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 15 MICHAEL WEINER aka MICHAEL SAVAGE, and
 ORIGINAL TALK RADIO NETWORK, INC.
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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 February 27, 2009, Defendant The Original Talk Radio Network,
6 Inc. (“OTRN”) filed a Motion for Summary Judgment, and Plaintiff Brave New Films 501(c)(4)
7 (“Brave New Films”) filed a Motion for Partial Summary Judgment;

8 WHEREAS, on May 8, 2009, Michael Weiner aka Michael Savage (“Savage”)
9 filed a Motion for Summary Judgment;

10 WHEREAS, on May 18, 2009, the Court issued an order denying OTRN’s
11 Motion for Supplemental Protective Order;

12 WHEREAS, OTRN and Savage’s Motion for Summary Judgment and Brave New
13 Films’ Motion for Partial Summary Judgment are currently set to be heard on June 12, 2009;

14 WHEREAS, the Parties have agreed to take OTRN and Savage’s Motions for
15 Summary Judgment off calendar based on the Court’s guidance in its May 18, 2009 Order,
16 subject to being reset at a later date;

17 WHEREAS, Brave New Films requests that its Motion for Partial Summary
18 Judgment remain on calendar for June 12. OTRN and Savage disagree, and believe that all
19 summary judgment motions should be heard on the same day;

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

22 The hearings on OTRN and Savage’s Motions for Summary Judgment currently
23 set for June 12, 2009, will be taken off calendar and reset at a later date in accordance with all
24 applicable rules.

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

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4 DATED: May 21, 2009

5 Bingham McCutchen LLP

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

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14 DATED: May 21, 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 By: 
23 THE HONORABLE SUSAN ILLSTON
24 UNITED STATES DISTRICT JUDGE
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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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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 May 21, 2009 in East Palo Alto,
14 California.

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