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 17 JACK DANIEL’S PROPERTIES. INC.

18 **UNITED STATES DISTRICT COURT**

19 **FOR THE NORTHERN DISTRICT OF CALIFORNIA - SAN JOSE DIVISION**

20
 21 JACK DANIEL’S PROPERTIES, INC.
 22 a Delaware corporation,
 23 Plaintiff,

24 v.

25 WHITE ROCK DISTILLERIES, INC.,
 a Maine corporation,
 26 Defendant.
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CASE NO. CV 10-CV-5265 LHK (PSG)

**STIPULATION AND [PROPOSED]
 ORDER TO EXTEND MEDIATION
 DEADLINE**

Judge: Honorable Lucy H. Koh

[A.D.R. Local Rule 6-5]

1 IT IS HEREBY STIPULATED by and between Plaintiff Jack Daniel's Properties, Inc.
2 ("Plaintiff") and Defendant White Rock Distilleries, Inc. ("Defendant") hereto through their
3 respective counsel of record, as follows:

4 WHEREAS,

5 A. Plaintiff filed its complaint on November 19, 2010 in the United States District
6 Court for the Northern District of California, San Francisco Division.

7 B. On March 25, 2011 this Court ordered the parties to participate in court-
8 appointed mediation by June 23, 2011. (Dkt. 19.)

9 C. On May 9, 2011 the parties had a pre-mediation telephone conference with
10 William N. Hebert, the court-appointed mediator. Due to scheduling conflicts on the week of
11 June 20th the parties agreed to a mediation date of June 16, 2011 and a written submission
12 deadline of June 10, 2011.

13 D. In the interim, the parties have diligently continued to engage in direct
14 settlement negotiations.

15 E. Yesterday, on June 1, 2011, the parties reached an agreement in principle on the
16 terms of a settlement agreement that will resolve the current dispute. However, the details and
17 final language the agreement need to be drafted. While the parties are endeavoring to complete
18 this process as quickly as possible, due to scheduling difficulties of counsel and client
19 representatives it may be difficult to achieve this goal within the next few days.

20 F. The parties, therefore, wish to extend the mediation deadline of June 23, 2011
21 by thirty (30) days to July 23, 2011 to allow sufficient time to finalize their agreement without
22 the need for court-appointed mediation. This will save the parties the considerable expense and
23 human resources necessary to properly prepare mediation statements which would otherwise be
24 due in just over a week.

25 G. The parties are confident that they will be able to finalize their agreement within
26 a reasonable time and agree that good cause exists for this stipulation and proposed order.

27 IT IS HEREBY AGREED that:
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1. If the parties have not settled their dispute then they shall engage in court-appointed mediation by July 23, 2011.

DATED: June 2, 2011

GREENBERG TRAURIG, LLP

By: /s/
Kenneth L. Steintal
Attorney for Defendant
White Rock Distilleries, Inc.

DATED: June 2, 2011

SEYFARTH SHAW LLP

By: /s/
Christopher C. Larkin
Attorney for Plaintiff
Jack Daniel's Properties, Inc.

ORDER

Good cause appearing therefor, IT IS HEREBY ORDERED that if the parties have not settled their dispute they shall engage in court-appointed mediation by July 23, 2011.

IT IS SO ORDERED.

DATED: June 3, 2011


Lucy H. Koh
The Honorable Lucy H. Koh
Judge of the United States District Court