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COOPERATIVA

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

CAVIT CANTINA VITICOLTORI
CONSORZIO CANTINE SOCIALI DEL
TRENTINO SOCIETA COOPERATIVA,

Plaintiff and
Counterdefendant,

vs.

BROWMAN FAMILY VINEYARDS,
INC.

Defendant and
Counterclaimant.

CASE NO. C 09-02470 JSW (EMC)

**STIPULATED REQUEST FOR AN
ORDER TO TAKE A THIRD-PARTY
DEPOSITION OUTSIDE OF THE
PERIOD FOR FACT DISCOVERY;
[PROPOSED] ORDER**

Pursuant to the Court's Scheduling Order, fact discovery is set to close in this case on April 9, 2010. Pursuant to Civil Local Rule 6-1, the parties in this action, by signature of their counsel below, hereby stipulate and request that Defendant Browman Family Vineyards, Inc. be

1 permitted to take the deposition of a third-party witness on or before April 16, 2010. The witness
2 in question is David Taub. Mr. Taub is the CEO of Palm Bay International, Inc., a third-party
3 located in New York. The parties are in agreement that the deposition will take place in New
4 York on or before April 16, 2010.

5 Pursuant to Civil Local Rule 6-2, this stipulated request is accompanied by the Declaration
6 of Edmund J. Ferdinand, III, which sets forth with particularity the reasons for the requested
7 application. This application will not impact the schedule in this case.
8

9 Dated: April 9, 2010

DICKENSON, PEATMAN & FOGARTY

10 By /s/ J. Scott Gerien

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12 Megan Ferrigan Healy
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19 BROWMAN FAMILY VINEYARDS, INC.

20 Dated: April 9, 2010

GRIMES & BATTERSBY, LLP

21 By /s/ Edmund Ferdinand

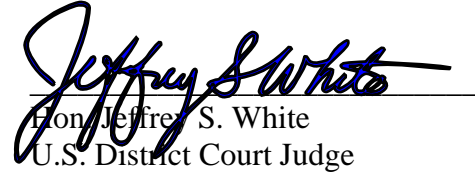
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[PROPOSED] ORDER

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Date: April 12, 2010


Hon. Jeffrey S. White
U.S. District Court Judge