1 2 3 4 5 6 7 8 9	MICHAEL J. SHIPLEY (SBN 233674 michael.shipley@kirkland.com DARIN T. BEFFA (SBN 248768) darin.beffa@kirkland.com DAVID A. KLEIN (SBN 273925) david.klein@kirkland.com KIRKLAND & ELLIS LLP 333 South Hope Street Los Angeles, California 90071 Telephone: (213) 680-8400 Facsimile: (213) 680-8500  Attorneys for Third-Party Defendant OZBURN-HESSEY LOGISTICS	4)	
10		FFS DISTRICT COURT	
11	UNITED STATES DISTRICT COURT EASTERN DISTRICT OF CALIFORNIA		
12	EASTERN DIST	TRICT OF CALIFORNIA	
13	STARBUCKS CORPORATION, a	) NO. 2:13-CV-01754-WBS-CKD	
14	corporation,	) Hon. William B. Shubb	
15	Plaintiff,	) Hon. William B. Shubb	
16		) STIPULATION AND [PROPOSED] ORDER TO	
17	V.	MODIFY DATES OF THE	
18	AMCOR PACKAGING	) SCHEDULING ORDER	
19	DISTRIBUTION, et al.,	Complaint Filed: August 23, 2013	
20	Defendants.	)	
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24		)	
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26		_)	
27	AND RELATED CROSS-ACTIONS	)	
28			

STIPULATION AND [PROPOSED] ORDER TO MODIFY DATES OF THE SCHEDULING ORDER – 1

Plaintiff Starbucks Corporation, Defendants and Cross-Claimants Amcor Packaging Distribution and Amcor Packaging (USA), Inc., Defendant, Cross-Claimant and Third-Party Plaintiff Pallets Unlimited, LLC, and Third-Party Defendant Ozburn-Hessey Logistics ("OHL") (collectively, the "parties"), by and through their respective counsel of record, stipulate as follows.

WHEREAS, on August 23, 2013, Plaintiff Starbucks Corporation filed its complaint against Defendants Amcor Packaging Distribution, Amcor Packaging (USA), Inc., and Pallets Unlimited, LLC;

WHEREAS, on January 29, 2014, the Court entered a Scheduling Order setting deadlines for the disclosure of experts, completion of expert and non-expert discovery, filing of all motions, except motions for continuances, temporary restraining orders, and other emergency applications, and setting the Final Pretrial Conference and trial dates;

WHEREAS, at the time the Scheduling Order was entered, OHL was not a party to this action;

WHEREAS, on July 22, 2014, Pallets Unlimited, LLC filed a third-party complaint against OHL;

WHEREAS, on November 5, 2014, the Court entered an order dismissing Pallets Unlimited's third-party complaint against OHL with leave to amend;

WHEREAS, on January 16, 2015, the Court entered an order granting in part and denying in part OHL's motion to dismiss Pallets Unlimited's first amended third-party complaint against OHL;

WHEREAS, on January 30, 2015, OHL filed its Answer to Pallets Unlimited's first amended third-party complaint;

WHEREAS, the parties other than OHL have been in this case for more than a year, with discovery ongoing; and

SCHEDULING ORDER – 3

1		/s/ Joshua E. Virsah (as authorized on
2		/s/ Joshua E. Kirsch (as authorized on February 20, 2015)
3		Joshua E. Kirsch Attorneys for Plaintiff
4		Starbucks Corporation
5		
6	DATED: February , 2015	JACKSON JENKINS RENSTROM LLP
7		John M. Marston
8		Attorneys for Defendant, Cross- Claimant, and Third-Party Plaintiff Pallets Unlimited, LLC
9		
10	DATED: February , 2015	BORTON PETRINI, LLP
11		/s/
12		Attorneys for Defendants and Cross- Claimants Amcor Packaging Distribution and Amcor Packaging (USA), Inc.
13		and Amcor Packaging (USA), Inc.
14	IT IS SO ORDERED.	
15		
16	Dated: February 24, 2015	
17	Daica. 1 cornary 24, 2015	Milliam Va Shubt
18		WILLIAM B. SHUBB
19		UNITED STATES DISTRICT JUDGE
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	STIPULATION AND [PROPOSED] ORDER TO MODIFY DATES OF THE SCHEDULING ORDER – 4	

1	Statement pursuant to Local Rule 131(e):		
2 3	Plaintiff's counsel, Joshua E. Kirdocument on his behalf on Februa	sch, authorized submission of the foregoing ary 20, 2015	
4	DATED: February 20, 2015	/s/ Michael J. Shipley	
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STIPULATION AND [PROPOSED] ORDER TO MODIFY DATES OF THE SCHEDULING ORDER –  $5\,$ 

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## **CERTIFICATE OF SERVICE**

I hereby certify that on February 20, 2015, I electronically filed the foregoing document with the Clerk of the Court by using the CM/ECF system, which will automatically send an e-mail notification of such filing to the attorneys of record who are registered CM/ECF users.

I declare under penalty of perjury that the foregoing is true and correct. Executed on February 20, 2015, at Los Angeles, California.

KIRKLAND & ELLIS LLP
By: /s/ Michael J. Shipley
Michael J. Shipley
Attorneys for Cross-Defendant
OZBURN-HESSEY LOGISTICS

STIPULATION AND [PROPOSED] ORDER TO MODIFY DATES OF THE SCHEDULING ORDER – 6