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6 Attorneys for Plaintiff  
 California Natural Products

8 UNITED STATES DISTRICT COURT  
 9 EASTERN DISTRICT OF CALIFORNIA

11 CALIFORNIA NATURAL PRODUCTS  
 (d/b/a POWER AUTOMATION SYSTEMS),  
 12 a California corporation,  
 13 Plaintiff,  
 14 vs.  
 15 ILLINOIS TOOL WORKS, INC. (d/b/a  
 HARTNESS INTERNATIONAL, INC.), a  
 16 Delaware corporation,  
 17 Defendant.

CASE NO. 2:12-cv-0593-JAM-CKD

**STIPULATION AND ORDER TO  
 CONTINUE TRIAL AND PRE-TRIAL  
 SCHEDULE  
 (AS MODIFIED BY THE COURT)**

18  
 19 Plaintiff California Natural Products and Defendant Illinois Tool Works hereby stipulate and  
 20 jointly request that the Court continue the current trial schedule to allow an additional approximately  
 21 150 days, with the pre-trial dates adjusted as well. Good cause for such a continuance is based on  
 22 the following:

23 First, and most important, after substantial exchange of documents and letters discussing the  
 24 parties' positions, the parties have agreed to mediate this case in early 2014. In order to enhance the  
 25 likelihood of settlement, the parties seek to focus their efforts on trying to resolve this matter at the  
 26 mediation and avoid the costs associated with fact depositions and expert disclosures. Second, the  
 27 parties' document productions, including electronic discovery and production and translation of

1 Spanish-language documents, has caused unanticipated difficulties and delays. The parties have  
 2 produced close to 15,000 documents (over 50,000 pages) and are producing more. The parties'  
 3 technical experts have not yet had an opportunity to review key documents, however, and will not  
 4 be able to do so and prepare expert reports by the current deadline of December 11, 2013. In  
 5 addition, the delay in document exchange has caused a delay in the scheduling of fact depositions,  
 6 which may also be important in the formulation of expert opinions. The parties are working  
 7 cooperatively and in good faith to resolve these issues but seek the extension to provide an  
 8 opportunity to focus on settlement.

9 To allow discovery to advance further prior to the completion of expert reports, the parties  
 10 have cooperated in drafting a revised schedule for the Court's consideration. This schedule  
 11 proposes adjusting the trial date by approximately 150 days, with interim dates adjusted as well by  
 12 agreement. The revised schedule remains within the Court's typical schedule.

<b>Event</b>	<b>Current</b>	<b>Proposed</b>
Mid-litigation statement to the court (status of all motions already filed and likelihood of future motions)	Mon., Dec. 16, 2013	Fri., May 16, 2014
Expert disclosure, including report	Wed., Dec. 11, 2013	Thu., June 26, 2014
Close of fact discovery	Fri., Feb. 7, 2014	Fri., July 11, 2014
Rebuttal expert disclosure, including report	Fri., Jan. 17, 2014	Thu., July 17, 2014
Close of expert discovery	Fri., Feb. 7, 2014	Fri., Aug. 8, 2014
Dispositive motions	Fri., Feb. 21, 2014	Fri., Aug. 29, 2014
Dispositive motion responses	Fri., Mar. 7, 2014	Fri., Sept. 19, 2014
Dispositive motion replies	Fri., Mar. 21, 2014	Fri., Oct. 3, 2014
Hearing on dispositive motions	Wed., Apr. 9, 2014 at 9:30 a.m.	Wed., Oct. 15, 2014 at 9:30 a.m.)
Joint pretrial statement	Fri., May 16, 2014	Fri., Dec. 10, 2014
Final pretrial conference	Fri., May 23, 2014 at 11:00 a.m.	Wed., Dec. 17, 2014 at 3:00 P.M.
Trial	Mon., July 14, 2014, at 9:00 a.m.	Mon. February 9, 2015 at 9:00 A.M.

1 For the reasons set forth in this Stipulation, the parties respectfully request that the Court  
2 enter the proposed schedule set forth above.

3 Respectfully submitted,

4 DATED: December 5, 2013

SHOPOFF CAVALLO & KIRSCH LLP

5 By /s/ Gregory S. Cavallo  
6 Gregory S. Cavallo  
7 Attorneys for Plaintiff  
8 CALIFORNIA NATURAL PRODUCTS  
(d/b/a POWER AUTOMATION SYSTEMS)

9 DATED: December 5, 2013

GRIPPO & ELDEN LLC

10 By /s/ Lynn H. Murray  
11 Lynn H. Murray  
12 Attorneys for Defendant  
13 ILLINOIS TOOL WORKS, INC.

14 DATED: December 5, 2013

POOLE & SHAFFERY, LLP

15 By /s/ David S. Poole  
16 David S. Poole  
17 Attorneys for Defendant  
18 ILLINOIS TOOL WORKS, INC.

19 **ORDER (AS MODIFIED BY THE COURT)**

20 IT IS SO ORDERED.

21 DATED: 12/5/2013

22 /s/ John A. Mendez  
23 United States District Court Judge