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U.S. DISTRICT COURT  
CENTRAL DISTRICT OF CALIF.  
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1 WEISSMANN WOLFF BERGMAN  
2 COLEMAN GRODIN & EVALL LLP  
3 Michael Bergman (SBN 37797)  
4 Anjani Mandavia (SBN 94092)  
5 9665 Wilshire Boulevard, Ninth Floor  
6 Beverly Hills, California 90212  
7 Telephone: 310-858-7888  
8 Fax: 310-550-7191  
9 Email: mbergman@wwllp.com

6 FROSS ZELNICK LEHRMAN & ZISSU, P.C.  
7 Roger L. Zissu (Admitted *pro hac vice*)  
8 866 United Nations Plaza  
9 New York, New York 10017  
10 Telephone: 212-813-5900  
11 Fax: 212-813-5901

10 PERKINS LAW OFFICE, P.C.  
11 Patrick T. Perkins (Admitted *pro hac vice*)  
12 1711 Route 9D  
13 Cold Spring, NY 10516  
14 Telephone: 845-265-2820  
15 Fax: 845-265-2819

13 Attorneys for Defendants and Counterclaimant

14 UNITED STATES DISTRICT COURT  
15 CENTRAL DISTRICT OF CALIFORNIA – EASTERN DIVISION

16 JOANNE SIEGEL and LAURA  
17 SIEGEL LARSON,

17 Plaintiffs,

18 vs.

19 TIME WARNER INC., WARNER  
20 COMMUNICATIONS INC., WARNER  
21 BROS. ENTERTAINMENT INC.,  
22 WARNER BROS. TELEVISION  
23 PRODUCTION INC., DC COMICS,  
24 and DOES 1-10,

23 Defendants.

) 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**

27 AND RELATED COUNTERCLAIMS.  
28

STIPULATION REGARDING SCHEDULING ORDER

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, pursuant to the prior stipulation of the parties, and the orders of  
8 this Court, the deadline to submit jury instructions in the "Superman" action (Case  
9 no. CV 04-8400 SGL (RZx) has been set for November 8, 2007.

10 WHEREAS, the parties have briefed and argued substantial and voluminous  
11 cross-motions for partial summary judgment on a number of separate issues and/or  
12 claims for relief in the two actions, which motions are currently under submission  
13 for decision by the Court;

14 WHEREAS, because the Court's rulings on the parties' cross-motions for  
15 partial summary judgment will materially impact the issues that will be presented  
16 at trial, and will therefore impact the composition of the jury instructions,  
17 submitting jury instructions without the benefit of the Court's rulings will be far  
18 less efficient and effective;

19 WHEREAS, the current pre-trial schedule would require the parties to draft  
20 jury instructions accounting for every possible permutation of the Court's ruling on  
21 the parties' cross-motions for summary judgment, resulting in potentially wasteful  
22 effort;

23 WHEREAS, the parties believe that setting the deadline to submit jury  
24 instructions for 30 days after the Court issues an Order on all of the outstanding  
25 cross-motions for partial summary judgment will afford the Court the time it needs  
26 to decide these important motions while at the same time giving the parties the  
27 opportunity to draft jury instructions that properly take into account the Court's  
28 ruling.

1 WHEREAS, counsel for each party certifies to the Court that the requested  
2 extension is necessary to the orderly preparation and trial of these matters, and is  
3 not sought for any improper purpose;

4 NOW THEREFORE, IT IS HEREBY STIPULATED AND AGREED,  
5 subject to the approval of the Court, that the following pre-trial dates shall be  
6 applicable to these matters:

7 Jury Instructions Due Thirty (30) days after the Court  
8 enters an Order on all of the  
9 parties' cross-motions for  
partial summary judgment

10 Objections to Jury Instructions Seven days after jury  
11 instructions are due.

12 All other dates will remain as currently scheduled.

13  
14 Respectfully submitted,

15 DATED: October 30, 2007

16 WEISSMANN WOLFF BERGMAN  
COLEMAN GRODIN & EVALL LLP

17 FROSS ZELNICK LEHRMAN & ZISSU,  
18 P.C.

19 PERKINS LAW OFFICE, P.C.

20 By: Michael Bergman  
Michael Bergman  
Attorneys for Defendants

21  
22 DATED: October 30, 2007

23 LAW OFFICES OF MARC TOBEROFF,  
24 PLC

25 By: Marc Toberoff  
Marc Toberoff  
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 following pre-trial date shall be applicable to these matters:

Jury Instructions Due

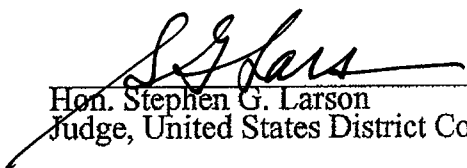
Thirty (30) days after the Court enters an Order on all of the parties' cross-motions for partial summary judgment

Objections to Jury Instructions

Seven days after jury instructions are due.

All other dates will remain as currently scheduled.

Dated: 10-30-07

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

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

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  
Fax: (310) 246-3101


XX **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.

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

XX **(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 **October 30, 2007** at Beverly Hills, California.

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 Alridge