

1 Nancy O. Dix (Bar No. 129150)  
 Brian L. Behmer (Bar No. 156978)  
 2 Christina D. Yates (Bar No. 201748)  
 Christopher J. Beal (Bar No. 216579)  
 3 DLA PIPER LLP (US)  
 401 B Street, Suite 1700  
 4 San Diego, CA 32101-4297

Denis F. Shanagher (Bar No. 100222)  
 Jeffrey A. Feasby (Bar No. 208759)  
 Ben West (Bar No. 251018)  
 LUCE, FORWARD, HAMILTON & SCRIPPS LLP  
 600 West Broadway, Suite 2600  
 San Diego, CA 92101-3372

5 Email: [Nancy.dix@dlapiper.com](mailto:Nancy.dix@dlapiper.com)  
[Brain.behmer@dlapiper.com](mailto:Brain.behmer@dlapiper.com)  
 6 [Christina.yates@dlapiper.com](mailto:Christina.yates@dlapiper.com)  
[Cris.beal@dlapiper.com](mailto:Cris.beal@dlapiper.com)

Email: [dshanagher@luce.com](mailto:dshanagher@luce.com)  
[jfeasby@luce.com](mailto:jfeasby@luce.com)  
[bwest@luce.com](mailto:bwest@luce.com)

7  
 8 Tel: (610) 699-2700  
 Fax: (619) 699-2701

Tel: (619) 699-2584  
 Fax: (619) 645-5378

9 Attorneys for Plaintiff  
 UNITED BRANDS COMPANY, INC.

Attorneys for Defendant  
 ANHEUSER-BUSCH, INC.

11 UNITED STATES DISTRICT COURT  
 12 SOUTHERN DISTRICT OF CALIFORNIA

14 UNITED BRANDS COMPANY, INC.,  
 15 Plaintiff,  
 16 v.  
 17 ANHEUSER-BUSCH, INC.,  
 18 Defendant.

Case No. 10-cv-2281-AJB (WMc)

**JOINT MOTION TO ALLOW PARTIES  
 TO BRING CANNED ALCOHOLIC  
 BEVERAGES TO EARLY NEUTRAL  
 EVALUATION HEARING**

ENE Date: November 28, 2011  
 Time: 9:30 a.m.  
 Courtroom: C  
 Judge: William McCurine, Jr.

Trial Date: Not yet set  
 Complaint: November 4, 2010

23 **JOINT MOTION**

24 The Parties jointly request as follows:

25 That the Court permit counsel for United Brands Company, Inc. and counsel for Anheuser-  
 26 Busch, Inc., to bring sample cans of their respective products JOOSE and TILT, which are flavored  
 27 alcoholic beverages, into the courthouse for use during the Early Neutral Evaluation. The Early  
 28 Neutral Evaluation is scheduled for November 28, 2011 at 9:30 a.m. in the chambers of the

1 Hon. William McCurine, Jr. Specifically, counsel for United Brands Company, Inc. will bring in one  
2 (1) 16-ounce can and five (5) 24-ounce cans, and counsel for Anheuser-Busch, Inc. will bring in five  
3 (5) 24-ounce cans.

4 DATED: November 21, 2011

5 DLA PIPER LLP (US)

LUCE, FORWARD, HAMILTON & SCRIPPS, LLP

6 By: s/ Nancy O. Dix \_\_\_\_\_  
Nancy O. Dix  
7 [Nancy.dix@dlapiper.com](mailto:Nancy.dix@dlapiper.com)  
Attorneys for Plaintiff  
8 UNITED BRANDS COMPANY, INC.

By: s/ Jeffrey A. Feasby \_\_\_\_\_  
Jeffrey A. Feasby  
9 [jfeasby@luce.com](mailto:jfeasby@luce.com)  
Attorneys for Defendant  
10 ANHEUSER-BUSCH, INC.

11 101719488.1

12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28