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**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA**

CHRISTIAN STARK *et al.*,
Plaintiffs,
vs.
**DIAGEO CHATEAU & ESTATE WINES
COMPANY,**
Defendant.

Case No.: 12-CV-04385 YGR
**ORDER GRANTING MOTION FOR
CLARIFICATION AND DENYING MOTION FOR
RECONSIDERATION**

United States District Court
Northern District of California

Plaintiffs move for clarification and reconsideration¹ of the Court’s Order entering a preliminary injunction. Having carefully considered the papers submitted and the pleadings in this action, the Court hereby **GRANTS** Motion to the extent it requests Clarification of the Court’s previous Order but **DENIES** Reconsideration of that Order.²

To comply with the preliminary injunction, Defendant has an obligation to ensure that its distributors and retailers are not advertising, promoting, distributing, offering for sale or selling Stark Raving wine in Sonoma County, California. If Stark Raving wine still is being sold in Sonoma County, then Defendant has an obligation to ensure that Stark Wine is removed from the retailers’ shelves.

The Court hereby sets this matter for a Compliance Hearing for **Friday, January 4, 2013**, on the Court’s **9:01 a.m.** Calendar, in the Federal Courthouse, 1301 Clay Street, Oakland, California, Courtroom 5.

¹ The Court construes the Motion for Reconsideration as a Request for Leave to File a Motion for Reconsideration. *See* Civil L.R. 7-9.

² Pursuant to Federal Rule of Civil Procedure 78(b) and Civil Local Rule 7-1(b), the Court finds this motion appropriate for decision without oral argument.

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By no later than **December 21, 2012**, the Defendant shall file a one-page statement either:
(a) confirming that compliance is complete; or (b) setting forth an explanation for its failure to
comply.

If compliance is complete, the parties need not appear and the compliance hearing will be
taken off calendar. Otherwise, personal appearance will be required.

This Order Terminates Docket Number 83.

IT IS SO ORDERED.

Date: December 10, 2012


YVONNE GONZALEZ ROGERS
UNITED STATES DISTRICT COURT JUDGE