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5 Attorneys for Plaintiff
 6 ASPEX EYEWEAR, INC.

7
 8 **UNITED STATES DISTRICT COURT**
 9 **FOR THE EASTERN DISTRICT OF CALIFORNIA**

11 ASPEX EYEWEAR, INC.,)	CASE NO. 2:10 CV 00632 JAM-GGH
)	
12 Plaintiff,)	STIPULATION AND ORDER
)	REGARDING TIME FOR PLAINTIFF
13 v.)	TO FILE REPLY PAPERS
)	
)	DATE: May 19, 2010
15 VISION SERVICE PLAN; MARCHON)	TIME: 9:30 a.m.
EYEWEAR, INC.; ALTAIR EYEWEAR, INC.,))	CTRM: 6
)	JUDGE: Hon. John A. Mendez
16 Defendants.)	
)	
)	
)	

17
 18
 19 The Court has scheduled a hearing on Plaintiff’s motion for preliminary injunctive relief
 20 at 9:30 a.m. on May 19, 2010. The parties previously agreed that Plaintiff’s reply papers would
 21 be due on May 11, 2010. However, due to unforeseen circumstances, lead counsel for Plaintiff
 22 is unavailable on this date. As such, the parties stipulate and agree that the following alteration
 23 to the previously stipulated and ordered briefing schedule shall apply.

24 **WHEREFORE, IT IS STIPULATED AS FOLLOWS:**

25 //
 26 //
 27 //
 28 //

1 Plaintiff will file its Reply to the Oppositions to the Motion for Preliminary Injunction
2 and supporting documents on or before May 13, 2010, at noon.

3
4 DATED: May 11, 2010

GREENBERG TRAURIG, LLP

5 By: /s/ Nancy J. Doig

6 Kathleen E. Finnerty (SBN 157638)

7 Nancy J. Doig (SBN 226593)

8 Attorneys for Plaintiff

ASPEX EYEWEAR, INC.

9 DATED: May 11, 2010

DOWNEY BRAND LLP

10
11 By: /s/ William Warne (as authorized on 5/11/10)

12 William Warne (SBN 141280)

13 Attorneys for Defendant

VISION SERVICES PLAN

14 DATED: May 11, 2010

WILKE FLEURY LLP

15
16 By: /s/ Matthew Powell (as authorized on 5/11/10)

17 Matthew Powell (SBN 114563)

18 Attorneys for Defendant

ALTAIR EYEWEAR, INC.

19 DATED: May 11, 2010

HOWREY LLP

20
21 By: /s/ Paul Alexander (as authorized on 5/11/10)

22 Paul Alexander (SBN 49997)

23 Attorneys for Defendant

MARCHON EYEWEAR, INC.

24 **ORDER**

25
26 GOOD CAUSE APPEARING,

27 IT IS SO ORDERED.

28 DATED: May 11, 2010

/s/ John A. Mendez

JOHN A. MENDEZ

United States District Court Judge