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 and Cross-Defendant  
 9 PALLETS UNLIMITED, LLC

10  
 11 UNITED STATES DISTRICT COURT  
 12 EASTERN DISTRICT OF CALIFORNIA

14 STARBUCKS CORPORATION,  
 a corporation,

15 Plaintiff,

16 v.

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

21 Defendants.

22 AND RELATED CROSS-  
 23 ACTIONS.

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

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

Complaint Filed: August 23, 2013

Date: TBD  
 Time: 10:00 AM  
 Courtroom: 24  
 Judge: Hon. Carolyn K. Delaney

24  
 25 Plaintiff Starbucks Corporation (“Starbucks”), Defendants and Cross-  
 26 Claimants Amcor Packaging Distribution and Amcor Packaging (USA), Inc.  
 27 (collectively referred to as “Amcor”), Defendant, Cross-Complainant and Third-  
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1 Party Pallets Unlimited, LLC (“Pallets”), and Third-Party Defendant Ozburn-  
2 Hessey Logistics (“OHL”) (collectively the “parties”), by and through their  
3 respective counsel of record, pursuant to L.R. 143 and 144, hereby stipulate as  
4 follows:

5 WHEREAS, the parties had previously stipulated and the Court ordered the  
6 following modifications: that the parties shall disclose experts and produce reports  
7 in accordance with Federal Rules of Civil Procedure, rule 26(a)(2), no later than  
8 March 8, 2016; with regard to expert testimony intended solely for rebuttal, those  
9 experts shall be disclosed and reports produced in accordance with Federal Rules of  
10 Civil Procedure, rule 26(a)(2), on or before March 29, 2016. The closure for expert  
11 discovery shall be conducted as to be completed by May 6, 2016. The deadline for  
12 the filing of motions in this matter shall be July 1, 2016. The Pre-Trial Conference  
13 shall be held on September 2, 2016. Trial in this matter shall be scheduled for  
14 November 8, 2016.

15 WHEREAS, it is the intent of the parties to move the expert disclosure and  
16 rebuttal dates forward by two weeks at this time to give all parties sufficient time to  
17 disclose their experts.

18 NOW THEREFORE, IT IS HEREBY STIPULATED by and between the  
19 parties, through their respective counsel and subject to the Court’s approval, that  
20 good cause has been shown and the Scheduling Order shall be clarified as follows,  
21 subject to further modification upon a showing of good cause under Federal Rules  
22 of Civil Procedure, rule 16(b).

23 Expert Discovery: The parties shall disclose experts and produce reports in  
24 accordance with Federal Rules of Civil Procedure, rule 26(a)(2), no later than  
25 March 22, 2016; with regard to expert testimony intended solely for rebuttal, those  
26 experts shall be disclosed and reports produced in accordance with Federal Rules of  
27 Civil Procedure, rule 26(a)(2), on or before April 12, 2016. The closure for expert  
28 discovery shall be conducted as to be completed by May 20, 2016.



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RE: STIPULATION AND ORDER TO MODIFY DATES OF THE  
SCHEDULING ORDER

Dated: March 2, 2016    KIRKLAND & ELLIS

By: /s/ Michael Shipley  
Michael Shipley  
David Klein  
Attorneys for Cross-Defendant  
Ozburn-Hessey Logistics

**IT IS SO ORDERED.**

Dated: March 7, 2016

  
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CAROLYN K. DELANEY  
UNITED STATES MAGISTRATE JUDGE