-trial statement due 21 days before the
27 new conference date.

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IT IS SO ORDERED. The Parties request that the final pretrial conference be continued is granted. The final pretrial conference set for **February 23, 2018** is vacated and reset for June 1, 2018 at 10:00 a.m. in Courtroom No. 3. The parties shall confer and file a joint pretrial conference statement on or before **May 11, 2018**.

DATED: January 23, 2018.


UNITED STATES DISTRICT JUDGE