

ESTTA Tracking number: **ESTTA880054**

Filing date: **02/28/2018**

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

Proceeding.	91237914
Applicant	Defendant David J. Witchell Salon & Spa, Inc.
Other Party	Plaintiff Whole Foods Market IP, L.P.
Have the parties held their discovery conference as required under Trademark Rules 2.120(a)(1) and (a)(2)?	Yes

Motion for an Extension of Answer or Discovery or Trial Periods With Consent

The Defendant's Time to Answer is currently set to close on 02/28/2018. David J. Witchell Salon & Spa, Inc. requests that such date be extended for 30 days, or until 03/30/2018, and that all subsequent dates be reset accordingly.

Time to Answer :	03/30/2018
Deadline for Discovery Conference :	04/29/2018
Discovery Opens :	04/29/2018
Initial Disclosures Due :	05/29/2018
Expert Disclosure Due :	09/26/2018
Discovery Closes :	10/26/2018
Plaintiff's Pretrial Disclosures :	12/10/2018
Plaintiff's 30-day Trial Period Ends :	01/24/2019
Defendant's Pretrial Disclosures :	02/08/2019
Defendant's 30-day Trial Period Ends :	03/25/2019
Plaintiff's Rebuttal Disclosures :	04/09/2019
Plaintiff's 15-day Rebuttal Period Ends :	05/09/2019

The grounds for this request are as follows:

- *Parties are engaged in settlement discussions*

David J. Witchell Salon & Spa, Inc. has secured the express consent of all other parties to this proceeding for the extension and resetting of dates requested herein.

David J. Witchell Salon & Spa, Inc. has provided an email address herewith for itself and for the opposing party so that any order on this motion may be issued electronically by the Board.

Certificate of Service

The undersigned hereby certifies that a copy of this paper has been served upon all parties, at their address of record by Email on this date.

Respectfully submitted,

/Frank J. Bonini, Jr./
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