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 UNITED BRANDS COMPANY, INC.

11 UNITED STATES DISTRICT COURT
 12 SOUTHERN DISTRICT OF CALIFORNIA

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

CASE NO. 10-cv-2281-AJB (KSC)

**UNOPPOSED MOTION TO CONTINUE
 SCHEDULED DATES**

District Judge: Hon. Anthony J. Battaglia
 Magistrate Judge: Hon. Karen S. Crawford

Complaint: November 4, 2010

19 United Brands Company, Inc. (“United Brands”) hereby respectfully requests that this
 20 Court continue the scheduled dates in this case to allow for mediation following the Early Neutral
 21 Evaluation Conference. This is Plaintiff’s first request to continue pretrial dates. Declaration of
 22 Brian L. Behmer (“Behmer Decl.”), ¶ 2. Defendant Anheuser-Busch, Inc. (“A-B”) does not
 23 oppose this request by United Brands. (Behmer Decl., ¶ 3.)

24 The requested continuance would permit the parties to engage in the scheduled mediation
 25 without incurring significant costs and fees associated with discovery in advance of the
 26 mediation. The parties last appeared before the Court on February 10, 2012, for a
 27 Settlement/Case Management Conference. When the case did not settle on that date, Magistrate
 28 Judge McCurine strongly encouraged the parties to continue a settlement dialogue, and the parties

1 recently agreed to both a mediator and a mediation date. The mediation will take place on April
2 25, 2012, which is the first available date for the parties and the mediator, Hon. Leo S. Papas,
3 Ret.. (Behmer Decl., ¶ 4.)

4 The parties' respective discovery responses are due prior to and immediately after the
5 mediation date, thereby requiring the parties to expend considerable time and resources on
6 responding to discovery and document production, including electronic discovery, in advance of
7 the mediation. United Brands' discovery responses are currently due on April 7, 2012, and A-B's
8 are due on April 30, 2012. (Behmer Decl., ¶ 5.) Counsel for the parties both recognize that
9 significant expenditures of resources in discovery will likely make settlement more difficult in
10 this case. (Behmer Decl., ¶ 6.) Counsel for A-B has informed counsel for United Brands that it
11 does not oppose this request. (Behmer Decl., ¶ 2.) Further, given the transfer of this matter from
12 Magistrate Judge McCurine to Magistrate Judge Crawford (Dkt. 56), rescheduling would likely
13 allow Judge Crawford to integrate this case into her other case schedules.

14 Based on the foregoing, United Brands moves the Court for an Order continuing the dates
15 as follows:

Event	Current Deadline	Proposed New Deadline
Expert Disclosure Deadline	June 15, 2012	August 14, 2012
Rebuttal Expert Disclosure Deadline	June 29, 2012	August 28, 2012
Disclosures pursuant to Rule 26(a)(2)(B)	July 27, 2012	September 25, 2012
Supplemental Disclosures pursuant to Rule 26(a)(2)(c)	August 13, 2012	October 12, 2012
Discovery Cutoff (Discovery Completed by)	September 13, 2012	November 12, 2012
Mandatory Settlement Conference (briefs submitted by September 17, 2012)	September 19, 2012	November 19, 2012 (briefs submitted by November 15, 2012)

Event	Current Deadline	Proposed New Deadline
Pretrial Motion Deadline	October 12, 2012	December 11, 2012
Pretrial Disclosure Deadline	January 25, 2013	March 26, 2013
Parties Meet and Confer regarding Pretrial Order by	February 1, 2013	April 3, 2013
Objections to Pretrial Disclosures	February 8, 2013	April 9, 2013
Proposed Pretrial Conference Order Deadline	February 8, 2013	April 9, 2013
Final Pretrial Conference	February 15, 2013	April 16, 2013

Good cause exists for this continuance because the parties are engaged in settlement negotiations and have a scheduled mediation on April 25, 2012, and granting the present motion would allow the Parties to continue to focus on the mediation and settlement while minimizing litigation expenses. (Behmer Decl., ¶ 7.)

NOW THEREFORE, United Brands requests that all dates in this case are continued for 60 days, pursuant to the table above.

Dated: April 5, 2012

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