

**UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF MISSOURI  
EASTERN DIVISION**

**SALES RESOURCE, INC., d/b/a/  
RESOURCE ONE,** )

**Plaintiff,** )

**vs.** )

**Case number 4:08cv0732 TCM**

**ALLIANCE FOODS, INC. and  
MORAN FOODS, INC., d/b/a  
SAVE-A-LOT, LTD.,** )

**Defendants.** )

**and** )

**HALLS SALES AND MARKETING,  
INC.,** )

**Plaintiff,** )

**v.** )

**Case number 4:09cv0666 TCM**

**ALLIANCE FOODS, INC., and  
MORAN FOODS, INC., d/b/a  
SAVE-A-LOT, LTD.,** )

**Defendants.** )

**MEMORANDUM AND ORDER**

This matter is before the Court on the Court's own motion to vacate the approaching trial date.

The Court now has under consideration five motions for summary judgment and four motions to strike or exclude expert witnesses, along with the briefs and evidentiary materials

filed by the parties in support of their positions on each of these motions. The materials the Court must consider to resolve the pending motions are voluminous.<sup>1</sup> While on occasion a joint brief was filed, the parties submitted no stipulations of fact and no stipulations regarding the evidentiary materials. Although the parties have no obligation to submit them, such stipulations would have greatly assisted the Court in resolving the pending issues. As it stands, the Court needs more time to consider, and resolve the numerous issues presented by, the parties' motions, responses, replies, and evidentiary materials.

Accordingly,

**IT IS HEREBY ORDERED** that this matter is **REMOVED** from the September 8, 2010, trial docket to be reset upon further order of Court.

/s/ Thomas C. Mummert  
THOMAS C. MUMMERT, III  
UNITED STATES MAGISTRATE JUDGE

Dated this 9th day of August, 2010.

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<sup>1</sup> For example, there are approximately 500 pages of briefs on the pending motions; as well as approximately 386 pages which set forth the parties' 560 statements of "undisputed" fact and responses to those statements that are submitted with respect to the summary judgment motions. These totals do not include the extensive evidentiary materials filed in support of the parties' briefs and statements of "undisputed" material facts.