

Winston & Strawn LLP
101 California Street
San Francisco, CA 94111-5894

1 WINSTON & STRAWN LLP
Andrew P. Bridges (SBN: 122761)
2 abridges@winston.com
Jennifer A. Golinveaux (SBN: 203056)
3 jgolinveaux@winston.com
K. Joon Oh (SBN: 246142)
4 koh@winston.com
J. Caleb Donaldson (SBN: 257271)
5 jcdonaldson@winston.com
101 California Street
6 San Francisco, CA 94111-5894
Telephone: 415-591-1000
7 Facsimile: 415-591-1400

8 Attorneys for Plaintiff
BARE ESCENTUALS BEAUTY, INC.

9 BRYAN CAVE LLP
10 Marcy Bergman (CA Bar No. 75826)
Marcy.Bergman@bryancave.com
11 Keith D. Klein (SBN: 184846)
keith.klein@bryancave.com
12 120 Broadway, Suite 300
Santa Monica, CA 90401-2386
13 Telephone: 310-576-2100
14 Facsimile: 310-576-2200

Attorneys for Defendant
15 INTELLIGENT BEAUTY, LLC

16 **UNITED STATES DISTRICT COURT**
17 **NORTHERN DISTRICT OF CALIFORNIA**

18 BARE ESCENTUALS BEAUTY, INC.,) **Case No. 03:09-cv-00382 (CRB) (JCS)**
19 Plaintiff,) **STIPULATION AND ~~PROPOSED~~—**
20 vs.) **ORDER REGARDING CASE SCHEDULE**
21 INTELLIGENT BEAUTY, LLC,) **Trial Date: May 17, 2010**
22 and) **Time: 8:30 a.m.**
23 DOES 1-12,) **Room: 8**
24 Defendants.)
25 _____)
26)
27)
28)

STIPULATION

This Stipulation is entered into by Plaintiff BARE ESCENTUALS BEAUTY, INC. (“Plaintiff”) and Defendant INTELLIGENT BEAUTY, INC. (“Defendant”).

WHEREAS, on November 24, 2009 this Court issued a Civil Minutes Order setting a pretrial conference for May 11, 2010 and trial for May 17, 2010 and directing the parties to work together to establish all other dates;

NOW, THEREFORE, Plaintiff and Defendant jointly seek an Order of this Court adopting and approving the following schedule:

<u>Event</u>	<u>Date (Intelligent Beauty)</u>
Fact Discovery Closes	January 29, 2010
Simultaneous Disclosure Of Experts; Expert Discovery Opens	February 5, 2010
Disclosure Of Rebuttal Expert Witnesses	March 5, 2010
Expert Discovery Closes, including depositions of experts	March 19, 2010
Last Day to File Dispositive Motions	March 19, 2010
Last Day for Hearing Dispositive Motions	April 23, 2010
Final Pretrial Conference And Pretrial Disclosures Due	May 7, 2010
Pretrial Conference	May 11, 2010
Trial	May 17, 2010

Each party agrees that, in light of the close of expert discovery on March 19, 2009, the parties will make their expert witnesses, including rebuttal witnesses, available for deposition no later than March 16, 2010, and acknowledge that they may need to “double-track” expert depositions to meet this timeframe, and agree to do so if necessary.

Each of the parties reserves the right to seek an amendment of this schedule for good cause.

IT IS SO STIPULATED.

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

Dated: December 30, 2009

Dated: December 30, 2009

BRYAN CAVE LLP

WINSTON & STRAWN LLP

Keith D. Klein
Attorney for Defendant
INTELLIGENT BEAUTY, LLC

Jennifer A. Golinveaux
Attorney for Plaintiff
BARE ESCENTUALS BEAUTY, INC.

J. Caleb Donaldson attests that the above signatories have consented to the filing of this document.

/s/
J. Caleb Donaldson

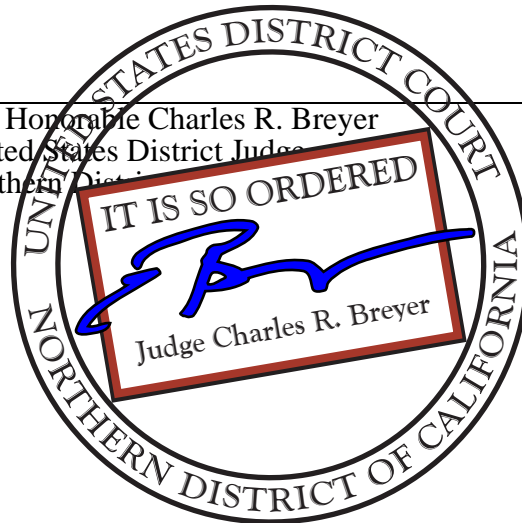
~~PROPOSED~~ ORDER

The parties having submitted this Stipulated Case Schedule and good cause appearing, PURSUANT TO STIPULATION IT IS HEREBY ORDERED that the parties' Stipulated Case Schedule, subject to any revisions set forth above, is hereby adopted by the Court as the schedule for the case, and the parties are ordered to comply with this schedule.

<u>Event</u>	<u>Date (Intelligent Beauty)</u>
Fact Discovery Closes	January 29, 2010
Simultaneous Disclosure Of Experts; Expert Discovery Opens	February 5, 2010
Disclosure Of Rebuttal Expert Witnesses	March 5, 2010
Expert Discovery Closes, including depositions of experts	March 19, 2010
Last Day to File Dispositive Motions	March 19, 2010
Last Day for Hearing Dispositive Motions	April 23, 2010
Final Pretrial Conference And Pretrial Disclosures Due	May 7, 2010
Pretrial Conference	May 11, 2010
Trial	May 17, 2010

Dated: January 5, 2010

The Honorable Charles R. Breyer
United States District Judge
Northern District of California



SF:268832.4