| 1 | GLENN D. POMERANTZ (State Bar No. 112503) | | | |
|-----------|---|-------------|---------------------------------|--|
| 2 | glenn.pomerantz@mto.com KELLY M. KLAUS (State Bar No. 161091) kelly.klaus@mto.com | | | |
| 3 | MELINDA E. LeMOINE (State Bar No. 235670) melinda.lemoine@mto.com | | | |
| 4 | ADAM I. KAPLAN (State Bar No. 2681) adam.kaplan@mto.com | 82) | | |
| 5 | | | | |
| 6 | Thirty-Fifth Floor Los Angeles, California 90071-1560 | | | |
| 7 | Telephone: (213) 683-9100 Facsimile: (213) 687-3702 | | | |
| 8 | Attorneys for Defendants Warner/Chappe | e11 | | |
| 9 | Music, Inc. and Summy-Birchard, Inc. | • | | |
| 10 | | | | |
| 11 | UNITED STATES DISTRICT COURT CENTRAL DISTRICT OF CALIFORNIA WESTERN DIVISION | | | |
| 12 | | | | |
| 13 | | | | |
| 14 | GOOD MORNING TO YOU | | CV 13-04460-GHK | |
| 15 | PRODUCTIONS CORP.; et al., | (MRWx) | | |
| 16 | Plaintiffs, | JOINT STIPU | | |
| 17 | v. | SET BY DKT. | HE HEARING DATE NO. 220: AND | |
| 18 | WARNER/CHAPPELL MUSIC, INC., et al., | [PROPOSED] | ORDER GRANTING | |
| 19 | Defendants. | STIPULATION | N | |
| 20 | Defendants. | Judge: | Hon. George H. King, | |
| 21 | | Courtroom: | Chief Judge 650 | |
| 22 | | Courtroom. | 050 | |
| 23 | | | | |
| 24 | | | | |
| 25 26 | | | | |
| 27 | | | | |
| <i></i> / | I . | | | |

28

Doc. 221

WHEREAS, on June 18, 2015, the Court ordered that the parties attend oral argument on the Parties' Joint Supplemental Brief on Tuesday, July 7, 2015 at 9:30 A.M. (Dkt. No. 220);

WHEREAS, on the morning of July 7, 2015, Defendants' lead counsel is scheduled to argue an appeal in *Stephanie Lenz v. Universal Music Corp.*, et al., 13-16106, before the Ninth Circuit in San Francisco;

WHEREAS, the parties met and conferred in good faith and agreed that a oneweek continuance of the hearing date would be appropriate to accommodate Defendants' counsel's scheduling conflict;

WHEREAS, a one-week continuance of the hearing date would not alter any other deadlines set by the Court in this matter;

NOW THEREFORE, IT IS HEREBY STIPULATED AND AGREED, by and between the parties, through the undersigned counsel, as follows: Upon the Court's approval, the oral argument ordered by Dkt. No. 220 shall be held on Tuesday, July 14, 2015 at 9:30 A.M.

IT IS SO STIPULATED.

Respectfully submitted,

Dated: June 24, 2015 MUNGER TOLLES & OLSON LLP

By: /s/ KELLY M. KLAUS
KELLY M. KLAUS

KELLY M. KLAUS kelly.klaus@mto.com ADAM I. KAPLAN adam.kaplan@mto.com 560 Mission St., 27th Floor San Francisco, CA 94105

| 1 | Telephone: 415/512-4000 |
|----|--|
| 2 | GLEN POMERANTZ |
| 3 | glenn.pomerantz@mto.com |
| 4 | MELINDA E. LeMOINE |
| 5 | melinda.lemoine@mto.com MUNGER TOLLES & OLSON LLP |
| | 355 South Grand Ave., 35th Floor |
| 6 | Los Angeles, CA 90071 |
| 7 | Telephone: 213/683-9100 |
| 8 | Facsimile: 213/687-3702 |
| 9 | Attorneys for Defendants Warner/Chappell |
| 10 | Music, Inc. and Summy-Birchard, Inc. |
| 11 | |
| 12 | Dated: June 24, 2015 WOLF HALDENSTEIN ADLER |
| | FREEMAN & HERZ LLP |
| 13 | |
| 14 | By: /s/ BETSY C. MANIFOLD |
| 15 | BETSY C. MANIFOLD |
| 16 | FRANCIS M. GREGOREK |
| 17 | gregorek@whafh.com |
| 18 | BETSY C. MANIFOLD |
| | manifold@whafh.com |
| 19 | RACHELE R. RICKERT |
| 20 | rickert@whafh.com |
| 21 | MARISA C. LIVESAY |
| | livesay@whafh.com 750 B Street, Suite 2770 |
| 22 | San Diego, CA 92101 |
| 23 | Telephone: 619/239-4599 |
| 24 | Facsimile: 619/234-4599 |
| 25 | |
| | WOLF HALDENSTEIN ADLER |
| 26 | FREEMAN & HERZ LLP |
| 27 | MARK C. RIFKIN (pro hac vice) |
| 28 | rifkin@whafh.com JANINE POLLACK (<i>pro hac vice</i>) |
| - | JANINE FOLLACK (pro nac vice) |

| 1 | pollack@whafh.com |
|------------|---|
| 2 | BETH A. LANDES (pro hac vice) |
| | landes@whafh.com |
| 3 | 270 Madison Avenue |
| 4 | New York, NY 10016 Telephone: 212/545-4600 |
| 5 | Facsimile: 212-545-4753 |
| 6 | |
| 7 | Interim Lead Counsel for Plaintiffs |
| 8 | RANDALL S. NEWMAN PC |
| | RANDALL S. NEWMAN (190547) |
| 9 | rsn@randallnewman.net |
| 10 | 37 Wall Street, Penthouse D |
| 11 | New York, NY 10005 |
| 11 | Telephone: 212/797-3737 |
| 12 | HUNT ORTMANN PALFFY NIEVES |
| 13 | DARLING & MAH, INC. |
| | ALISON C. GIBBS (257526) |
| 14 | gibbs@huntortmann.com |
| 15 | OMEL A. NIEVES (134444) |
| 16 | nieves@nieves-law.com |
| | KATHLYNN E. SMITH (234541) |
| 17 | smith@huntortmann.com |
| 18 | 301 North Lake Avenue, 7th Floor |
| 19 | Pasadena, CA 91101 |
| 20 | Telephone: 626/440-5200 |
| 20 | Facsimile: 626/796-0107 |
| 21 | 1 desimile. 020/190 010/ |
| 22 | DONAHUE FITZGERALD LLP |
| 23 | WILLIAM R. HILL (114954) |
| 24 | rock@donahue.com |
| | ANDREW S. MACKAY (197074) |
| 25 | andrew@donahue.com |
| 26 | DANIEL J. SCHACHT (259717) |
| 27 | daniel@donahue.com |
| | 1999 Harrison Street, 25 th Floor |
| $28 \perp$ | Oakland, CA 94612-3520 |

Telephone: 510/451-0544 1 Facsimile: 510/832-1486 2 **GLANCY BINKOW &** 3 **GOLDBERG LLP** 4 LIONEL Z. GLANCY (134180) lglancy@glancylaw.com 5 MARC L. GODINO (188669) 6 mgodino@glancylaw.com 7 1925 Century Park East, Suite 2100 Los Angeles, CA 90067 8 Telephone: 310/201-9150 9 Facsimile: 310/201-9160 10 Attorneys for Plaintiffs 11 12 **DECLARATION REGARDING CONCURRENCE** 13 I, Kelly M. Klaus, am the ECF User whose identification and password are 14 being used to file this JOINT STIPULATION TO CONTINUE THE HEARING 15 DATE SET BY DKT. NO. 220; AND [PROPOSED] ORDER GRANTING 16 **STIPULATION**. In compliance with L.R. 5-4.3.4, I hereby attest that I hereby 17 attest that Betsy C. Manifold has concurred in this filing's content and has authorized 18 its filing. 19 Dated: June 24, 2015 By: /s/ KELLY M. KLAUS 20 KELLY M. KLAUS 21 22 23 24 25 26 27 28

DECLARATION OF KELLY M. KLAUS

- 1. I, Kelly M. Klaus, hereby declare as follows:
- 2. I am a member of the firm Munger, Tolles & Olson LLP, counsel for Defendants in the above-captioned action. I am admitted to practice law in the State of California and before this Court. I submit this declaration in support of the parties' Joint Stipulation to Continue the Hearing Date Set by Dkt. No. 220. I have personal knowledge of the facts stated herein. If called upon to testify to the facts as to which I have person knowledge, I could, and would, competently do so.
- 3. On June 18, 2015, the Court ordered that the parties attend oral argument on the Parties' Joint Supplemental Brief on Tuesday, July 7, 2015 at 9:30 A.M. (Dkt. No. 220).
- 4. On the morning of July 7, 2015, I am scheduled to argue an appeal in *Stephanie Lenz v. Universal Music Corp.*, et al., 13-16106, before the Ninth Circuit in San Francisco.
 - 5. This hearing date was set by the Ninth Circuit on April 27, 2015.
- 6. I met and conferred with Plaintiffs' counsel regarding the hearing date set by the Court on June 18, 2015 (Dkt. No. 220), and that Plaintiffs' counsel agreed that a one-week continuance of the hearing date would be appropriate in light of my scheduling conflicts.
- 7. A one-week continuance of the briefing deadline and hearing date would not alter any other deadlines set by the Court in this matter
- 8. For the foregoing reasons, the parties have shown good cause for a one-week continuance of the hearing date set by the Court on June 18, 2015 (Dkt. No. 220).

I declare under penalty of perjury that the foregoing is true and correct. Executed this 24th day of June 2015, San Francisco, C.A.

/s/ KELLY M. KLAUS KELLY M. KLAUS