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7 Attorneys for Defendants Amcor Packaging Distribution; Amcor
Packaging (USA), Inc.
8

9 UNITED STATES DISTRICT COURT
10 EASTERN DISTRICT OF CALIFORNIA
11

12 STARBUCKS CORPORATION, a corporation,

13 Plaintiff,

14 v.

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

18 Defendants.

19 AND ALL RELATED CROSS-ACTIONS.
20

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

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

26 WHEREAS, the parties stipulated and the Court ordered that all motions, except motions for
27 continuances, temporary restraining orders, or other emergency applications, shall be filed on or before
~3 December 23, 2015;

1 WHEREAS, thereafter, the parties stipulated and the Court ordered that all motions, except
2 motions for continuances, temporary restraining orders, or other emergency applications, shall be heard
3 on or before April 4, 2016;

4 WHEREAS, it was the intent of the parties through their prior stipulations to move the latest
5 summary judgment and adjudication hearing date to April 4, 2016, with the parties to file motions in
6 time for such a hearing under the schedule provided under the Court's Local Rules.

7 NOW THEREFORE, to resolve any potential ambiguity, IT IS HEREBY STIPULATED by
8 and between the parties, through their respective counsel and subject to the Court's approval, that good
9 cause has been shown and the Scheduling Order shall be clarified as follows, subject to further
10 modification upon a showing of good cause under Federal Rule of Civil Procedure 16(b).

11 Motions: Any motions for summary judgment and adjudication shall be filed within
12 sufficient time under the Local Rules of the Eastern District of California that said motions may be
13 heard no later than April 4, 2016.

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16 IT IS SO STIPULATED.

17 DATED: December 10, 2015

KIRKLAND & ELLIS LLP

19 /s/ Michael J. Shipley

20 Michael J. Shipley
21 Attorneys for Third-Party Defendant
22 Ozburn-Hessey Logistics

23 DATED: December 10, 2015

GIBSON ROBB & LINDH LLP

25 /s/ Joshua E. Kirsch

26 Joshua E. Kirsch
27 Attorneys for Plaintiff
Starbucks Corporation

1 DATED: December 10, 2015

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: December 10, 2015

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: December 10, 2015



16 WILLIAM B. SHUBB
17 UNITED STATES DISTRICT JUDGE