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E-FILED - 10/26/09

8 Attorneys for Defendant
9 DBI BEVERAGE INC.

10 UNITED STATES DISTRICT COURT
 11 NORTHERN DISTRICT OF CALIFORNIA, SAN JOSE DIVISION

12 MAITA DISTRIBUTORS, INC. OF SAN
13 MATEO COUNTY, a California
14 corporation,

15 Plaintiff,

16 v.

17 DBI BEVERAGE INC., a Tennessee
18 corporation,

19 Defendant.

Case No.: 5:09-CV-2318 RMW (HRL)

**STIPULATION AND ORDER
CONTINUING PRETRIAL
DEADLINES**

Trial Date: November 16, 2009
Time: 1:30 p.m.
Dept.: Courtroom 6, 4th Floor

Complaint Filed (in State Court): May 6,
2009

Removed: May 26, 2009

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23 By and through their attorneys of record herein, the parties hereby stipulate
24 and agree as follows:

25 WHEREAS, trial in this matter is set for November 16, 2009, and the
26 Pretrial Conference is set for November 6, 2009;

1 **WHEREAS** the parties are currently required by this Court's Standing
2 Pretrial Order to prepare and submit the various pretrial disclosures and documents listed
3 in Section B of the Court's Standing Pretrial Order on October 23, 2009;

4 **WHEREAS** the parties are currently required by this Court's Standing
5 Pretrial Order to prepare and submit the various pretrial disclosures and documents listed
6 in Section C of the Court's Standing Pretrial Order on October 30, 2009;

7 **WHEREAS**, the Court has re-set the date for the submission of the parties'
8 Joint Pretrial Statement to October 30, 2009;

9 **WHEREAS**, the parties wish to continue all of the pretrial filing deadlines
10 set forth in section B of the Court's Standing Pretrial Order to October 30, 2009, and all of
11 the pretrial deadlines set forth in Section C of the Court's Standing Pretrial Order to
12 November 4, 2009;


13 **NOW, THEREFORE, IT IS HEREBY STIPULATED** by and among the
14 parties, through their respective counsel, this Honorable Court consenting, that all of the
15 pretrial disclosures and deadlines set forth in Section B of this Court's Standing Pretrial
16 Order are continued to October 30, 2009.

17 **IT IS FURTHER STIPULATED** that all of the pretrial disclosures and
18 deadlines set forth in Section C of this Court's Standing Pretrial Order are continued to
19 November 4, 2009.

20 Dated: October 20, 2009

21 SHEPPARD, MULLIN, RICHTER & HAMPTON LLP

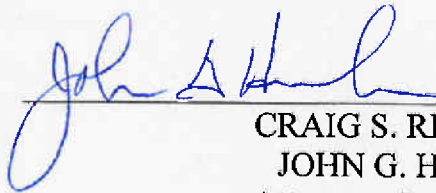
22
23 By _____


24 MARK K. SLATER
25 Attorneys for Defendant
26 DBI BEVERAGE INC.
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1 Dated: October 20, 2009

2 DORSEY & WHITNEY LLP

3
4 By



5 CRAIG S. RITCHEY
6 JOHN G. HURSH
7 Attorneys for Plaintiff
8 MAITA DISTRIBUTORS, INC.

9 Dated: October 20, 2009

10 ROBINSON & WOOD, INC.

11 By



12 JESS F. RUIZ
13 Attorneys for Intervenor
14 MILLERCOORS, LLC

15 **IT IS SO ORDERED.**

16 Dated: 10/26/09

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18 UNITED STATES DISTRICT JUDGE
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