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15 Attorney for Defendants  
 MICHAEL WEINER aka MICHAEL SAVAGE, and  
 16 ORIGINAL TALK RADIO NETWORK, INC.

17 UNITED STATES DISTRICT COURT  
 18 NORTHERN DISTRICT OF CALIFORNIA  
 19 SAN FRANCISCO DIVISION

20  
 21 BRAVE NEW FILMS 501(C)(4),  
 22 Plaintiff,  
 23 v.  
 24 MICHAEL WEINER aka MICHAEL SAVAGE,  
 and ORIGINAL TALK RADIO NETWORK,  
 25 INC.,  
 26 Defendants.

No. CV 08-04703 SI  
 STIPULATION AND [PROPOSED]  
 ORDER TO CONTINUE HEARING

Date: June 12, 2009  
 Time: 9:00 a.m.  
 Location: Courtroom 10  
 Honorable Susan Illston

1 Pursuant Civil L.R. 6-1(a) and Civil L.R. 7-7(a), the Parties stipulate to the  
2 following:

3 WHEREAS, on October 10, 2008, this action for declaratory judgment and  
4 damages was commenced in the United States District Court, Northern District of California;

5 WHEREAS, on January 11, 2009, defendant Michael Weiner aka Michael Savage  
6 (“Savage”) filed a Motion To Dismiss;

7 WHEREAS, on February 27, 2009, defendant Original Talk Radio Network, Inc.  
8 filed a Motion For Summary Judgment and plaintiff Brave New Films filed a Motion For Partial  
9 Summary Judgment;

10 WHEREAS, on April 15, 2009, this Court denied Savage’s Motion To Dismiss  
11 without oral argument;

12 WHEREAS, the hearing on the Parties’ summary judgment motions is currently  
13 set for May 22, 2009;

14 WHEREAS, Savage intends to notice a Motion For Summary Judgment for June  
15 12, 2009;

16 WHEREAS, for efficiency, the Parties have agreed to stipulate to having all  
17 motions heard on June 12, 2009, the same day as the currently scheduled Case Management  
18 Conference.

19 NOW THEREFORE, it is STIPULATED, AGREED AND ORDERED as  
20 follows:

21 The hearing on defendant Original Talk Radio Network, Inc.’s Motion For  
22 Summary Judgment and plaintiff Brave New Films’ Motion For Partial Summary Judgment will  
23 be continued to June 12, 2009 at 9:00 a.m.

24 Michael Savage’s Motion For Summary Judgment will be noticed for June 12,  
25 2009 at 9:00 a.m.

26 The currently scheduled Case Management Conference will remain on calendar  
27 for June 12, 2009 at 3:00 p.m.

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1 The currently scheduled hearing on Original Talk Radio Network, Inc.'s Motion  
2 For Supplemental Protective Order will remain on calendar for May 22, 2009 at 9:00 a.m..<sup>1</sup>

3  
4 DATED: April 30, 2009.

5 Bingham McCutchen LLP


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8 By: /s/ Sheila M. Pierce  
9 William F. Abrams  
10 Attorneys for Plaintiff  
11 BRAVE NEW FILMS

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14 DATED: April 30, 2009.

15 By: /s/ Benjamin Aaron Shapiro  
16 Benjamin Aaron Shapiro  
17 Attorneys for Defendant  
18 Michael Weiner aka Michael Savage and  
19 Original Talk Radio Network, Inc.

20 PURSUANT TO STIPULATION, IT IS SO ORDERED.

21 DATED: \_\_\_\_\_

22   
23 By: \_\_\_\_\_  
24 THE HONORABLE SUSAN ILLSTON  
25 UNITED STATES DISTRICT JUDGE

26  
27 <sup>1</sup> Savage anticipates joining in OTRN's current Motion For Supplemental Protective Order.  
28

**CERTIFICATION BY SHEILA M. PIERCE PURSUANT TO GENERAL ORDER NO. 45, SECTION X. RE E-FILING ON BEHALF OF MULTIPLE SIGNATORIES**

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2  
3 1. I am a lawyer licensed to practice law in the State of California, and am an  
4 associate in the law firm of Bingham McCutchen LLP, counsel for Plaintiff Brave New Films  
5 501(c)(4). The statements herein are made on my personal knowledge, and if called as a witness  
6 I could and would testify thereto.

7 2. The above e-filed document contains multiple signatures. I declare that  
8 concurrence has been obtained from each of the other signatories to file this jointly prepared  
9 document with the Court. Pursuant to General Rule No. 45, I shall maintain records to support  
10 this concurrence for subsequent production for the Court if so ordered, or for inspection upon  
11 request by a party until one year after final resolution of the action (including appeal, if any).

12 I declare under penalty of perjury under the laws of the United States of America and the  
13 State of California that the foregoing is true and correct on April 30, 2009 in East Palo Alto,  
14 California.

15  
16 /s/ Sheila M. Pierce  
17 Sheila M. Pierce  
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