

Joanne Siegel et al v Warner Bros Entertainment Inc et al

FILED - EASTERN DIVISION  
CLERK, U.S. DISTRICT COURT  
APR 10 2007  
CENTRAL DISTRICT OF CALIFORNIA  
DEPUTY

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23 UNITED STATES DISTRICT COURT  
24 CENTRAL DISTRICT OF CALIFORNIA – EASTERN DIVISION

25 JOANNE SIEGEL and LAURA  
26 SIEGEL LARSON,

27 Plaintiffs,

28 vs.

29 TIME WARNER INC., WARNER  
30 COMMUNICATIONS INC., WARNER  
31 BROS. ENTERTAINMENT INC.,  
32 WARNER BROS. TELEVISION  
33 PRODUCTION INC., DC COMICS,  
34 and DOES 1-10,

35 Defendants.

36 AND RELATED COUNTERCLAIMS.

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BY [Signature]

Priority ✓  
Send ✓  
Enter ✓  
Closed ✓  
JS-5/JS-6 ✓  
JS-2/JS-3 ✓  
Scan Only ✓

Case Nos. [Consolidated for  
Discovery]  
CV 04-8400 SGL (RZx)  
CV 04-8776 SGL (RZx)  
Hon. Stephen G. Larson, U.S.D.J.  
Hon. Ralph Zarefsky, U.S.M.J.

**STIPULATION RE:  
SCHEDULING ORDER AND  
[PROPOSED] ORDER  
THEREON**

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[Signature]  
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1 Plaintiffs/counterclaim-defendants Joanne Siegel and Laura Siegel Larson  
2 (collectively "Plaintiffs"), and defendants Warner Bros. Entertainment Inc., Time  
3 Warner Inc., Warner Communications Inc. and Warner Bros. Television  
4 Production Inc. and defendant/counterclaimant DC Comics (collectively  
5 "Defendants"), by and through their respective counsel of record, and subject to  
6 the order of this Court, hereby stipulate and agree as follows:

7 WHEREAS, the parties entered into a "Stipulation Re: Scheduling Order  
8 and [Proposed] Order Thereon" dated March 13, 2007 (the "Stipulation") in which  
9 they represented that they "have diligently pursued discovery in these actions,  
10 including written discovery, document productions, and depositions";

11 WHEREAS, the parties represented in the Stipulation that they "have met  
12 and conferred on certain discovery disputes, and have initiated the joint stipulation  
13 process on four separate discovery motions, the rulings on which may require  
14 additional discovery responses or depositions";

15 WHEREAS, the parties intended in the Stipulation and Proposed Order by  
16 their reference to "All Motions" in the "Motion Filing Cutoff [All Motions] April  
17 23, 2007" that this included and applied to any discovery motions;

18 WHEREAS, although the parties intended to advise the Court in the  
19 Stipulation that the reference in the Proposed Order to "Motion Filing Cutoff [All  
20 Motions] April 23, 2007" contemplated extending the non-expert discovery cutoff  
21 for the limited purpose of allowing the parties to obtain relief on any discovery  
22 motions brought within the motion cutoff of April 23, 2007, they inadvertently did  
23 not include such in the Stipulation;

24 WHEREAS, on April 2, 2007, Hon. Ralph Zarefsky, United States  
25 Magistrate Judge entered an Order taking the discovery motions the parties had  
26 filed off calendar, ruling that "[a]bsent leave of court from Judge Larson to  
27 conduct discovery beyond the cut-off," those motions could not proceed;

28

1 WHEREAS, the parties believe that allowing the parties to obtain relief on  
2 any discovery motions brought within the Motion Filing Cutoff [All Motions] of  
3 April 23, 2007 will reasonably provide for the more orderly preparation and trial of  
4 these matters;

5 WHEREAS, counsel for each party certifies to the Court that the requested  
6 extension is essential to complete non-expert discovery, is necessary for the  
7 orderly preparation and trial of these matters, and is not sought for any improper  
8 purpose;

9 NOW THEREFORE, IT IS HEREBY STIPULATED AND AGREED,  
10 subject to the approval of the Court, that to accommodate any discovery motions  
11 brought within the Motion Filing Cutoff [All Motions] of April 23, 2007, the non-  
12 expert discovery cutoff in these Matters will be extended to allow either party to  
13 comply with a discovery order resulting from any such discovery motion, but not  
14 otherwise.

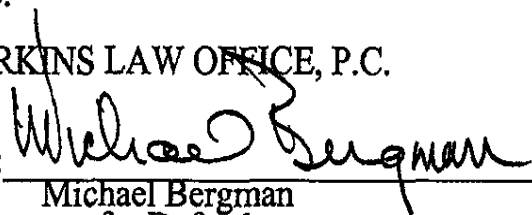
15  
16 Respectfully submitted,

17 DATED: April 9, 2007

WEISSMANN WOLFF BERGMAN  
COLEMAN GRODIN & EVALL LLP

FROSS ZELNICK LEHRMAN & ZISSU,  
P.C.

PERKINS LAW OFFICE, P.C.

21 By:   
22 Michael Bergman  
23 Attorneys for Defendants

24 DATED: April 9, 2007

LAW OFFICES OF MARC TOBEROFF,  
PLC


26 By:   
27 Marc Toberoff  
28 Attorneys for Plaintiffs

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**ORDER**

Based on the Stipulation of the parties, and for good cause shown,  
**IT IS HEREBY ORDERED** that the non-expert discovery cutoff in these  
Matters will be extended to the extent necessary to allow either party to comply  
with a discovery order resulting from any discovery motion brought within the  
Motion Filing Cutoff [All Motions] of April 23, 2007, but not otherwise.

Dated: 4-10-07

  
\_\_\_\_\_  
Hon. Stephen G. Larson  
Judge, United States District Court

**PROOF OF SERVICE**  
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**STATE OF CALIFORNIA** )  
 ) ss.  
**COUNTY OF LOS ANGELES** )

I am employed in the County of Los Angeles, State of California; I am over the age of 18 and not a party to the within action; my business address is 9665 Wilshire Boulevard, Suite 900, Beverly Hills, California 90212. On the date shown below, I served the foregoing document described as: **STIPULATION RE: SCHEDULING ORDER AND [PROPOSED] ORDER THEREON** on the interested parties in said action, and by placing a true copy thereof enclosed in sealed envelopes, addressed as follows:

**Marc Toberoff, Esq.**  
**Nicholas C. Williamson, Esq.**  
**Law Offices of Marc Toberoff**  
**2049 Century Park East, Ste. 2720**  
**Los Angeles, CA 90067**

         **(BY MAIL)** I am "readily familiar" with the firm's practice of collection and processing correspondence for mailing. Under that practice it would be deposited with the U.S. postal service on that same day with postage thereon fully prepaid at Beverly Hills, California. I am aware that on motion of the party served, service is presumed invalid if postal cancellation date or postage meter date is more than one day after date of deposit for mailing in affidavit.


**XX** **(PERSONAL SERVICE)** I caused such envelope to be delivered by hand to the offices of the addressee.

         **(BY FACSIMILE)** I caused a copy of such document(s) to be transmitted to the offices of the addressee(s) via facsimile transmission at the facsimile number(s) listed above.

Executed on **April 9, 2007** at Beverly Hills, California.

**(STATE)** I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

**XX FEDERAL** I declare that I am employed in the office of a member of the bar of this court at whose direction the service was made.

  
\_\_\_\_\_  
Ticci Bennett