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Attorneys for Defendants
BOSTON EAST TYNGSBORO HOLDINGS LLC, d/b/a
STONEHEDGE INN & SPA; BOSTON EAST INDIA
HOTELS LLC; STONEHEDGE CELLARS LLC

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

STIPULATION TO MODIFIED BRIEFING 1
SCHEDULE ON (1) MOTION TO DISMISS
AND (2) MOTION FOR JURISDICTIONAL
DISCOVERY

Case No. 16-CV-01361-EMC

1 SMITH-ANDERSON ENTERPRISES,
2 INC,

3 Plaintiff,

4 vs.

5 BOSTON EAST TYNGSBORO
6 HOLDINGS LLC, d/b/a STONEHEDGE
7 INN & SPA; BOSTON EAST INDIA
8 HOTELS LLC; STONEHEDGE
9 CELLARS LLC; and BENCHMARK
WINE GROUP, INC.

10 Defendants.

CASE NO. 16-CV-01361-EMC

**STIPULATION TO MODIFIED
BRIEFING SCHEDULE ON (1)
DEFENDANTS' MOTION TO DISMISS
AND (2) PLAINTIFF'S MOTION FOR
JURISDICTIONAL DISCOVERY**

11 FOR GOOD CAUSE, pursuant to the Hon. Edward M. Chen's instruction that the parties
12 engage in additional meet-and-confer efforts regarding Plaintiff's Motion to Change Time For
13 Briefing on (1) Defendants' Motion to Dismiss (ECF-25) and (2) Plaintiff's Motion for
14 Jurisdictional Discovery (ECF-32), the parties stipulate to modify the corresponding motion
15 briefing schedules as follows:

16 (1) The parties request that the Court vacate the current May 23, 2016 deadline on Smith-
17 Anderson's opposition to Defendants' Motion to Dismiss ("Motion to Dismiss") and extend the
18 briefing schedule; and

19 (2) The parties request that the Court modify the time for the briefing of the Motion for
20 Leave to Seek Jurisdictional Discovery ("Motion for Jurisdictional Discovery") of Defendants
21 Boston East Tyngsboro Holdings LLC, d/b/a Stonehedge Inn & Spa, Boston East India Hotels
22 LLC and Stonehedge Cellars LLC (hereinafter collectively, "Stonehedge Defendants").

23 As Smith-Anderson is seeking jurisdictional discovery, the parties ask that the Court
24 vacate the current due date of May 23, 2016 for Smith-Anderson's opposition brief to the
25 Stonehedge Defendants' Motion to Dismiss. Further, the parties request that the Court set new
26 deadlines for Smith-Anderson's Opposition to Defendants' Motion to Dismiss after ruling on
27 Smith-Anderson's Motion for Jurisdictional Discovery as follows: (1) that if jurisdictional

1 discovery is granted, Smith-Anderson's opposition brief to the Stonehedge Defendants' Motion to
2 Dismiss be due 14 days after the completion of jurisdictional discovery; or (2) if jurisdictional
3 discovery is denied, that Smith-Anderson's opposition brief be due 14 days after the order
4 denying jurisdictional discovery.

5 The parties respectfully request that the notice period under the Local Rules be shortened
6 relative to Plaintiff's Motion for Jurisdictional Discovery, and that the Stonehedge Defendants'
7 opposition to this Motion be due on Friday, May 27, 2016, and that Smith-Anderson's Reply brief
8 be due on Friday, June 3, 2016. The parties respectfully request that to the extent the Court would
9 like hearing on this matter to schedule it for soon thereafter.

10 Prior to this stipulation, the parties have made the following stipulated requests for time
11 modifications, all of which have been granted by the Court: (1) extending time for Benchmark
12 Wine Group, Inc. to respond to the complaint by 10 days after the Court rules on the Stonehedge
13 Defendants' Motion to Dismiss (ECF-29); (2) the Court's own rescheduling the case management
14 conference and related dates due to the parties' declination to proceed with Magistrate (ECF-14);
15 and (3) the parties' Stipulated Request to Extend Deadline to Respond to Motion to Dismiss by
16 seven (7) days (ECF-33).

17
18 Respectfully submitted,

19 Dated: May 23, 2016

DICKENSON, PEATMAN & FOGARTY

21 By /s/ Christopher J. Passarelli
22 J. Scott Gerien
23 Christopher J. Passarelli

24 Attorneys for Plaintiff,
25 SMITH-ANDERSON ENTERPRISES, INC.

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Dated: May 23, 2016

PRETI FLAHERTY BELIVEAU & PACHIOS LLP

By /s/ Jeffrey D. Talbert
Jeffrey D. Talbert
Steven D. Wilson
Benjamin S. Piper

Attorneys for Defendants,
BOSTON EAST TYNGSBORO
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INN & SPA; BOSTON EAST INDIA
HOTELS LLC; STONEHEDGE CELLARS LLC

ATTESTATION PURSUANT TO CIVIL LOCAL RULE 5-1

Pursuant to Civil Local Rule 5-1, I hereby attest that I have obtained concurrence of the above noted signatories as indicated by a "conformed" signature (/s/) within this e-filed document.

Dated: May 23, 2016

By /s/ Christopher J. Passarelli
Christopher J. Passarelli

Attorneys for Plaintiff,
SMITH-ANDERSON ENTERPRISES, INC.

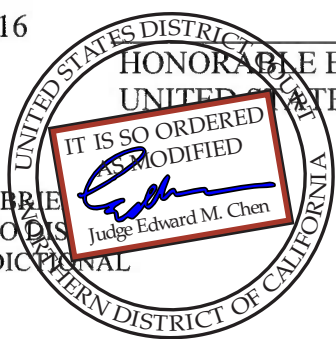
[PROPOSED] ORDER

PURSUANT TO STIPULATION, IT IS SO ORDERED. The hearing on Plaintiff's motion for jurisdictional discovery (Docket No. 31)

shall be held on June 21, 2016, at 1:30 pm

Dated: May 27 , 2016

HONORABLE EDWARD M. CHEN
UNITED STATES DISTRICT JUDGE



STIPULATION TO MODIFIED BRIE
SCHEDULE ON (1) MOTION TO DIS
AND (2) MOTION FOR JURISDICTIONAL
DISCOVERY

Case No. 16-CV-01361-EMC