

**HENNELLY & GROSSFELD LLP**  
Kenneth B. Grossfeld, CSB#110641  
Brian M. Englund, CSB#070753  
11335 Gold Express Drive, Suite 145  
Gold River, California 95670  
Telephone: (916) 638-8600/FAX (916) 638-8770

Attorneys for Plaintiff  
ADVANTICA, INC.

**\*E-FILED - 1/21/09\***

UNITED STATES DISTRICT  
NORTHERN DISTRICT OF CALIFORNIA

ADVANTICA, INC., a Delaware  
corporation,

Plaintiff,

-vs-

GOLD WING ENGINEERING, ERIK  
GUTIERREZ, JOEL GUTIERREZ,  
SALVADOR GUTIERREZ, and JSJ  
PIPELINE COMPANY,

Defendants.

CASE NO. 05-01709 RMW

**STATUS (PRETRIAL SCHEDULING)  
ORDER**

Judge: Ronald M. Whyte

Pursuant to the Motion filed December 12, 2008, the Court makes the following  
orders:

1. Discovery

All fact discovery, except for expert discovery, shall be completed by December 19,  
2008, except that any deposition already noticed may be taken on or before February 28,  
2009.

The parties are restricted to the standard limits on discovery of 10 depositions per  
side and 25 interrogatories per party. Document requests are not subject to numeric  
limitations, but they must be narrowly tailored. Requests for admission shall be limited to  
10 per party, but the Court will consider a request to increase this limit if there are problems

1 with authentication of documents.

2 Plaintiff shall provide defendant with a copy of the file history or reconstruction for  
3 the patent at issue, prior to any depositions.

4 2. Expert Discovery

5 The parties shall serve disclosures of expert witnesses by February 28, 2009.

6 Expert discovery shall be completed by April 10, 2009.

7 3. Dispositive Motions

8 Dispositive motions shall be heard no later than April 17, 2009, at 9:00 a.m.,  
9 Courtroom 6, 4<sup>th</sup> Floor.

10 4. Final Pretrial Conference

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11 The Final Pretrial Conference shall be held May 16, 2009, at 2:00 p.m., Courtroom  
12 6, 4<sup>th</sup> Floor. Counsel shall file pretrial statements by May 8, 2009.

13 5. Trial Setting

14 The trial is set for May 26, 2009, at 1:30 p.m., Courtroom 6, 4<sup>th</sup> Floor, San Jose.  
15 Trial will be to a jury.

16 6. Settlement Conference

17 The parties shall participate in a settlement conference to be held before Magistrate  
18 Judge Howard R. Lloyd, before May 8, 2009. The parties shall schedule the settlement  
19 conference by calling the chambers of the Magistrate Judge.

20 7. Rescheduling Depositions

21 Defendants' counsel shall cooperate in rescheduling and in securing defendants'  
22 attendance at depositions previously noticed.

23  
24 Dated: 1/21/09

  
Honorable Ronald M. Whyte  
United States District Judge