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7
8 UNITED STATES DISTRICT COURT
9 FOR THE NORTHERN DISTRICT OF CALIFORNIA

10
11 LEVI STRAUSS & CO.,

12 Plaintiff,

13 v.

14 FOX HOLLOW APPAREL GROUP, LLC, a
New York corporation; PARIGI GROUP,
15 LTD., a New York corporation; KOLONAKI,
INC., a California corporation; INDUSTRIAL
16 COTTON, INC., a New York corporation;
TURN ON PRODUCTS, INC., a New York
17 corporation; FOREVER 21, INC., a Delaware
corporation; MAXX ACCESSORIES, Inc., a
18 New York corporation,

19 Defendants.

Case No. C 06-03765 SC

**PLAINTIFF LEVI STRAUSS & CO.'S
NOTICE OF TENTATIVE
SETTLEMENT AND APPLICATION
TO SUSPEND CASE
MANAGEMENT DATES**

**Date: December 8, 2006
Time: 10:00 a.m.**

20
21 Plaintiff Levi Strauss & Co. ("LS&CO.") hereby notifies the Court that Plaintiff and
22 Defendants Fox Hollow Apparel Group, LLC, Parigi Group, Ltd., Turn On Products, Inc., Forever 21,
23 Inc. and Maxx Accessories, Inc. have reached tentative settlements of their disputes, and are nearly
24 finished documenting the terms of the settlements. A Default was entered against defendant Kolonaki,
25 Inc. on November 29, 2006. A dismissal has already been filed with respect to defendant Industrial
26 Cotton, Inc. The tentative settlements with the remaining defendants were reached on the assumption
27 that the parties would not expend any further resources litigating this action while the settlements are
28 finalized. The settling defendants and their counsel are located out of town and attendance at the

1 CMC would be costly.

2 The Initial Case Management Conference is currently set for December 8, 2006. Accordingly,
3 LS&CO. requests that the Court suspend pending case management dates, including Fed. R. Civ. P. 26
4 deadlines, while the parties finalize their settlements. If for some reason the tentative settlements have
5 not been finalized within 30 days, LS&CO. will notify the Court and request that the case
6 management schedule be reinstated.

7 LS&CO. further requests that the Court order a schedule to be set for LS&CO.'s Motion for
8 Default Judgment against defendant Kolonaki, Inc. on dates convenient for the Court not less than 90
9 days from now. LS&CO. will conduct investigation and discovery related to its damages during this
10 interval.

11
12 Date: November 30, 2006

TOWNSEND AND TOWNSEND AND CREW LLP

13
14 By: /s/ Gregory S. Gilchrist
15 Gregory S. Gilchrist
16 Attorneys for Plaintiff
LEVI STRAUSS & CO.



17 **GOOD CAUSE APPEARING,**

18 **IT IS ORDERED AS FOLLOWS:**

19 1. The Order Setting a Case Management Conference scheduled for December 8, 2006
20 shall be vacated;

21 2. Unless claims against all defendants other than Kolonaki, Inc. are dismissed within 30
22 days pursuant to tentative settlements, plaintiff will notify the Court and a new Case Management
23 Order will be entered.

24 3. LS&CO's Motion for Default Judgment against Kolonaki, Inc. shall be filed on
25 February 9, 2007. Any opposition shall be filed on February 23, 2007; reply on
26 March 2, 2007. Hearing on the Motion shall be at 10:00 A.M., on
27 March 16, 2007.

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4. Plaintiff will serve this order on all parties.

Dated: _____

HONORABLE SAMUEL CONTI
SENIOR JUDGE
UNITED STATES DISTRICT COURT

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