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TELEBRANDS CORP., a New Jersey Corporation

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA**

MEYER MANUFACTURING COMPANY
LIMITED, a Hongkong Corporation,

Plaintiff,

v.

TELEBRANDS CORP., a New Jersey
Corporation,

Defendant,

TELEBRANDS CORP., a New Jersey
Corporation,

Counter-Plaintiff,

v.

MEYER MANUFACTURING COMPANY
LIMITED, a Hongkong Corporation, and
MEYER CORPORATION, U.S.,

Counter-Defendants.

CASE NO. 2:11-cv-03153 LKK-DAD

**JOINT STIPULATION AND
ORDER TO ADJOURN THE
HEARING DATE FOR ALL
PENDING MOTIONS**

1 Defendant/Counter-Plaintiff Telebrands Corp. (“Telebrands”), and Plaintiff/Counter-
2 Defendant Meyer Manufacturing Company Limited and Counter-Defendant Meyer Corporation,
3 U.S. (collectively, “Meyer”), hereby stipulate and request that the Court modify its Scheduling
4 Order which states that all law and motion must be heard by March 29, 2013, so that all pending
5 motions may be heard together on April 8, 2013.

6 Presently, there are four pending motions before the Court:

- 7 1) On January 22, 2013, Telebrands filed a motion to amend its Counterclaims (D.I.¹ 65),
8 and noticed that motion to be heard on March 11, 2013;
- 9 2) On February 11, 2013, Telebrands filed a motion to amend the scheduling order to
10 permit it to file a motion to compel discovery (D.I. 67), and noticed that motion to be
11 heard on March 11, 2013;
- 12 3) On February 24, 2013, Meyer filed a motion to strike the expert rebuttal report of
13 Stephen M. Nowlis, Ph.D. (D.I. 68), and noticed that motion to be heard on March 25,
14 2013; and
- 15 4) On February 25, 2013, Meyer filed a motion for summary judgment (D.I. 71), and
16 noticed that motion to be heard on March 25, 2013.

17 Accordingly, the two motions filed by Telebrands are scheduled to be heard on March 11, 2013,
18 and the two motions filed by Meyer are scheduled to be heard on March 25, 2013.

19 The Court issued its Scheduling Order (D.I. 39) on May 31, 2012, and ordered that all law
20 and order motions must be heard by March 31, 2013. All motions filed by the parties were
21 noticed to be heard by March 31, 2013. However, Telebrands’ principal counsel is unavailable
22 on March 25, 2013, due to a previous commitment to be outside of the continental United States
23 at that time. Accordingly, Telebrands sought consent from Meyer to adjourn the hearing date for
24 the motions filed by Meyer to the next available hearing date, which is April 8, 2013.

25 In addition, in this action, the principal counsel for Meyer is located in Chicago, and the
26 principal counsel for Telebrands is located in New York. To save the parties the time and

27 ¹ “D.I.” refers to the ECF Docket Index for this action.
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1 expense of having counsel travel to the Court for hearings on two dates, Meyer sought consent
2 from Telebrands to adjourn the hearing date for the motions filed by Telebrands to April 8, 2013,
3 so that all motions may be heard on the same date.

4 The parties have conferred and agreed to request that the Scheduling Order be amended
5 such that the four pending motions recited above will be heard on April 8, 2013.

6 This amendment will not affect any other deadlines set forth in the Scheduling Order.

7 WHEREFORE, in light of the foregoing, the parties respectfully request that the Court
8 modify the current case management schedule embodied in its May 31, 2012 Scheduling Order to
9 permit the currently pending motions (D.I. 65, 67, 68, 71) to be heard on April 8, 2013.

10 Respectfully submitted,

11 By: /s/Robert T. Maldonado

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4 So Ordered:

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6 Date: March 4, 2013.

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8 
9 LAWRENCE K. KARLTON
10 SENIOR JUDGE
11 UNITED STATES DISTRICT COURT
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