

1 IRELL & MANELLA LLP
 Richard B. Kendall (90072)
 2 Richard M. Simon (240530)
 1800 Avenue of the Stars, Suite 900
 3 Los Angeles, California 90067-4276
 Telephone: (310) 277-1010
 4 Facsimile: (310) 203-7199

5 Attorneys for Defendants
 Harmonix Music Systems, Inc.,
 6 Viacom International Inc. and Electronic Arts Inc.

7 STRANGE & CARPENTER
 Brian R. Strange (103252)
 8 Gretchen Carpenter (180525)
 12100 Wilshire Blvd, Suite 1900
 9 Los Angeles, CA 90025
 Telephone: (310) 207-5055
 10 Facsimile: (310) 826-3210

11 Attorneys for Plaintiff
 Monte Morgan

12 UNITED STATES DISTRICT COURT
 13 NORTHERN DISTRICT OF CALIFORNIA
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15 MONTE MORGAN, on behalf of himself and)
 16 all others similarly situated,)
 17 Plaintiffs,)
 18 vs.)
 19 HARMONIX MUSIC SYSTEMS, INC., a)
 corporation; MTV NETWORKS, a division of)
 20 VIACOM INTERNATIONAL, INC., a)
 corporation; ELECTRONIC ARTS INC., a)
 21 corporation; and DOES Through 10,)
 22 Defendants.)
 23)
 24)

Case No. CV 08 5211 BZ
 [Case assigned to Hon. Bernard Zimmerman]
 STIPULATION AND ~~PROPOSED~~
 ORDER TO EXTEND TIME TO RESPOND
 TO COMPLAINT

Complaint Filed: November 18, 2008

1 WHEREAS Plaintiff Monte Morgan (“Plaintiff”) filed a Complaint against Harmonix
2 Music Systems, Inc., MTV Networks, a division of Viacom International Inc., and Electronic Arts
3 Inc. (collectively, “Defendants”) on November 18, 2008.

4 WHEREAS defendant Viacom International Inc. (“Viacom”), the first of the Defendants to
5 be served, was served with the Complaint on November 25, 2008. Pursuant to Rule 12(a)(1) of
6 the Federal Rules of Civil Procedure, Viacom’s response is due on December 15, 2008.
7 Electronics Arts Inc. was served with the Complaint on November 25, 2008 and its response is
8 due on December 15, 2008. Harmonix Music Systems, Inc. was served on November 26, 2008,
9 and its response is due on December 16, 2008.

10 WHEREAS counsel for the above-referenced parties agree that the time for Defendants to
11 file a motion, answer, or otherwise respond to the Complaint shall be extended through close of
12 business on January 15, 2009.

13 WHEREAS the extension will allow for a uniform response date to the Complaint, which
14 the parties believe will serve the interests of judicial efficiency and conservation of resources.

15 IT IS HEREBY STIPULATED between the parties to this action, by and through their
16 undersigned attorney, that:

17 1. The time for Defendants to file their response to the Complaint is extended through
18 close of business on January 15, 2009. Following execution of this Stipulation, counsel for
19 Defendants shall promptly file it with the Court.

20 2. Nothing herein amounts to or shall be construed as a waiver by any Defendant of
21 any right to move to dismiss the Complaint filed in this action on any applicable grounds,
22 including without limitation, for lack of personal jurisdiction.

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1 Dated: December 9, 2008

IRELL & MANELLA LLP
Richard B. Kendall
Richard M. Simon

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By: /s/ Richard B. Kendall
Richard B. Kendall*
Attorneys for Defendants
Harmonix Music Systems, Inc., Viacom
International, Inc. & Electronic Arts Inc.

Dated: December 9, 2008

STRANGE & CARPENTER
Brian R. Strange
Gretchen Carpenter


By: /s/ Brian R. Strange
Brian R. Strange
Attorneys for Plaintiff
Monte Morgan

* I, Richard B. Kendall, am the ECF user whose ID and password are being used to file this
Stipulation and [Proposed Order]. In compliance with General Order 45.X.B, I hereby attest that
Brian R. Strange has concurred with this filing.

[PROPOSED] ORDER

Good cause appearing, IT IS HEREBY ORDERED that the time for each defendant to
move, answer, or otherwise respond to the Complaint in this Action, Case No. CV 08-5211 BZ, is
extended through January 15, 2009.

Dated: December 10, 2008



Hon. Bernard Zimmerman
Magistrate Judge, United States District Court