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Cross-Claimant and Cross-Defendant  
7 PALLETS UNLIMITED, LLC

8  
9 UNITED STATES DISTRICT COURT  
10 EASTERN DISTRICT OF CALIFORNIA

11  
12 STARBUCKS CORPORATION, a  
13 corporation,

14 Plaintiff,

15 v.

16 AMCOR PACKAGING DISTRIBUTION, a  
17 corporation; AMCOR PACKAGING (USA),  
18 INC., a corporation; and PALLETS  
UNLIMITED, LLC, a limited liability  
company,

19 Defendants.

20 AND ALL RELATED CROSS-ACTIONS.

Case No. 2:13-CV-01754-WBS-CKD

Hon. William B. Shubb

**STIPULATION AND [PROPOSED]  
ORDER TO MODIFY DATES OF  
THE SCHEDULING ORDER**

Complaint Filed: August 23, 2013

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22 Plaintiff Starbucks Corporation (“Starbucks”), Defendants and Cross-Claimants  
23 Amcor Packaging Distribution and Amcor Packaging (USA), Inc. (collectively referred  
24 to as “Amcor”), Defendant, Cross-Claimant and Third-Party Plaintiff Pallets Unlimited,  
25 LLC, and Third-Party Defendant Ozburn-Hessey Logistics (“OHL”) (collectively the  
26 “parties”), by and through their respective counsel of record, stipulate as follows:

27 WHEREAS, the parties indicated in their last Stipulation that they would be filing  
28 a new Stipulation regarding a continuance of the trial date and, in accordance, all parties

1 met and conferred and agreed to stipulate as follows:

2 IT IS HEREBY STIPULATED by and between the parties, through their  
3 respective counsel and subject to the Court's approval, that good cause has been shown  
4 and the Scheduling Order shall be clarified as follows, subject to further modification  
5 upon a showing of good cause under Federal Rules of Civil Procedure, rule 16(b).

6 Expert Discovery: The parties shall disclose experts and produce reports in  
7 accordance with Federal Rules of Civil Procedure, rule 26(a)(2), no later than March 8,  
8 2016; with regard to expert testimony intended solely for rebuttal, those experts shall be  
9 disclosed and reports produced in accordance with Federal Rules of Civil Procedure, rule  
10 26(a)(2), on or before March 29, 2016. The closure for expert discovery shall be May 6,  
11 2016.

12 Motion Deadline: The parties hereto agree that the deadline for the filing of  
13 motions in this matter shall be July 1, 2016.

14 Pre-Trial Conference: It is hereby stipulated between the parties that the Pre-Trial  
15 Conference shall be held on **September 12, 2016 at 1:30 p.m.**

16 Trial Date: The parties hereby stipulate that the trial in this matter shall be  
17 scheduled for **November 8, 2016 at 9:00 a.m.**

18 IT IS SO STIPULATED.

19 DATED: February 10, 2016

KIRKLAND & ELLIS LLP

21 /s/ Michael J. Shipley  
22 Michael J. Shipley  
23 Attorneys for Third-Party Defendant  
Ozburn-Hessey Logistics

24 DATED: February 10, 2016

GIBSON ROBB & LINDH LLP

26 /s/ Joshua E. Kirsch  
27 Joshua E. Kirsch  
28 Attorneys for Plaintiff  
Starbucks Corporation

1 DATED: February 10, 2016

JACKSON JENKINS RENSTROM LLP

2  
3 /s/ John M. Marston  
4 John M. Marston  
5 Attorneys for Defendant, Cross-  
6 Claimant, and Third-Party Plaintiff  
7 Pallets Unlimited, LLC


8 DATED: February 10, 2016

BORTON PETRINI, LLP

9 /s/ Manish Parikh  
10 Manish Parikh  
11 Attorneys for Defendants and Cross-  
12 Claimants Amcor Packaging Distribution  
13 and Amcor Packaging (USA), Inc.

14 **IT IS SO ORDERED.**

15 Dated: February 11, 2016

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17 WILLIAM B. SHUBB  
18 UNITED STATES DISTRICT JUDGE  
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