

1 JANET L. CULLUM (104336) (jcullum@cooley.com)  
 2 JENNIFER LERNER (*Pro Hac Vice*) (jlerner@cooley.com)  
 3 COOLEY GODWARD KRONISH LLP  
 4 1114 Avenue of the Americas  
 5 New York, NY 10036-7798  
 6 Telephone: (212) 479-6000  
 7 Facsimile: (212) 479-6275

8 SUSAN BERNEY-KEY (124305) (sberneykey@cooley.com)  
 9 CHRISTINE HSIEH (246025) (chsieh@cooley.com)  
 10 COOLEY GODWARD KRONISH LLP  
 11 Five Palo Alto Square  
 12 3000 El Camino Real  
 13 Palo Alto, CA 94306-2155  
 14 Telephone: (650) 843-5000  
 15 Facsimile: (650) 857-0663

16 Attorneys for Plaintiff  
 17 RAINBOW LIGHT NUTRITIONAL SYSTEMS, INC.

18 RICHARD L. CRISONA (rlcrisona@lawabel.com)  
 19 ABELMAN, FRAYNE & SCHWAB  
 20 666 Third Avenue  
 21 New York, NY 10017  
 22 Telephone: (212) 949-9022  
 23 Facsimile: (212) 949-9190

24 ALLAN E. ANDERSON (133672) (aanderson@rmkb.com)  
 25 ROBERT P. ANDRIS (130290) (randris@rmkb.com)  
 26 ROPERS, MAJESKI, KOHN & BENTLEY  
 27 515 South Flower Street, Suite 1100  
 28 Los Angeles, CA 90071-2213  
 Telephone: (213) 312-2000  
 Facsimile: (213) 312-2001

Attorneys for Defendant  
 NATURAL ORGANICS, INC. DBA NATURE'S PLUS

UNITED STATES DISTRICT COURT  
 NORTHERN DISTRICT OF CALIFORNIA

RAINBOW LIGHT NUTRITIONAL  
 SYSTEMS, INC.,

Plaintiff,

vs.

NATURAL ORGANICS, INC., dba  
 NATURE'S PLUS,

Defendant.

CASE NO. C08-04396-CRB

**STIPULATION AND ~~[PROPOSED]~~  
 ORDER TO CONTINUE CASE  
 MANAGEMENT CONFERENCE**

1 Pursuant to Local Rule 6-2, the parties to the above-referenced matter, by and through  
2 their attorneys of record, hereby request that the Initial Case Management Conference be  
3 continued by sixty (60) days, to May 1, 2009 or to a date of the Court's designation.

4 The ADR Scheduling Order issued on September 19, 2008 set the Initial Case  
5 Management Conference for January 9, 2009. The parties filed a stipulation on November 21,  
6 2008 continuing the Initial Case Management Conference until February 6, 2009. The parties  
7 also filed a stipulation on January 23, 2009, extending the Initial Case Management Conference  
8 until March 2, 2009. This is the third stipulation to continue the Initial Case Management  
9 Conference.

10 The parties further request that defendant Natural Organics, Inc. shall have an additional  
11 thirty (30) days, through and until March 27, 2009, within which to respond to the original  
12 Complaint on file herein. This is the sixth stipulation to extend the deadline for the defendant to  
13 respond to the Complaint, the previous stipulations having been filed on October 16, 2008,  
14 November 4, 2008, November 21, 2008, December 24, 2008, and January 23, 2009.

15 Although the parties have not yet achieved a final settlement agreement, the parties  
16 represent to the Court that substantial progress has been made toward settlement, that draft  
17 agreements have been exchanged, that the parties believe with continued good faith negotiation a  
18 final resolution will be reached and that good cause therefore exists for the requested continuance.

19 Respectfully submitted,

20 Dated: February 20, 2009

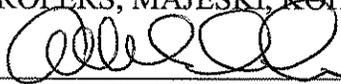
COOLEY GODWARD KRONISH LLP

21 /s/ Janet L. Cullum

22 JANET L. CULLUM  
Attorneys for Plaintiff,  
Rainbow Light Nutritional Systems, Inc.

23 Dated: February 20, 2008

24 ROPERS, MAJESKI, KOHN & BENTLEY

25   
26 ALLAN E. ANDERSON  
ROBERT P. ANDRIS  
Attorneys for Defendant  
27 NATURAL ORGANICS, INC. DBA NATURE'S PLUS  
28

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28

**ORDER**

IT IS HEREBY ORDERED that defendant Natural Organics, Inc. shall have until March 27, 2009 to respond to the Complaint and that the Initial Case Management Conference be continued by sixty (60) days, to May 1, 2009, or to the following date at the Court's designation: May 1, 2009 at 8:30 a.m.

Dated: february 23, 2009

