

**** E-filed October 31, 2011 ****

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AIRPORT, LLC, AND MISSION YOGURT,
10 INC.

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

14 AREAS USA SJC, LLC, a California limited
liability company,

15 Plaintiff,

17 vs.

18 MISSION SAN JOSE AIRPORT, LLC, a
Colorado limited liability corporation; and
19 MISSION YOGURT, INC., a Colorado
corporation,

20 Defendants.

CASE NO. C11-04487 HRL

**JOINT STIPULATION AND ~~PROPOSED~~
ORDER EXTENDING TIME FOR INITIAL
DISCLOSURES AND RULE 26(f) REPORTS
AND RESETTING THE INITIAL CASE
MANAGEMENT CONFERENCE**

Complaint Filed: September 9, 2011

1 Plaintiff Areas USA SJC, LLC (“Areas USA”) and Defendants Mission San Jose Airport, LLC
2 and Mission Yogurt, Inc. (collectively, “Mission”), by and through their counsel of record, hereby
3 stipulate to the following brief extensions of time for initial disclosures, Rule 26(f) reports, joint case
4 management statement, and initial case management conference, and respectfully request that the Court
5 enter the proposed order attached hereto to approve their stipulation.

6 **STIPULATION**

7 This stipulation is entered into with respect to the following facts:

8 1. This action was commenced on September 9, 2011, and assigned to the Hon. Magistrate
9 Judge Howard R. Lloyd. That same day, an order was entered setting an October 18, 2011, deadline for
10 meeting and conferring re initial disclosures, early settlement, ADR process selection, and discovery
11 plan. The order also set a November 1, 2011, deadline for filing Rule 26(f) reports, initial disclosures,
12 and the joint case management statement.

13 2. Areas USA promptly served both Mission Defendants. To facilitate settlement talks
14 between principals for the parties, Mission requested an extension of time to answer the complaint to
15 October 26, 2011, which was granted.

16 3. The parties have begun the process of meeting and conferring regarding their initial
17 disclosures and other obligations.

18 4. Mission’s answer will affect the scope of the issues in the action, and hence, the various
19 matters over which the parties must meet and confer. Additionally, because certain of the documents
20 required for Areas USA to complete its initial disclosures are stored in Spain, Areas USA requires
21 additional time to gather all the relevant documents and communications necessary to satisfy its initial
22 disclosure obligations.

23 In light of the foregoing, the parties request that the honorable Court enter an order approving
24 their stipulation to the following:

25 A. All deadlines previously set for completion by October 18, 2011, and November 1, 2011,
26 be continued to November 18, 2011.

1 B. The initial case management conference be continued from the currently scheduled date
2 of November 8, 2011, to such date after November 18, 2011, consistent with the Court's
3 calendar, as the Court may deem appropriate.

4 **IT IS SO STIPULATED.**

5
6 DATED: October 26, 2011

GREENBERG TRAUERIG, LLP

7
8 By: //s//: Scott D. Bertzyk
9 SCOTT D. BERTZYK
Attorneys for Plaintiff
AREAS USA SJC, LLC

10 DATED: October 26, 2011

HOLME ROBERTS & OWEN, LLP

11
12 By: //s//: Daniel Rockey
13 Daniel Rockey
14 Attorneys for Defendants
MISSION SAN JOSE AIRPORT, LLC and
15 MISSION YOGURT, INC.


16
17 **ORDER**

18 Based upon the foregoing, and good cause appearing therefor, **IT IS HEREBY ORDERED**
19 that:

20 A. All deadlines previously set for completion by October 18, 2011, and November 1, 2011,
21 are continued to November 18, 2011.

22 B. The initial case management conference is hereby continued from the currently
23 scheduled date of November 8, 2011, to November 22, 2011, at 1:30p.m.

24 DATED: October 31, 2011

25 
26 Magistrate Howard R. Lloyd