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13 OZBURN-HESSEY LOGISTICS

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

16 STARBUCKS CORPORATION, ) NO. 2:13-CV-01754-WBS-CKD  
17 )  
18 Plaintiff, ) Hon. Carolyn K. Delaney  
19 )  
20 v. ) **JOINT STIPULATION AND**  
21 ) **[PROPOSED] ORDER RE**  
22 ) **EXTENSION OF THE EXPERT**  
23 ) **DISCOVERY CUTOFF IN THE**  
24 ) **SCHEDULING ORDER**  
25 )  
26 Defendants. )  
27 )  
28 )

Complaint Filed: August 23, 2013  
Trial Date: November 8, 2016

AND RELATED CROSS-ACTIONS

1                   **JOINT STIPULATION AND [PROPOSED] ORDER RE EXTENSION**  
2                   **OF THE EXPERT DISCOVERY CUTOFF IN THE SCHEDULING ORDER**

3                   Plaintiff Starbucks Corporation, Defendants and Cross-Claimants Amcor  
4                   Packaging Distribution and Amcor Packaging (USA), Inc., Defendant, Cross-  
5                   Claimant and Third- Party Claimant Pallets Unlimited, LLC, and Third-Party  
6                   Defendant Ozburn-Hessey Logistics, by and through their respective counsel of  
7                   record, pursuant to L.R. 143 and 144, hereby stipulate as follows:

8                   **WHEREAS**, the Parties in the above-captioned matter have been diligently  
9                   proceeding with the completion of discovery;

10                  **WHEREAS**, the Parties competed the exchange of all expert witness  
11                  disclosures and reports (including materials intended solely for rebuttal) by the April  
12                  12, 2016 deadline for the completion of expert disclosures set by the Court’s current  
13                  scheduling order (the “Order”), most recently modified on March 7, 2016;

14                  **WHEREAS**, the Order set a May 20, 2016 date for the completion of all expert  
15                  discovery;

16                  **WHEREAS**, the Parties have disclosed a greater number of expert witnesses  
17                  than any of the Parties had anticipated, including several expert witnesses located  
18                  outside of California, making it difficult to coordinate travel for and complete the  
19                  depositions of the Parties’ disclosed experts by May 20, 2016;

20                  **WHEREAS**, to accommodate the Parties’ and their expert witnesses’  
21                  schedules, the Parties agree that an extension of the expert discovery cutoff date will  
22                  further the just, speedy, and inexpensive resolution of this action;

23                  **AND WHEREAS**, the extension contemplated by the Parties will not require  
24                  further extension of any of the existing deadlines set forth in the Order, including the  
25                  July 1, 2016 cutoff date for filing dispositive motions, the September 2, 2016 pretrial  
26                  conference and the November 8, 2016 jury trial.

27                  **NOW THEREFORE, IT IS HEREBY STIPULATED** by and between the  
28                  Parties, and subject to the Court’s approval, that good cause has been shown under

1 Rule 16(b) of the Federal Rules of Civil Procedure, to extend the deadline for the  
2 completion of expert discovery to **June 27, 2016** and the deadline for discovery  
3 motions addressed to expert discovery to **August 16, 2016**. The deadline for  
4 dispositive motions shall remain **July 1, 2016**. All other dates in the Order shall  
5 remain unchanged.

6 **IT IS SO STIPULATED.**

7  
8 DATED: April 19, 2016

KIRKLAND AND ELLIS LLP

9 /s/ Michael Shipley

10 Michael Shipley

11 David Klein

12 Graham Cole

13 *Attorneys for Third Party Defendant*  
14 *Ozburn-Hessey Logistics*

15 DATED: April 19, 2016

GIBSON ROBB & LINDH LLP

16 /s/ Joshua Kirsch

17 Joshua Kirsch

18 *Attorneys for Plaintiff*  
19 *Starbucks Corporation*

20 DATED: April 19, 2016

BORTON PETRINI, LLP

21 /s/ Manish Parikh

22 Manish Parikh

23 *Attorneys for Defendant/Cross-*  
24 *Claimant*

25 *Ancor Packaging Distribution*  
26 *Ancor Packaging (USA) Inc.*

1 DATED: April 19, 2016

JACKSON JENKINS RENSTROM  
LLP

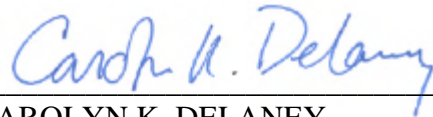
2  
3 /s/ John M. Marston

4 John M. Marston

5 *Attorneys for Defendant/Cross*  
6 *Claimant, and Third Party Claimant*  
7 *Pallets Unlimited, LLC*

8  
9  
10 **IT IS SO ORDERED.**

11 Dated: April 26, 2016

12 

13 CAROLYN K. DELANEY  
14 UNITED STATES MAGISTRATE JUDGE