

1 FRANCIS M. GREGOREK (144785)  
 gregorek@whafh.com  
 2 BETSY C. MANIFOLD (182450)  
 manifold@whafh.com  
 3 RACHELE R. RICKERT (190634)  
 rickert@whafh.com  
 4 MARISA C. LIVESAY (223247)  
 livesay@whafh.com  
 5 **WOLF HALDENSTEIN ADLER**  
**FREEMAN & HERZ LLP**  
 6 750 B Street, Suite 2770  
 San Diego, CA 92101  
 7 Telephone: 619/239-4599  
 8 Facsimile: 619/234-4599

9 *Interim Lead Counsel for Plaintiffs and the [Proposed] Class*

10 **UNITED STATES DISTRICT COURT**  
 11 **CENTRAL DISTRICT OF CALIFORNIA -**  
 12 **WESTERN DIVISION**

13 GOOD MORNING TO YOU ) Lead Case No. CV 13-04460-GHK (MRWx)  
 14 PRODUCTIONS CORP., *et al.*, )  
 15 Plaintiffs, ) **JOINT STIPULATION TO FILE**  
 ) **AMENDED PLEADINGS; [PROPOSED]**  
 ) **ORDER GRANTING STIPULATION**  
 16 v. )  
 17 )  
 18 WARNER/CHAPPELL MUSIC, )  
 INC., *et al.* )  
 19 )  
 20 Defendants. ) Room: 650  
 ) Judge: Hon. George H. King, Chief  
 21 ) Judge

22  
 23  
 24  
 25  
 26  
 27  
 28

1 WHEREAS, on November 6, 2013, Plaintiffs Good Morning to You  
2 Productions Corp., Robert Siegel; Rupa Marya; and Majar Productions, LLC  
3 (collectively “Plaintiffs”) manually filed their Third Amended Complaint (Dkt. 74);

4 WHEREAS, on December 11, 2013, Defendants Warner/Chappell Music, Inc.  
5 and Summy-Birchard, Inc. (collectively “Defendants”) answered Claim One of  
6 Plaintiffs’ Third Amended Complaint (Dkt. 79) and did not respond to Plaintiffs’  
7 other claims for relief in accordance with the Court’s October 21, 2013 Order (Dkt.  
8 71 at 4);

9 WHEREAS, a Scheduling Conference was held on March 24, 2014; and under  
10 the March 26, 2014 Order Entering Scheduling Dates, “**Any stipulation or motion**  
11 **to amend as to any claims, defenses and/or parties shall be lodged/filed by no**  
12 **later than April 24, 2014**” (Dkt. 92);

13 WHEREAS, Plaintiffs wish to amend the first sentence of Paragraph 98 of the  
14 Third Amended Complaint by filing a fourth amended complaint under Rule 15(a)(2)  
15 of the Federal Rules of Civil Procedure;

16 WHEREAS, as required by Local Rule 7-3, the parties met and conferred  
17 about the Plaintiffs’ request to file a fourth amended complaint. Defendants did not  
18 agree with the substance of the proposed amendment, and all parties have agreed to  
19 reserve their rights, but the parties nevertheless agree to Plaintiffs’ being permitted to  
20 file the fourth amended complaint, filed concurrently herewith, and to the filing of an  
21 amended answer by Defendants, all without need of further motion practice;

22 WHEREAS, Defendants have agreed they will file an answer to the fourth  
23 amended complaint within seven (7) days of the entry of the proposed order  
24 permitting the filing of Plaintiffs’ fourth amended complaint;

25 **NOW THEREFORE, IT IS HEREBY STIPULATED AND AGREED**, by  
26 and between the parties through the undersigned counsel, as follows:

1           1. Pursuant to Rule 15(a)(2) of the Federal Rules of Civil Procedure, the  
2 parties agree that Plaintiffs shall file a fourth amended complaint concurrently with  
3 this Stipulation;

4           2. Defendants shall file their answer to Claim One of Plaintiffs' fourth  
5 amended complaint within seven (7) days of the entry of the proposed order, granting  
6 the relief requested herein and need not respond to Plaintiffs' other claims for relief  
7 in accordance with the Court's October 21, 2013 Order (Dkt. 71 at 4).

8           **IT IS SO STIPULATED.**

9  
10 Dated: April 21, 2014

Respectfully submitted,

**WOLF HALDENSTEIN ADLER  
FREEMAN & HERZ LLP**

11  
12 By:           /s/Betsy C. Manifold            
13 Betsy C. MANIFOLD

14 FRANCIS M. GREGOREK  
15 gregorek@whafh.com  
16 Betsy C. MANIFOLD  
17 manifold@whafh.com  
18 RACHELE R. RICKERT  
19 rickert@whafh.com  
20 MARISA C. LIVESAY  
21 livesay@whafh.com  
22 750 B Street, Suite 2770  
23 San Diego, CA 92101  
24 Telephone: 619/239-4599  
25 Facsimile: 619/234-4599  
26  
27  
28

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28

**WOLF HALDENSTEIN ADLER  
FREEMAN & HERZ LLP**

MARK C. RIFKIN (*pro hac vice*)  
rifkin@whafh.com  
JANINE POLLACK (*pro hac vice*)  
pollack@whafh.com  
BETH A. LANDES (*pro hac vice*)  
landes@whafh.com  
GITI BAGHBAN (284037)  
baghban@whafh.com  
270 Madison Avenue  
New York, NY 10016  
Telephone: 212/545-4600  
Facsimile: 212-545-4753

*Interim Lead Counsel for Plaintiffs*

**RANDALL S. NEWMAN PC**

RANDALL S. NEWMAN (190547)  
rsn@randallnewman.net  
37 Wall Street, Penthouse D  
New York, NY 10005  
Telephone: 212/797-3737

**HUNT ORTMANN PALFFY NIEVES  
DARLING & MAH, INC.**

ALISON C. GIBBS (257526)  
gibbs@huntortmann.com  
OMEL A. NIEVES (134444)  
nieves@nieves-law.com  
KATHLYNN E. SMITH (234541)  
smith@huntortmann.com  
301 North Lake Avenue, 7th Floor  
Pasadena, CA 91101  
Telephone 626/440-5200  
Facsimile 626/796-0107

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28

**DONAHUE GALLAGHER WOODS LLP**

WILLIAM R. HILL (114954)  
rock@donahue.com  
ANDREW S. MACKAY (197074)  
andrew@donahue.com  
DANIEL J. SCHACHT (259717)  
daniel@donahue.com  
1999 Harrison Street, 25<sup>th</sup> Floor  
Oakland, CA 94612-3520  
Telephone: 510/451-0544  
Facsimile: 510/832-1486

**GLANCY BINKOW &  
GOLDBERG LLP**

LIONEL Z. GLANCY (134180)  
lglancy@glancylaw.com  
MARC L. GODINO (188669)  
mgodino@glancylaw.com  
1925 Century Park East, Suite 2100  
Los Angeles, CA 90067  
Telephone: 310/201-9150  
Facsimile: 310/201-9160

*Attorneys for Plaintiffs*

**MUNGER TOLLES & OLSON LLP**

Dated: April 21, 2014

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  
Telephone: 415/512-4000

1 GLEN POMERANTZ  
2 glenn.pomerantz@mto.com  
3 **MUNGER TOLLES & OLSON LLP**  
4 355 South Grand Ave., 35th Floor  
5 Los Angeles, CA 90071  
6 Telephone: 213/683-9100  
7 Facsimile: 213/687-3702

8 *Attorneys for Defendants Warner/Chappell*  
9 *Music, Inc. and Summy-Birchard, Inc.*

10  
11 **DECLARATION REGARDING CONCURRENCE**

12 I, Betsy C. Manifold, am the ECF/CM User whose identification and password  
13 are being used to file this **JOINT STIPULATION TO FILE AMENDED**  
14 **PLEADINGS; [PROPOSED] ORDER GRANTING STIPULATION.** In  
15 compliance with L.R. 5-4.3.4(2)(i), I hereby attest that Kelly M. Klaus has  
16 concurred in this filing's content and has authorized its filing.

17 DATED: April 21, 2014

18 By:           /s/ Betsy C. Manifold            
19 **BETSY C. MANIFOLD**

20  
21  
22  
23  
24  
25  
26  
27 WARNER/CHAPPELL 20702.stipulation  
28