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7 Attorneys for Reply Counterdefendant
SONY MUSIC ENTERTAINMENT,
8 erroneously sued as SONY MUSIC HOLDINGS,
INC.
9

10 UNITED STATES DISTRICT COURT
11 NORTHERN DISTRICT OF CALIFORNIA, SAN FRANCISCO DIVISION
12

13 STEVEN AMES BROWN,
14 Plaintiff,
15 v.
16 ANDREW B. STROUD, an individual,
17 Defendant.

Case Nos. CV 08-02348 JSW

**STIPULATION AND ~~PROPOSED~~
ORDER RESETTING JOINT
MANDATORY SETTLEMENT
CONFERENCE**

Date action filed: May 7, 2008
Judge : Hon. Maria-Elena James
Place : Courtroom B, 15th Floor

18 AND DEFENDANT'S RELATED
19 COUNTERCLAIMS

20 STEVEN AMES BROWN,
21 Reply Counterclaimant,
22 v.
23 ANDREW B. STROUD, and SONY MUSIC
24 HOLDINGS, INC.,
25 Reply Counterdefendants.
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LISA SIMONE KELLY, duly appointed
administrator of the Estate of Nina Simone,

Plaintiff,

v.

WALLY ROKER, an individual, and d/b/a ICU
ENT. DIST.; d/b/a WALLY ROKER MUSIC;
ANDY STROUD, INC.; and ANDREW B.
STROUD.

Defendants.

Case No.: CV 11-5822 JSW

Sony Music Entertainment, the Estate of Nina Simone, and Steven Ames Brown
(collectively, "Stipulating Parties"), by and through their respective counsel, submit the following
Stipulation and Proposed Order:

WHEREAS, Stipulating Parties have sought default judgment in the above-referenced
actions against Defendants and Counterclaimants Estate of Andrew B Stroud, Stroud Productions
and Enterprises, Inc., and Andy Stroud, Inc. (collectively, "Stroud"), with such motions currently
pending before the Hon. Jeffrey S. White;

WHEREAS, on or about June 4, 2013, the Court referred the motions seeking default
judgment to a randomly assigned Magistrate Judge to prepare a report and recommendation
(Docket No. 566 in Case No. 08:2348);

WHEREAS, disposition of those motions will affect the manner in which the various
parties approach and effectuate settlement;

WHEREAS, on or about June 5, 2013, Stroud filed Notices of Appeal to the Ninth Circuit
in the above-captioned actions;

WHEREAS, while the Stipulating Parties believe Stroud's appeals are frivolous and
improper, neither the Ninth Circuit nor the District Court has spoken on whether these Notices
will be deemed to divest the District Court of jurisdiction over these cases for the time being;

WHEREAS, counsel for the Estate of Nina Simone and representatives for Sony Music
Entertainment must travel from New York for the settlement conference, and the uncertainty of

1 whether the settlement conference will go forward given the appeals makes scheduling and travel
2 plans burdensome and difficult;

3 WHEREAS, Stipulating Parties believe that allowing time for resolution of the question of
4 whether the District Court will be divested of jurisdiction, and of the pending motions seeking
5 default judgment, will facilitate settlement, improve efficiency, and lessen the burden on the Court
6 and the parties;

7 THEREFORE, the Stipulating Parties respectfully request that the Mandatory Settlement
8 Conference currently set for June 25, 2013 be put over for approximately 90 days, until September
9 25, 2013 or such other date as may be selected by the Court and the parties.

10 **IT IS SO STIPULATED.**

11 Dated: June 11, 2013

12 Respectfully submitted,

13 /s/ Steven Ames Brown
14 STEVEN AMES BROWN,
15 Plaintiff in *Pro Se*

16 /s/ Dorothy M. Weber
17 DOROTHY M. WEBER, *pro hac vice*
18 Shukat, Arrow, Hafer, Weber &
19 Herbsman, LLP
20 Attorney for Estate of Nina Simone

21 /s/ Julia D. Greer
22 JULIA D. GREER
23 Coblentz, Patch, Duffy & Bass, LLP,
24 Attorney for Sony Music Entertainment,
25 erroneously sued as Sony Music
26 Holdings, Inc.

27 **IT IS SO ORDERED.**

28 DATED: June 12, 2013

Settlement Conference is
continued to September 25, 2013
at 10:00 a.m., in Chambers.



Hon. Maria-Elena James

Updated settlement statements are due September 18, 2013. Counsel shall serve a copy
of this Order on any parties who are not represented by counsel

Listing of counsel filing this paper:

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