

**IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF CALIFORNIA**

_____	:	
CHURCH & DWIGHT CO., INC.,	:	
	:	
Plaintiff,	:	CIVIL ACTION
	:	
v.	:	No.: CV10-04429 EMC
	:	
MAYER LABORATORIES, INC.,	:	
	:	
Defendant.	:	ORDER
_____	:	

**UPDATED JOINT CASE MANAGEMENT STATEMENT  
AND JOINT MOTION FOR EXTENSION OF TIME**

In accordance with the request of the Court, Plaintiff Church & Dwight, Inc. (“Church & Dwight”) and Defendant Mayer Labs, Inc. (“Mayer Labs”) hereby respectfully submit this Updated Joint Case Management Statement and Joint Motion for Extension of Time for purposes of the status conference with the Court on Friday, March 9, 2012. Specifically, the parties agree that the Status Conference should remain as scheduled, but respectfully request that it be held via teleconference. In addition, the parties respectfully request that the due dates for filing the joint pretrial conference statement and pretrial materials, as set forth in the Court’s Second Amended Case Management and Pretrial Order for Jury Trial and Order Re Discovery, be extended one week from March 6, 2012 to March 13, 2012.

**Current Status of the Case and Reasons for Extension**

On March 1, 2012, the Court decided many of the pending claims in this case in its decision granting in part and denying in part Church & Dwight’s summary judgment motion.

Since that decision, the parties have been discussing a possible resolution of the remaining open counts in Church & Dwight's complaint and in Mayer Labs' counterclaims. Church & Dwight is willing to enter into a Stipulation, pursuant to Federal Rule of Civil Procedure 41, whereby both parties would agree to voluntarily dismiss with prejudice all remaining claims/counterclaims, and have a final judgment entered and the case closed. Mayer Labs is likewise willing to enter into a Stipulation pursuant to Federal Rule of Civil Procedure 41, dismissing with prejudice all remaining open claims and counterclaims, but wishes to preserve its right to file a motion for reconsideration of the Court's March 1, 2012 Order. The parties disagree as to whether Mayer Labs' motion for sanctions would be moot in light of such a Stipulation.

Accordingly, the parties respectfully request that the Court grant the additional time.

Date: March 6, 2012

Respectfully submitted,

s/Carl W. Hittinger  
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*Attorneys for Plaintiff Church & Dwight*

IT IS SO ORDERED that the pretrial filing shall be filed by 3/13/12. The 3/6/12 status conference shall be held by telephone. Plaintiff counsel shall initiate the conference call and call the court last at (415) 522-2117.



Edward M. Chen  
U.S. District Judge \_\_\_\_\_

s/Neil S. Cartusciello  
Neil S. Cartusciello (*pro hac*)  
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