

Joanne Siegel et al v. Warner Bros Entertainment Inc et al

Doc. 23

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FILED
 CLERK, U.S. DISTRICT COURT
 SEP 11 2007
 CENTRAL DISTRICT OF CALIFORNIA
 EASTERN DIVISION BY DEPUTY

6 Attorneys for Non-Parties BRYAN SINGER and
7 BAD HAT HARRY PRODUCTIONS, INC.

8 **UNITED STATES DISTRICT COURT**
 9 **CENTRAL DISTRICT OF CALIFORNIA**

BY FAX

LOGGED

10 JOANNE SIEGEL, and individual; and
 11 LAURA SIEGEL LARSON, an
 12 individual,

Case Nos. CV 04-8400 SGL (RZx)

[Consolidated for Discovery with CV
04-8776 SGL (RZx)]

Plaintiffs,

Hon. Stephen G. Larson, U.S.D.J.
Hon. Ralph Zarefsky, U.S.M.J.

v.

14 TIME WARNER INC., a corporation;
 15 WARNER COMMUNICATIONS INC.,
 16 a corporation; WARNER BROS.
 ENTERTAINMENT INC., a
 17 corporation; WARNER BROS.
 TELEVISION PRODUCTION INC., a
 18 corporation; DC COMICS, a general
 partnership; and DOES 1-10,

**JOINT STIPULATION AND
[PROPOSED] ORDER MODIFYING
COURT'S AUGUST 13, 2007
SCHEDULING ORDER**

Defendants.

DC COMICS,

Counterclaimant,

v.

22 JOANNE SIEGEL, and individual; and
 23 LAURA SIEGEL LARSON, an
 individual,

Counterclaim

Defendants.

DOCKETED ON CM
 SEP 13 2007
 BY [Signature]

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CALDWELL
LESLIE
& PROCTOR

1 WHEREAS, on August 13, 2007, the Court issued an Order compelling
2 Non-Party Bryan Singer to sit for his deposition by September 12, 2007 (the
3 "Scheduling Order");

4 WHEREAS, Mr. Singer is currently directing a major motion picture in
5 Germany for which principal photography is scheduled to conclude by November,
6 2007;

7 WHEREAS, counsel for Plaintiffs Joanne Siegel and Laura Siegel Larson
8 and for Mr. Singer were unable to agree upon a time, place and date for Mr.
9 Singer's deposition within the time period permitted by the Scheduling Order;

10 WHEREAS, on September 6, 2006, Mr. Singer filed a document entitled *Ex*
11 *Parte* Application of Non-Party Bryan Singer for Order Modifying Court's August
12 13, 2007 Scheduling Order;

13 WHEREAS, the Parties subsequently agreed that Mr. Singer's deposition
14 could proceed by November 30, 2007; and

15 WHEREAS, modifying the Court's Scheduling Order to allow for Mr.
16 Singer's deposition to proceed by November 30, 2007 would obviate the need for
17 the Court to consider the *ex parte* application to modify the Scheduling Order;

18 WHEREAS, counsel for each party certifies to the Court that the requested
19 extension is not sought for any improper purpose;

20 IT IS HEREBY STIPULATED by and between the parties hereto, through
21 their respective counsel, that:

- 22 1. Mr. Singer shall sit for his deposition no later than November
23 30, 2007;
- 24 2. Counsel for Plaintiffs Joanne Siegel and Laura Siegel Larson
25 and for Mr. Singer shall meet and confer to ensure that Mr.
26 Singer's deposition proceeds at a date, time and place that is
27 convenient for all parties and their counsel;

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3. If the Scheduling Order is modified in accordance with Paragraphs 1 and 2, above, the *Ex Parte* Application of Non-Party Bryan Singer for Order Modifying Court's August 13, 2007 Scheduling Order will be moot; and

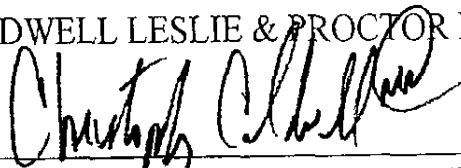
4. Any Joint Stipulation consistent with the requirements of Local Rule 37-2 identifying any outstanding discovery dispute relating to Mr. Singer's deposition shall be filed on or before the 15th day after Mr. Singer's deposition.

Dated: September 7, 2007

Respectfully submitted,

CALDWELL LESLIE & PROCTOR PC

By



CHRISTOPHER G. CALDWELL

Attorneys for BRYAN SINGER and BAD HAT HARRY PRODUCTIONS, INC.

Dated: September 7, 2007

LAW OFFICES OF MARC TOBEROFF, PLC

By

MARC TOBEROFF

Attorneys for Plaintiffs JOANN SIEGEL and LAURA SIEGEL LARSON

Dated: September 7, 2007

WEISSMANN WOLFF BERGMAN COLEMAN GRODIN & EVALL

By

ANJANI MANDAVIA

Attorneys for Defendants TIME WARNER, INC., WARNER BROS. ENTERTAINMENT INC., WARNER BROS. TELEVISION PRODUCTION INC., and DC COMICS

Sep-07-07 01:20pm From-

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3. If the Scheduling Order is modified in accordance with Paragraphs 1 and 2, above, the *Ex Parte* Application of Non-Party Bryan Singer for Order Modifying Court's August 13, 2007 Scheduling Order will be moot; and

4. Any Joint Stipulation consistent with the requirements of Local Rule 37-2 identifying any outstanding discovery dispute relating to Mr. Singer's deposition shall be filed on or before the 15th day after Mr. Singer's deposition.

Dated: September 7, 2007 Respectfully submitted,

CALDWELL LESLIE & PROCTOR PC

By _____
CHRISTOPHER G. CALDWELL
Attorneys for BRYAN SINGER and BAD HAT
HARRY PRODUCTIONS, INC.

Dated: September 7, 2007 LAW OFFICES OF MARC TOBEROFF, PLC

By M/T
MARC TOBEROFF
Attorneys for Plaintiffs JOANN SIEGEL and
LAURA SIEGEL LARSON

Dated: September 7, 2007 WEISSMANN WOLFF BERGMAN COLEMAN
GRODIN & EVALL

By _____
ANJANI MANDAVIA
Attorneys for Defendants TIME WARNER, INC.,
WARNER BROS. ENTERTAINMENT INC.,
WARNER BROS. TELEVISION PRODUCTION
INC., and DC COMICS

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3. If the Scheduling Order is modified in accordance with Paragraphs 1 and 2, above, the *Ex Parte* Application of Non-Party Bryan Singer for Order Modifying Court's August 13, 2007 Scheduling Order will be moot; and

4. Any Joint Stipulation consistent with the requirements of Local Rule 37-2 identifying any outstanding discovery dispute relating to Mr. Singer's deposition shall be filed on or before the 15th day after Mr. Singer's deposition.

Dated: September 7, 2007 Respectfully submitted,

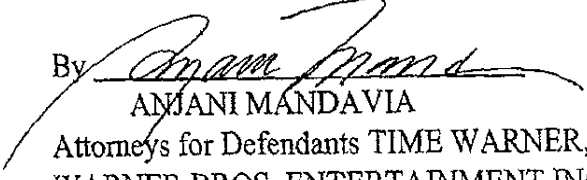
CALDWELL LESLIE & PROCTOR PC

By _____
CHRISTOPHER G. CALDWELL
Attorneys for BRYAN SINGER and BAD HAT
HARRY PRODUCTIONS, INC.

Dated: September 7, 2007 LAW OFFICES OF MARC TOBEROFF, PLC

By _____
MARC TOBEROFF
Attorneys for Plaintiffs JOANN SIEGEL and
LAURA SIEGEL LARSON

Dated: September 7, 2007 WEISSMANN WOLFF BERGMAN COLEMAN
GRODIN & EVALL

By 
ANJANI MANDAVIA
Attorneys for Defendants TIME WARNER, INC.,
WARNER BROS. ENTERTAINMENT INC.,
WARNER BROS. TELEVISION PRODUCTION
INC., and DC COMICS

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ORDER


Good cause appearing, it is hereby ORDERED that the Court's August 13, 2007 Minute Order is modified as follows:

1. Bryan Singer is ORDERED to sit for his deposition no later than November 30, 2007;
2. Counsel are ORDERED to telephonically arrange for Mr. Singer's deposition to occur at a date, time and place that is convenient for all parties and their counsel; and
3. Counsel are afforded leave to file a Joint Stipulation consistent with the requirements of Local Rule 37-2 identifying any outstanding discovery dispute related to Mr. Singer's deposition on or before the 15th day after Mr. Singer's deposition.

It is further ORDERED that the *Ex Parte* Application of Non-Party Bryan Singer for Order Modifying Court's August 13, 2007 Scheduling Order is moot.

IT IS SO ORDERED.

Dated: 9-11, 2007



 The Honorable Stephen G. Larson

PROOF OF SERVICE

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I am employed in the County of Los Angeles, State of California. I am over the age of eighteen and not a party to the within entitled action. My business address is 1000 Wilshire Boulevard, Suite 600, Los Angeles, California 90017-2463.

On September 7, 2007, I served the within document(s) described below as:

JOINT STIPULATION AND [PROPOSED] ORDER MODIFYING COURT'S AUGUST 13, 2007 SCHEDULING ORDER

(X) **BY MAIL:** By placing a true copy thereof in sealed envelopes and causing them to be deposited in the mail at Los Angeles, California. The envelopes were mailed with postage thereon fully prepaid. I am readily familiar with our firm's practice of collection and processing correspondence for mailing. It is deposited with the U.S. postal service on that same day in the ordinary course of business. I am aware that on motion of 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 affidavit.

SEE ATTACHED SERVICE LIST

() **BY FAX:** By transmitting a true copy thereof via facsimile machine to the offices or the parties listed on the attached Service List. I caused the copy to be transmitted from the facsimile number of Caldwell Leslie & Proctor, PC, (213) 629-9022 or (213) 629-5584. The transmission was reported as complete and without error. A copy of the transmission report is attached to this Proof of Service.

() **BY OVERNIGHT MAIL (VIA FEDERAL EXPRESS):** I caused such envelope to be deposited at a station designated for collection and processing of enveloped and packages for overnight delivery service by **FEDERAL EXPRESS**. I am "readily familiar" with the firm's practice of collection and processing of documents and other papers to be sent by overnight delivery service by **FEDERAL EXPRESS**. Pursuant to that business practice, envelopes in the ordinary course of business are that same day deposited in a box or other facility regularly maintained by such overnight service carrier or delivered to an authorized courier or driver authorized by such overnight service carrier to receive documents in an envelope or package with delivery fees paid or provided for.

(X) **FEDERAL:** I declare under penalty of perjury under the laws of the United States of America that the foregoing is true and correct of my own personal knowledge, that I am employed in an office of a member of the Bar of this Court at whose direction this service was made, and that I executed this document on September 7, 2007 at Los Angeles, California.


MARGIE ODANAKA

CALDWELL
LESLIE &
PROCTOR

SERVICE LIST

1 *Joanne Siegel, et al. v. Warner Bros. Entertainment Inc., et al.*
United States District Court Case No. 04-8400 SJO (RZx); 04-8776 SJO (RZx)

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