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12 Attorneys for Defendants Charles S. DeVore and  
 13 Justin Hart

14 **UNITED STATES DISTRICT COURT**  
 15 **CENTRAL DISTRICT OF CALIFORNIA**

16 DON HENLEY and MIKE CAMPBELL,  
 17 Plaintiffs,  
 18 v.  
 19 CHARLES S. DEVORE and JUSTIN  
 20 HART,  
 21 Defendants.

Case No. **SACV 09-0481 JVS (RNBx)**

Hon. James V. Selna

**STIPULATION RE BRIEFING  
 SCHEDULE ON DEFENDANTS'  
 MOTION TO DISMISS**

**[PROPOSED] ORDER FILED  
 CONCURRENTLY**

1 WHEREAS Defendants' deadline to respond to the Complaint is May 21, 2009;

2 WHEREAS Defendants intend to file a Motion to Dismiss pursuant to Federal Rule  
3 of Civil Procedure 12(b)(6) as to the fourth cause of action for false endorsement under the  
4 Lanham Act and the fifth cause of action for unfair competition under California's Unfair  
5 Competition Law; and

6 WHEREAS the parties have agreed upon a briefing schedule and hearing date that  
7 they believe are appropriate for a full and fair discussion of the issues to be raised in  
8 Defendants' motion to dismiss;

9 The parties through their undersigned counsel hereby stipulate and agree as follows:

10 1. Plaintiffs have up to and including June 12, 2009 to file their opposition to  
11 Defendants' motion to dismiss.

12 2. Defendants have up to and including June 22, 2009 to file their reply to  
13 Plaintiffs' opposition.

14 3. The hearing on the motion to dismiss will be set for June 29, 2009 at 1:30 p.m.  
15 in the Courtroom of the Honorable James V. Selna.

16 Dated: May 15, 2009

**TURNER GREEN AFRASIABI & ARLEDGE LLP**

17  
18 By: /s/ Christopher W. Arledge

19 Christopher W. Arledge

20 Attorneys for Defendants, Charles S. Devore and  
21 Justin Hart

22 Dated: May 15, 2009

**MORRISON & FOERSTER LLP**

23  
24 By: /s/Charles S. Barquist

25 Charles S. Barquist

26 Attorneys for Plaintiffs, Don Henley and  
27 Mike Campbell