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 3 The Masters of Beverages, LLC dba Spider Energy

4 UNITED STATES DISTRICT COURT
 5
 6 NORTHERN DISTRICT OF CALIFORNIA

7 THE MASTERS OF BEVERAGES, LLC
 8 DBA SPIDER ENERGY,

9 Plaintiff,

10 vs.

11 DR PEPPER/SEVEN UP, INC.;;
 12 DR PEPPER SNAPPLE GROUP, INC.,

13 Defendants.

14 Case No. 15-cv-03925-JCS

15 ***EX PARTE REQUEST AND [PROPOSED]***
 16 ***ORDER TO EXTEND TIME TO SERVE***
 17 ***SUMMONS AND COMPLAINT***
 18 ***LOCAL RULE 6-1(b)***

19 Plaintiff The Masters of Beverages, LLC dba Spider Energy hereby requests a thirty (30)
 20 day extension of time to serve its Complaint and Summons.

21 Plaintiff has not yet served Defendants Dr Pepper/Seven Up, Inc. and Dr Pepper Snapple
 22 Group, Inc. with the Complaint and Summons in this case because the parties have been actively
 23 engaged in settlement discussions. These settlement discussions have resulted in a settlement in
 24 principle. The parties are currently preparing the written settlement agreement and expect to
 25 complete the settlement soon. The deadline by which Plaintiff must serve the Summons and
 26 Complaint is December 25, 2015.

27 Accordingly, Plaintiff The Masters of Beverages, LLC dba Spider Energy requests a
 28 thirty (30) day extension of time, to and including **January 24, 2016**, to serve its Summons and

1 Complaint. Other dates scheduled by the Court will not be affected.

2 Plaintiff did not obtain a stipulation to the requested continuation because it has not yet
3 effected service upon Defendants, and neither Defendants nor counsel for Defendants have
4 appeared.

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6 Dated: December 22, 2015

OWEN, WICKERSHAM & ERICKSON, P.C.

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By /s/ Gregory N. Owen

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Gregory N. Owen

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Noel M. Cook

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Emily K. Poole

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Attorneys for Plaintiff

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The Masters of Beverages, LLC dba Spider
Energy

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[PROPOSED] ORDER

IT IS ORDERED that Plaintiff is granted an additional thirty (30) days in which to serve its Complaint and Summons, up to and including **January 24, 2016**.

Dated: 12/29/15 _____ /s/ Joseph C. Spero _____
Joseph C. Spero
United States Magistrate Judge

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