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Filing date: **04/11/2006**

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD

Proceeding	91167151
Party	Defendant Independent Marketing Alliance LP Independent Marketing Alliance LP 16000 Memorial Drive, Suite 200 Houston, TX 77079
Correspondence Address	Bartt G. Thompson Pagel, Davis & Hill, P.C. 1415 Louisiana, 22nd Floor Houston, TX 77002
Submission	Motion to Quash
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Date	04/11/2006
Attachments	PLD0MTQ20060411.Motion to Quash Depo of IMA.pdf (2 pages)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD

FLOWERS BAKERIES)	
BRANDS, INC.,)	Opposition No. 91167151
)	
Opposer)	
)	
v.)	In the Matter of Application
)	Serial No. 78/432642
)	Mark: COBBLESTONE MARKET
INDEPENDENT MARKETING)	
ALLIANCE LP,)	
)	
Applicant.)	Filing Date: December 6, 2005
)	Published: September 20, 2005

MOTION TO QUASH 30(b)(6) DEPOSITION OF
INDEPENDENT MARKETING ALLIANCE, L.P.

Now comes Applicant, Independent Marketing Alliance, L.P., and files this his Motion to Quash the Notice of 30(B)(6) Deposition of Independent Marketing Alliance, L.P., and in support hereof would show:

1. On April 7, 2006, Defendant's counsel received via facsimile two Notices of 30(b)(6) Deposition of Independent Marketing Alliance, L.P., one for May 12, 2006, beginning at 1:00 p.m. to be taken at the offices of Applicant's counsel, and the other on May 15, 2006 beginning at 9:00 a.m., to be taken at the offices of Applicant's counsel.
2. Opposer unilaterally noticed the depositions, without first requesting dates available for a representative of Independent Marketing Alliance, L.P. to attend with regard to the "Mark" and with regard to affirmative defenses and discovery responses. The representatives of Independent Marketing Alliance, L.P. and Applicant's counsel have previous commitments scheduled on May 12th and May 15th and as such, those dates are not suitable for deposition in this case. Applicant is in the process of securing

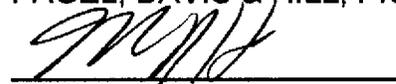
available dates and times for the depositions, and will provide the same to Opposer's counsel.

3. Based on the above, Applicant moves to quash both Notices of 30(b)(6) Deposition of Independent Marketing Alliance, L.P. This Motion to Quash is being filed within three (3) days of service of the Notice of Deposition.

WHEREFORE, PREMISES CONSIDERED, Applicant, Independent Marketing Alliance, moves the Court for an Order Quashing both Notices of Intent to take the Oral Deposition of Independent Marketing Alliance, L.P., and for such other relief to which Applicant may be entitled.

Respectfully submitted,

PAGEL, DAVIS & HILL, P.C.



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**ATTORNEYS FOR APPLICANT
INDEPENDENT MARKETING
ALLIANCE, L.P.**

CERTIFICATE OF SERVICE

I hereby certify on this 11th day of April 2006, a copy of this Motion to Quash the Oral Deposition of John S. Egbert has been served via facsimile upon:

Theodore H. Davis Jr.
Maria Baratta
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MARTYN B. HILL