



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

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

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

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

11           WHEREAS, on February 24, 2015, the parties stipulated to modify the Pre-Trial Order since  
12 OHL had just appeared in the matter;

13           WHEREAS, on July 31, 2015, the parties stipulated to modify the Pre-Trial Order to extend  
14 some of the discovery deadlines because a key witness in the matter was not available for deposition;

15           WHEREAS, the parties have conducted a number of key depositions in the matter, but there  
16 are still quite a few depositions that need to be completed. Moreover, these depositions are conducted  
17 not only in California but Nevada and Washington, which makes scheduling these depositions very  
18 difficult to accommodate for all concerned parties.

19           WHEREAS, all parties agree that on the need to extend just the non-expert discovery  
20 deadline to November 30, 2015, to provide all parties sufficient time to complete the depositions.

21           WHEREAS, for all of the foregoing reasons, the parties agree that the Scheduling Order  
22 should be modified to provide all parties with sufficient time to fairly participate in discovery and file  
23 pre-trial motions.

24           NOW THEREFORE, IT IS HEREBY STIPULATED by and between the parties, through  
25 their respective counsel and subject to the Court's approval, that good cause has been shown and the  
26 Scheduling Order shall be modified as follows, subject to further modification upon a showing of good  
27 cause under Federal Rule of Civil Procedure 16(b).

1 Discovery: All non-expert discovery, including depositions for preservation of testimony,  
2 shall be so conducted as to be completed by November 30, 2015.

3 SO STIPULATED

4  
5 DATED: August 28,2015

KIRKLAND & ELLIS LLP

6  
7 /s/ David A. Klein  
8 David A. Klein  
9 Attorneys for Third-Party Defendant  
10 Ozburn-Hessey Logistics

11 DATED: August 28,2015

GIBSON ROBB & LINDH LLP

12  
13 /s/ Joshua E. Kirsch  
14 Joshua E. Kirsch  
15 Attorneys for Plaintiff  
16 Starbucks Corporation

17 DATED: August28, 2015

JACKSON JENKINS RENSTROM LLP

18 /s/ John M. Marston  
19 John M. Marston  
20 Attorneys for Defendant, Cross-  
21 Claimant, and Third-Party Plaintiff  
22 Pallets Unlimited, LLC

23 DATED: August 28, 2015

BORTON PETRINI, LLP

24 /s/ Manish Parikh  
25 Manish Parikh  
26 Attorneys for Defendants and Cross-  
27 Claimants Amcor Packaging Distribution  
and Amcor Packaging (USA), Inc.

1 IT IS SO ORDERED.

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3 Dated: **September 3, 2015**



WILLIAM B. SHUBB

UNITED STATES DISTRICT JUDGE

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STIPULATION MODIFY DATES OF SCHEDULING ORDER

CASE NO. 2:13-CV-01754-GEB-CKD