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

ROY D. NEWPORT, *et al.*,

No. C 10-04511 WHA

Plaintiffs/Counter-Defendants,

v.

**ORDER REGARDING  
UPCOMING PRETRIAL  
CONFERENCE**

BURGER KING CORPORATION,

Defendant/Counter-Claimant,

v.

ANTELOPE VALLEY RESTAURANTS, INC, *et al.*

Counter-Defendants.

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The Court is in receipt of Burger King Corporations's request to continue the final pretrial conference due to a family emergency of one of BKC's lead counsel (Dkt. No. 404). The Court will go ahead with the pretrial conference as scheduled for 2:00 p.m. on December 19, 2011. However, the Court is sympathetic to the family emergency, so the principal order of business will be a more general discussion about whether to postpone the trial until after resolution of the companion case, *Vallabhapurapu, et al. v. Burger King Corporation*. Thus, this will be a higher level strategic case management conference and will not get into the specific motions *in limine*. In light of the shift in focus of the hearing and given the need for the Court to proceed with the

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currently scheduled date, the Court would appreciate if one counsel for each side will be in attendance.

**IT IS SO ORDERED.**

Dated: December 13, 2011.



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WILLIAM ALSUP  
UNITED STATES DISTRICT JUDGE