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 20 ANHEUSER-BUSCH, INC.

21 UNITED STATES DISTRICT COURT
 22 SOUTHERN DISTRICT OF CALIFORNIA

23 UNITED BRANDS COMPANY, INC.,

24 Plaintiff,

25 v.

26 ANHEUSER-BUSCH, INC.

27 Defendant
 28

CASE NO. 10-cv-02281-AJB-KSC

**JOINT MOTION TO CONTINUE
 PRETRIAL DATES**

Courtroom: **F**
 Judge: **Hon. Karen S. Crawford**

1 Plaintiff United Brands Company, Inc., and the Defendant Anheuser-Busch, Inc.,
2 hereinafter the “parties,” hereby jointly move to continue certain pretrial dates. Good cause exists
3 for this request because the parties have participated in settlement discussions with both this
4 Court (Magistrate Judge McCurine) and a mediation with the Hon. Leo S. Papas (Ret.) and
5 settlement discussions are continuing in earnest with Judge Papas. Judge Papas and the parties
6 believe that a modest extension of certain pretrial discovery dates will help facilitate settlement,
7 thereby preserving resources of the parties and this Court.

8 The parties last appeared before the Court on February 10, 2012, for a Settlement/Case
9 Management Conference. When the case did not settle on that date, Magistrate Judge McCurine
10 strongly encouraged the parties to continue a settlement dialogue. (Declaration of Brian L.
11 Behmer (“Behmer Decl.”), ¶ 2.) The parties participated in mediation on April 25, 2012, before
12 the Hon. Leo S. Papas (Ret.). (*Id.*) The parties submitted supplemental briefing, and remain
13 engaged in additional settlement discussions with the assistance of Judge Papas. (*Id.*) Judge
14 Papas has recommended that the parties obtain an extension of pending written discovery
15 obligations and pretrial dates with the Court to facilitate the settlement discussions. (*Id.*)

16 The parties concur in Judge Papas’s assessment that the requested continuance would
17 permit the parties to engage in further settlement discussions without incurring significant costs,
18 fees, and efforts associated with discovery. (Behmer Decl., ¶ 3.) The parties have impending and
19 approaching discovery response and document production deadlines, thereby requiring the parties
20 to expend considerable time and resources on responding to discovery and document production,
21 including electronic discovery, while the parties continue to negotiate a settlement. Counsel for
22 both parties have most recently agreed to continue the discovery deadlines for two weeks;
23 however, a modest continuance of the pretrial dates is necessary to accommodate such a
24 discovery deadline continuance. (Behmer Decl., ¶ 4.) Counsel for the parties and Judge Papas all
25 recognize that significant expenditures of resources in discovery will likely make settlement more
26 difficult in this case. (Behmer Decl., ¶ 5.)

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1 This is the second continuance of pretrial dates, and the first joint motion by the parties to
 2 continue certain pretrial dates. (Behmer Decl., ¶ 6.) The original request was sought in
 3 connection with the setting of the mediation to coordinate with Judge Papas's schedule. (*Id.*)

4 Based on the foregoing, the parties move the Court for an Order continuing the pretrial
 5 dates as set forth below, or as otherwise ordered by the Court:

Event	Current Deadline	Proposed New Deadline
Expert Disclosure Deadline	August 14, 2012	September 14, 2012
Rebuttal Expert Disclosure Deadline	August 28, 2012	September 28, 2012
Disclosures pursuant to Rule 26(a)(2)(B)	September 25, 2012	October 25, 2012
Supplemental Disclosures pursuant to Rule 26(a)(2)(c)	October 12, 2012	November 12, 2012
Discovery Cutoff (Discovery Completed by)	November 12, 2012	December 12, 2012
Mandatory Settlement Conference	November 19, 2012 (briefs submitted by November 12, 2012)	December 19, 2012 (briefs submitted by December 12, 2012)
Pretrial Motion Deadline	December 11, 2012	January 11, 2013
<i>There is no request to extend the following dates</i>		
Parties Meet and Confer regarding Pretrial Order by	March 29, 2013	March 29, 2013
Objections to Pretrial Disclosures	April 12, 2013	April 12, 2013
Proposed Pretrial Conference Order Deadline	April 12, 2013	April 12, 2013
Final Pretrial Conference	April 19, 2013	April 19, 2013

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Respectfully submitted,

Dated: June 15, 2012

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