

1 JENNER & BLOCK LLP
 2 STEVEN B. FABRIZIO (*pro hac vice*)
 sfabrizio@jenner.com
 3 KATHERINE A. FALLOW (*pro hac vice*)
 kfallow@jenner.com
 4 DUANE C. POZZA (State Bar No. 225933)
 5 dpozza@jenner.com
 6 601 Thirteenth Street, N.W.
 Suite 1200 South
 7 Washington, DC 20005
 8 Telephone: 202-639-6000
 Facsimile: 202-639-6066
 9 *Attorneys for Plaintiffs*

10 ROTHKEN LAW FIRM LLP
 11 IRA P. ROTHKEN (State Bar No. 160029)
 ira@techfirm.com
 12 3 Hamilton Landing, Suite 280
 13 Novato, California 94949
 14 Telephone: 415-924-4250
 Facsimile: 415-924-2905
 15 *Attorneys for Defendants*

16
 17 UNITED STATES DISTRICT COURT
 18 CENTRAL DISTRICT OF CALIFORNIA

19 COLUMBIA PICTURES)
 20 INDUSTRIES, INC., *et al.*,)

) Case No. CV-06-1093 FMC (JCx)

21)
 22) Plaintiffs,)

) **STIPULATION AND**
) **[PROPOSED] ORDER**
) **REGARDING AMENDMENT**
) **OF THE SEPTEMBER 10, 2007**
) **SCHEDULING ORDER**

23 v.)

24 JUSTIN BUNNELL, *et al.*,)
 25)
 26)

27) Defendants.)
 28)

1 WHEREAS, under the Court's September 10, 2007 Amended Scheduling
2 Order ("September 10 Scheduling Order"), the deadline for summary judgment
3 motions is January 14, 2008;

4 WHEREAS, plaintiffs have two pending sanctions motions: Plaintiffs'
5 Motion for Terminating Sanctions Based On Defendants' Willful Spoliation of Key
6 Evidence ("Motion for Terminating Sanctions"), filed on August 30, 2007, and
7 Plaintiffs' Ex Parte Application for a Report and Recommendation for Evidentiary
8 Sanctions for Violation of the Court's May 29 Order ("Motion for Evidentiary
9 Sanctions"), filed on October 4, 2007;

10 WHEREAS, the outcome of these Motions may resolve legal and factual
11 disputes in this case, altering the substance of the parties' summary judgment briefs,
12 which the parties believe necessitates an extension of the briefing deadlines in the
13 September 10 Scheduling Order; and

14 WHEREAS, given the issues to be presented to the Court in summary
15 judgment motions, including multiple theories of copyright infringement and
16 defenses, the parties believe the Court would benefit from briefing in excess of the
17 current page limits;

18 THEREFORE, the parties stipulate as follows:

19 1. Subject to the Court's approval and for good cause shown, the
20 Schedule ordered by the Court on July 25, 2006, and modified on January 22, 2007,
21 April 12, 2007, and in the September 10 Scheduling Order, is modified as follows:

- 22 a. Summary judgment motions shall be filed no later than February
23 11, 2008; oppositions shall be filed no later than March 10,
24 2008; and replies shall be filed no later than March 24, 2008.
25 c. The Cut-Off Date for Hearing Motions is continued to March 31,
26 2008.

1 d. The Final Pre-Trial Conference is continued to June 9, 2008 at
2 9:30 a.m.

3 e. The Trial Date is continued to July 15, 2008, at 9:00 a.m.

4 2. Other than as set forth herein, the Amended Scheduling Order remains
5 in full force and effect.

6 3. The page limits for summary judgment briefs shall be 40 pages for
7 opening and opposition briefs and 20 pages for reply briefs.

8
9 IT IS SO ORDERED.

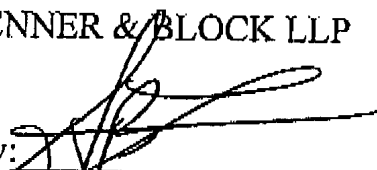
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11 Dated: _____, 2007

12 _____
13 HON. FLORENCE-MARIE COOPER
14 U.S DISTRICT COURT JUDGE

15
16 IT IS SO STIPULATED.

17
18 Dated: December 12, 2007

19 Respectfully submitted,
20 JENNER & BLOCK LLP

21 By: 
22 Steven B. Fabrizio

23 STEVEN B. FABRIZIO
24 KATHERINE A. FALLOW
25 DUANE C. POZZA
26 JENNER & BLOCK LLP

27 KAREN R. THORLAND
28 W. ALLAN EDMISTON
LOEB & LOEB LLP

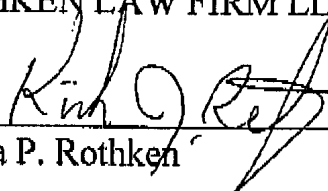
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GREGORY P. GOECKNER
LAUREN T. NGUYEN
15503 Ventura Boulevard
Encino, CA 91436

Attorneys for Plaintiffs

Dated: December 12, 2007

ROTHKEN LAW FIRM LLP

By: 
Ira P. Rothken

IRA P. ROTHKEN
ROTHKEN LAW FIRM LLP

KIRK J. RETZ
RETZ & HOPKINS LLP

Attorneys for Defendants

1 **PROOF OF SERVICE**

2 I, Vicki S. Henderson, the undersigned, declare that:

3 I am employed in the County of Los Angeles, State of California, over the age
4 of 18, and not a party to this cause. My business address is 10100 Santa Monica
5 Boulevard, Suite 2200, Los Angeles, California 90067-4120.

6 On December 13, 2007, I served a true copy of the **STIPULATION AND**
7 **[PROPOSED] ORDER REGARDING AMENDMENT OF THE**
8 **SEPTEMBER 10, 2007 SCHEDULING ORDER** on the parties in this cause

9 (VIA U.S. MAIL) by placing the above named document in a sealed envelope
10 addressed as set forth below, or on the attached service list. I caused each such
11 envelope, with postage thereon fully prepaid, to be deposited for collection and
12 mailing with the United States Postal Service in accordance with Loeb & Loeb LLP's
13 ordinary business practices.

14 (VIA EMAIL) I caused the transmission of the above named document to the
15 email address set forth below.

16 Ira P. Rothken
17 Jared Smith
18 Robert Kovsky
19 ROTHKEN LAW FIRM
20 3 Hamilton Landing, Suite 280
21 Novato, CA 94949

Kirk J. Retz, Esq.
Law Offices of Kirk J. Retz
21535 Hawthorne Boulevard, Suite 200
Torrance, CA 90503

Email: kretz@retzlaw.com


Email: ira@techfirm.com;
jared@techfirm.com; rlk@sonic.net

22 I am readily familiar with Loeb & Loeb LLP's practice for collecting and
23 processing correspondence for mailing with the United States Postal Service and
24 Overnight Delivery Service. That practice includes the deposit of all
25 correspondence with the United States Postal Service and/or Overnight Delivery
26 Service the same day it is collected and processed.

27 I certify that I am employed in the office of a member of the bar of this Court
28 at whose direction the service was made.

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I declare under penalty of perjury that the foregoing is true and correct.
Executed on December 13, 2007, at Los Angeles, California.


Vicki S. Henderson

1
2 **PROOF OF SERVICE**

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6 Boulevard, Suite 2200, Los Angeles, California 90067-4164..

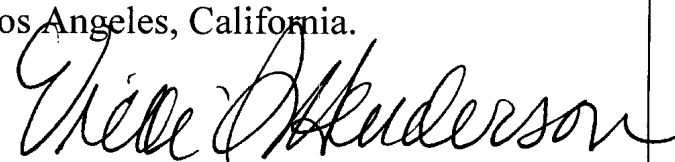
7 On December 13, 2007, I caused a true copy of **STIPULATION AND**
8 **[PROPOSED] ORDER REGARDING AMENDMENT OF THE**
9 **SEPTEMBER 10, 2007 SCHEDULING ORDER** to be served *VIA*
10 **COMMERCIAL MESSENGER** on the parties in this cause:

11 Kirk J. Retz, Esq.
12 Law Offices of Kirk J. Retz
13 21535 Hawthorne Boulevard
14 Suite 200
15 Torrance, CA 90503

16 I certify that I am employed in the office of a member of the bar of this court
17 at whose direction the service was made.

18 I declare under penalty of perjury under the laws of the State of California
19 that the foregoing is true and correct.

20 Executed on December 13, 2007, at Los Angeles, California.

21 
22 _____
23 Vicki S. Henderson
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