

IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF TENNESSEE
NASHVILLE DIVISION

MARS, INCORPORATED, and
MARS PETCARE US, INC.,
Plaintiffs,
v.
BIL-JAC FOODS, INC., U.S. PET
NUTRITION, LLC, THAI UNION
INTERNATIONAL, INC., KELLY
FOODS CORPORATION, and
BLUE BUFFALO COMPANY, LTD.
Defendants.

Case No. 3:13-cv-0928

District Judge Campbell
Magistrate Judge Brown

STIPULATION AND ORDER REGARDING AMENDMENTS TO DEADLINES IN
INITIAL CASE MANAGEMENT ORDER

Plaintiff / Counterclaim-Defendants Mars, Incorporated and Mars Petcare US, Inc.
(collectively, "Mars") and Defendant / Counterclaim-Plaintiffs U.S. Pet Nutrition, LLC ("U.S.
Pet") and Blue Buffalo Company, Ltd. ("Blue Buffalo"), by and through their undersigned
counsel, respectfully submit the following Stipulation and [Proposed] Order Regarding
Amendments to Deadlines In Initial Case Management Order.

WHEREAS, the parties are engaged in settlement discussions, and believe it may be
possible to finalize settlement within the next sixty (60) days;

WHEREAS, Sections 7 and 8 of the Initial Case Management Order set forth discovery
and dispositive motions deadlines, including the upcoming deadline of August 20, 2014 for the
parties to disclose the identity of their expert witnesses for their cases in chief, the subject matter
of the experts' testimony, and the experts' curriculum vitae;

WHEREAS, the parties wish to extend all discovery and dispositive motions deadlines as set forth below, in the interest of focusing on finalizing a settlement of this dispute;

THE FOLLOWING IS HEREBY STIPULATED AND AGREED by and between the parties and their counsel:

A. The deadlines set forth in Sections 7 and 8 of the Initial Case Management Order should be amended as follows:

7. INITIAL DISCLOSURES AND STAGING OF DISCOVERY:

All fact discovery, including written discovery and fact depositions, must be completed no later than **December 8, 2014**;

By **October 20, 2014**, the parties shall disclose the identity of their expert witnesses for their cases in chief, the subject matter of the experts' testimony, and the experts' curriculum vitae;

By **January 6, 2015**, the parties shall provide all the remaining information concerning their expert disclosures, as specified in Federal Rule of Civil Procedure 26(a)(2)(B);

By **February 6, 2015**, the parties shall disclose the identity of rebuttal expert witnesses and provide all the information specified in Federal Rule of Civil Procedure 26(a)(2)(B);

Any supplements to expert reports shall be exchanged by **February 20, 2015**;

Depositions of expert witnesses shall be completed on or before **March 10, 2015**.

8. DISPOSITIVE MOTIONS:

The parties shall file all dispositive motions no later than **April 8, 2015**. Responses to dispositive motions shall be filed no later than 28 days after the filing of the motion (i.e., by **May 6, 2015**). Replies may be filed within 14 days after the filing of the response (i.e., by **May 20, 2015**). If a dispositive motion is filed early, the response and reply dates are moved up accordingly.

The trial date remains set on September 22, 2015 (Docket Entry 71).

SO STIPULATED AND AGREED:

BAKER, DONELSON, BEARMAN,
CALDWELL & BERKOWITZ, P.C.

/s/ James A. DeLanis

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It is so **ORDERED**:

/S/ Joe B. Brown
HONORABLE JOE B. BROWN
United States Magistrate Judge