

**IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA**

THE HERSHEY COMPANY,
Plaintiff,

v.

HOTTRIX LLC,
Defendant.

No. 1:10-cv-1178-JEJ

JUDGE JOHN E. JONES III

FILED ELECTRONICALLY

**JOINT MOTION TO EXTEND
CASE MANAGEMENT CONFERENCE**

Plaintiff, The Hershey Company (the “Plaintiff”), and Defendant, Hottrix, LLC (the “Defendant”), file the within Joint Motion to Extend Case Management Conference and to response to Plaintiff’s Complaint as follows:

1. This Action was instituted on June 2, 2010.
2. On June 8, 2010, the Court issued an Order setting a Case Management Conference for August 31, 2010.
3. Plaintiff maintains that service was effectuated upon Defendant on or about June 16, 2010. Defendant disputes that proper service was effectuated.
4. In an effort to avoid further delay and dispute regarding whether service was effectuated, the parties have agreed that counsel for Defendant will

accept service on behalf of Defendant and that Defendant will respond to Plaintiff's Complaint on or before September 13, 2010.

5. As a result, because counsel has just entered an appearance concurrently herewith, and because it is anticipated that Defendant will be advancing counterclaims against Plaintiff, the parties request that the Court reschedule the Case Management Conference currently set for August 31, 2010 in order that the pleadings can be closed and the parties can prepare a comprehensive joint case management plan.

WHEREFORE, the parties respectfully request that the Court grant the within Order and reschedule the Case Management Conference currently set for August 31, 2010.

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CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of the foregoing document was electronically filed on August 24, 2010 in accordance with the Rules of the United States District Court for the Middle District of Pennsylvania.

/s/ Robert J. Tribeck

Robert J. Tribeck