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18 Attorneys for Plaintiff,
 19 AREAS USA SJC, LLC

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 22 **UNITED STATES DISTRICT COURT**
 23 **NORTHERN DISTRICT OF CALIFORNIA**

24 AREAS USA SJC, LLC, a California limited
 25 liability company,

26 Plaintiff,

27 vs.

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

Defendants.

and related Counterclaim.

CASE NO. C11-04487 HRL

**JOINT STIPULATION REQUESTING
 PARTIAL RELIEF FROM STANDING
 ORDER RE: PRETRIAL PREPARATION**

AND ORDER (AS MODIFIED BY THE COURT)

Magistrate Judge: Hon. Howard Lloyd

Complaint filed: September 9, 2011

Trial Date: January 7, 2013

HROSASF82823.2

**JOINT STIPULATION FOR PARTIAL RELIEF FROM STANDING ORDER RE:
 PRETRIAL PREPARATION**

1 **STIPULATION**

2 The parties to this action, Plaintiff Areas USA SJC, LLC (“Areas”) and
3 Defendants/Counterclaimants Mission San Jose Airport, LLC and Mission Yogurt, Inc. (collectively
4 “Mission”), by and through their counsel of record, hereby stipulate and agree as follows:

5 WHEREAS the Court’s Standing Order re: Pretrial Preparation provides that fourteen days
6 prior to the Pretrial Conference the parties shall submit a Joint Pretrial Statement which includes,
7 among other things, a list of all documents and other items to be offered as exhibits at trial, other
8 than solely for impeachment or rebuttal, and that “the parties must have agreed on an allocation of
9 exhibit numbers which will avoid duplicate numbers;”

10 WHEREAS, the parties agreed upon an allocation of exhibit numbers that preserved existing
11 deposition exhibit numbers (which had been numbered consecutively), and assigned additional
12 number ranges to each side;

13 WHEREAS, Mission’s exhibit list inadvertently failed to list those previously marked
14 deposition exhibits Mission might offer at trial, and simply listed those new exhibits, not previously
15 marked as deposition exhibits, that Mission might offer at trial;

16 WHEREAS, Mission has requested that Areas stipulate Mission may amend its exhibit list to
17 add these inadvertently omitted exhibits and Areas is willing to so stipulate provided that it be
18 allowed sufficient time to evaluate Mission’s amended list and assert appropriate objections to the
19 added exhibits (to which Mission is amenable);

20 THEREFORE, the parties hereby stipulate that, so long as this Court is amenable, partial
21 relief from the Court’s Standing Order re: Pretrial Preparation shall be granted as follows:

22 1. Mission may submit an Amended Exhibit List on December 10, 2012, identifying
23 those exhibits previously marked as deposition exhibits that were inadvertently omitted from its
24 exhibit list and, as to such exhibits, providing all the additional information required by the Court’s
25 Standing Order; and

26 2. Areas shall have until December 17, 2012, to submit its objections to any of the
27 added exhibits.
28

1 3. Except as so agreed, all other aspects of the Court's Standing Order as to exhibits
2 shall remain unchanged.

3 **IT IS SO STIPULATED.**

4 Dated: December 10, 2012

BRYAN CAVE, LLP

6 By: /s/ Daniel T. Rockey

7 Daniel T. Rockey
8 Attorneys for Defendants and Counter-Claimants
9 MISSION SAN JOSE AIRPORT, LLC and
10 MISSION YOGURT, INC.

11 Dated: December 10, 2012

GREENBERG TRAUIG, LLP

12 By: /s/ Scott D. Bertzyk

13 Scott D. Bertzyk
14 Attorneys for Plaintiff and Counter-Defendant,
15 AREAS USA SJ, LLC
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ATTESTATION CLAUSE

I, Daniel Rockey, am the ECF User whose ID and password are being used to file this JOINT STIPULATION REQUESTING PARTIAL RELIEF FROM STANDING ORDER RE: PRETRIAL PREPARATION. In compliance with General Order 45, X.B., I hereby attest that Scott Bertzyk has concurred in this filing.

Date: December 10, 2012

BRYAN CAVE LLP

By: /s/ Daniel T. Rockey
Daniel T. Rockey

ORDER

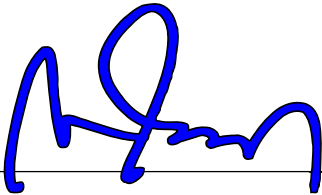
Based upon the foregoing, and good cause appearing therefor, **IT IS HEREBY ORDERED** as follows:

1. Mission may submit an Amended Exhibit List on December 10, 2012, identifying those exhibits previously marked as deposition exhibits that were inadvertently omitted from Mission's exhibit list and, as to such exhibits, providing all the additional information required by the Court's Standing Order; and **December 14, 2012**

2. Areas shall have until ~~December 17, 2012~~, to submit its objections to any of the added exhibits.

3. Except as so ordered, all other aspects of the Court's Standing Order as to exhibits shall remain unchanged.

DATED: **December 11, 2012**


Magistrate Judge Howard R. Lloyd