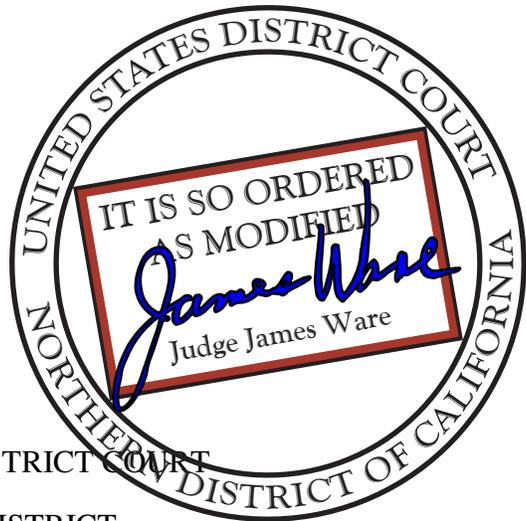


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8 UNITED STATES DISTRICT COURT
 9 NORTHERN DISTRICT
 10 SAN JOSE DIVISION

12 DEBORAH DI GRAZIA, a widow,
 13 Plaintiff,
 14 vs.
 15 SAZERAC COMPANY, INC., a Louisiana
 corporation; BROWN-FORMAN, INC., a
 16 Kentucky Corporation; TEQUILA
 HERRADURA, S.A.,
 17 Defendants.
 18

No. 5:08-CV-01562 JW

James Ware
 [PROPOSED] ORDER REGARDING
 BRIEFING SCHEDULE FOR FIRST
 AMENDED COMPLAINT AND
 PRETRIAL DATES

Stipulation filed concurrently

Court: Hon. James Ware

PROPOSED ORDER

PURSUANT TO STIPULATION, IT IS SO ORDERED that,

1. The Amended Scheduling Order and all other pre-trial deadlines are VACATED.

2. Defendant Sazerac Company Inc.'s ("Sazerac") Motion to Dismiss shall be heard on March 23, 2009 at 9:00 a.m. Sazerac shall have until and including February 9, 2009 to file a Motion to Dismiss Plaintiff Deborah di Grazia's ("Mrs. di Grazia") First Amended Complaint. Mrs. di Grazia shall have until and including March 2, 2009 to file her Opposition to the Motion to Dismiss. Sazerac shall have until and including March 9, 2009 to file a reply in support of its Motion to Dismiss.

The Court will set a new Case Management Conference date in its Order addressing Defendant's Motion to Dismiss the First Amended Complaint.

Dated: February 5, 2009



JAMES WARE
United States District Judge

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