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16 Attorneys for Defendants

17 **UNITED STATES DISTRICT COURT**
 18 **CENTRAL DISTRICT OF CALIFORNIA**

19
 20 DON HENLEY, MIKE CAMPBELL
 and DANNY KORTCHMAR,

21 Plaintiffs,

22 v.

23 CHARLES S. DEVORE and
 24 JUSTIN HART,

25 Defendants.

Case No. SACV09-0481 JVS (RNBx)

**JOINT STIPULATION REGARDING
 RESCHEDULING OF SETTLEMENT
 CONFERENCE**

1 WHEREAS, on July 28, 2009, the parties submitted their Joint Report Pursuant to
2 Fed. R. Civ. P. 26(f), which provides, pursuant to Local Civil Rule 16-15.4, that the
3 parties have agreed to appear before the Magistrate Judge assigned to this case for a
4 settlement conference;

5 WHEREAS, on May 25, 2010, the Court ordered the parties to file all necessary
6 documents and complete the settlement conference no later than thirty (30) days
7 following entry of the Court's order deciding the parties' summary judgment motions,
8 subject to the availability of the Magistrate Judge and any further order of the Court;

9 WHEREAS, on June 11, 2010, the Court entered its order on the parties'
10 summary judgment motions, granting Plaintiffs' motion for summary judgment on the
11 issue of copyright infringement, granting Defendants' motion for summary judgment on
12 the issue of liability under the Lanham Act, and denying both parties' motions for
13 summary adjudication on the issue of whether the copyright infringement was willful;

14 WHEREAS, a jury trial to determine whether Defendants' copyright infringement
15 was willful and the amount of damages to be awarded in connection with the copyright
16 infringement is scheduled to commence on August 3, 2010;

17 WHEREAS, pursuant to the Court's May 25, 2010 Order, the settlement
18 conference is to be completed no later than July 9, 2010, subject to the availability of
19 the Magistrate Judge and any further order of the Court;

20 WHEREAS, on June 17, 2010, the parties jointly contacted the Magistrate
21 Judge's Deputy Clerk to request that a settlement conference be scheduled for July 8,
22 2010;

23 WHEREAS, on June 18, 2010, the Magistrate Judge's Deputy Clerk confirmed
24 the availability of July 7 and July 8, 2010 as potential dates for the conference, and
25 advised the parties to submit their request for a conference date in writing, and to
26 include an alternate date for the conference;

1 WHEREAS, the parties submitted such written request for a settlement
2 conference to take place on July 8, 2010, with an alternate date of July 7, 2010;

3 WHEREAS, on June 22, 2010, the Magistrate Judge's Deputy Clerk notified
4 counsel for Plaintiffs that the Magistrate Judge was no longer available to hold the
5 settlement conference on July 7 or July 8, 2010, and that the first available date for a
6 conference is July 19, 2010;

7 WHEREAS, the parties seek to reschedule the settlement conference for the
8 afternoon of July 19, 2010 (following the pretrial conference in this case), the afternoon
9 of July 21, 2010, or as soon thereafter as the Magistrate Judge and parties are available
10 to participate in such conference;

11 NOW, THEREFORE, IT IS HEREBY STIPULATED AND AGREED by the
12 parties, through their undersigned counsel of record, subject to the Court's approval,
13 that the time for the parties to complete the settlement conference in this case is
14 extended to July 21, 2010, or as soon thereafter as the Magistrate Judge and parties are
15 available to participate in such conference.

16 Dated: June 29, 2010

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19 By: /s/ Jacqueline C. Charlesworth
Jacqueline C. Charlesworth

20 Attorneys for Plaintiffs
21 DON HENLEY, MIKE CAMPBELL and
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22 Dated: June 29, 2010

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