



1 WHEREAS, the court set the date of January 5, 2006, for a scheduling conference in this  
2 case; and

3 WHEREAS, there was a death in the family of counsel for defendant Actagro, LLC,  
4 impacting the submission of a joint scheduling conference statement; and

5 WHEREAS, since Magistrate Judge Beck and his clerk were not available the week of  
6 December 27, 2005, the clerk for District Judge Ishii authorized the continuance of the  
7 scheduling conference.

8 NOW, THEREFORE, the parties hereto, namely The Regents of the University of  
9 California (“The Regents”) and Biagro Western Sales, Inc., (“Biagro”), collectively “Plaintiffs,”  
10 and defendant Actagro, LLC (“Actagro”), through their respective counsel, hereby stipulate and  
11 agree as to continue the scheduling conference for two weeks until **January 19, 2006**, at 9:00  
12 a.m. in courtroom 5. A joint scheduling report shall be filed no later than January 12, 2006.

13 Dated: December 28, 2005

**KIMBLE, MacMICHAEL & UPTON**  
A Professional Corporation

By /Mark D. Miller/  
MARK D. MILLER  
Attorneys for Plaintiffs,  
THE REGENTS OF THE UNIVERSITY  
OF CALIFORNIA and BIAGRO  
WESTERN SALES, INC.

20 Dated: December 28, 2005

## SEYFARTH SHAW

## IT IS SO ORDERED

26 | Dated: January 3, 2006.

/s/ Dennis L. Beck

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DENNIS L. BECK  
UNITED STATES MAGISTRATE JUDGE