

ESTTA Tracking number: **ESTTA442604**

Filing date: **11/22/2011**

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

Proceeding	91202077
Party	Defendant Merrick Pet Care, Inc.
Correspondence Address	CHRISTIAN D. STEWART LAW OFFICE OF CHRIS STEWART, P.C. 301 S POLK ST STE 700 AMARILLO, TX 79101-1418 Chris@ChrisStewartLaw.com
Submission	Motion to Suspend for Settlement Discussions
Filer's Name	Christian D. Stewart
Filer's e-mail	chris@chrisstewartlaw.com,amy@chrisstewartlaw.com,carl@chrisstewartlaw.com
Signature	/s/ Christian D. Stewart
Date	11/22/2011
Attachments	Motion for Suspension for Settlement with Consent re Red & White.pdf (2 pages)(83704 bytes)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
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RED & WHITE FOUNDATION,	§	
THE FEDERATED GROUP, INC.,	§	
	§	
Opposers,	§	
	§	
V.	§	Opposition No. 91202077
	§	
MERRICK PET CARE, INC.,	§	
	§	
Applicant.	§	

Motion for Suspension for Settlement with Consent

The parties are actively engaged in negotiations for the settlement of this matter. Merrick Pet Care, Inc. requests that this proceeding be suspended for 30 days to allow the parties to continue their settlement efforts.

Time to Answer:	12/22/2011
Deadline for Discovery Conference:	01/22/2012
Discovery Opens:	01/22/2012
Initial Disclosures Due:	02/21/2012
Expert Disclosure Due:	06/20/2012
Discovery Closes:	07/19/2012
Plaintiff's Pretrial Disclosures:	09/03/2012
Plaintiff's 30-day Trial Period Ends:	10/17/2012
Defendant's pretrial disclosures:	11/02/2012
Defendant's 30-day Trial Period Ends:	12/16/2012
Plaintiff's Rebuttal Disclosures:	01/01/2013
Plaintiff's 15-day Rebuttal Period Ends:	01/31/2013

Merrick Pet Care, Inc. has secured the express consent of all other parties to this proceeding for the suspension and resetting of dates requested herein.

Merrick Pet Care, Inc. has provided an e-mail address herewith for itself and for the opposing party so that any order on this motion may be issued electronically by the Board.

Respectfully submitted,

s/ Christian D. Stewart

Bar Number: 24013569

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ATTORNEY FOR APPLICANT,
MERRICK PET CARE, INC.

CERTIFICATE OF SERVICE

This is to certify that true and correct copy of this document was, this 22nd day of November, 2011, served upon all parties of record in this cause by facsimile, addressed as follows:

Joseph T. Nabor
FITCH, EVEN, TABIN & FLANNERY
120 South LaSalle, Suite 1600
Chicago, Illinois 60603-3406

s/ Christian D. Stewart