

PRIORITY SEND

UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA
3470 Twelfth Street, Riverside, CA 92501
CIVIL MINUTES -- GENERAL

Case No. CV 04-08400-SGL (RZx)

Date: August 22, 2007

Title: JOANNE SIEGEL, an individual; and LAURA SIEGEL LARSON; an individual -v- WARNER BROS. ENTERTAINMENT INC., a corporation; TIME WARNER INC., a corporation; DC COMICS INC., a corporation; and DOES 1-10

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PRESENT: HONORABLE STEPHEN G. LARSON, UNITED STATES DISTRICT JUDGE

Jim Holmes
Courtroom Deputy Clerk

None Present
Court Reporter

ATTORNEYS PRESENT FOR PLAINTIFFS:

ATTORNEYS PRESENT FOR DEFENDANTS:

None present

None present

PROCEEDINGS: (IN CHAMBERS)

ORDER RE DEFENDANTS' AUGUST 15, 2007, APPLICATION TO MODIFY SCHEDULING ORDER

The Court is in receipt of defendants' application to modify the scheduling order in this case, filed August 15, 2007, plaintiffs' ex parte application requesting an extension of time to oppose defendants' request, filed August 16, 2007, and defendants' response thereto, filed August 17, 2007.

Defendants' request to modify the scheduling order in this case is predicated upon the fact that, long after the close of discovery and on the eve of the deadline for filing dispositive motions, plaintiffs allegedly "produced in excess of 1,600 pages of documents," amongst which were certain documents not in defendants' possession that "are directly relevant to the substance and scope of Plaintiffs' purported recapture of copyright." Defendants' seek to modify the scheduling order so as to reopen discovery for the purpose re-deposing Ms. Laura Siegel Larson "regarding the contents and custody of such documents."

Rather than address the substance of defendants' request (and relatedly plaintiffs' request for an extension to file an opposition), the Court believes that the best course to follow is the one it

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JOANNE SIEGEL, an individual; and LAURA SIEGEL LARSON; an individual v WARNER BROS. ENTERTAINMENT INC., a corporation; TIME WARNER INC., a corporation; DC COMICS INC., a corporation; and DOES 1-10
MINUTE ORDER of August 22, 2007

set forth in its recent order in this case concerning other outstanding discovery matters between the parties. Accordingly, defendant's application to modify the scheduling order is **DENIED**. However, counsel for the parties are **ORDERED** to meet and confer in person on or before August 31, 2007, to identify, and attempt in good faith to resolve, the substance of the dispute referenced in defendants' present request. Counsel are thereafter afforded leave to file with this Court a Joint Stipulation consistent with the requirements of Local Rule 37-2 identifying any outstanding discovery dispute related to defendants' request. Said Joint Stipulation is to be filed before this Court, not Magistrate Judge Zarefsky, on or before September 21, 2007. If the filing of such a stipulation is necessary, such stipulation is to be part and parcel of the Joint Stipulation contemplated by the Minute Order issued August 13, 2007 (that is, a singular omnibus Joint Stipulation). Any untimely-filed or successive joint stipulation will be stricken.

Plaintiff's application requesting an extension of time to oppose defendant's application is **DENIED** as moot (although all counsel are advised in the future to include proposed dates with any request to extend time).

IT IS SO ORDERED.