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12 Attorneys for Plaintiffs
 Monte Morgan and F. Jason Vasquez

13 UNITED STATES DISTRICT COURT
 14 NORTHERN DISTRICT OF CALIFORNIA
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16 MONTE MORGAN and F. JASON)
 VASQUEZ, on behalf of themselves and all)
 17 others similarly situated,)
 18 Plaintiffs,)
 19 vs.)
 20 HARMONIX MUSIC SYSTEMS, INC., a)
 corporation; MTV NETWORKS, a division of)
 21 VIACOM INTERNATIONAL, INC., a)
 corporation; ELECTRONIC ARTS INC., a)
 22 corporation; and DOES Through 10,)
 23 Defendants.)
 24)
 25)
 26)
 27)
 28)

Case No. CV 08 5211 BZ
 Case assigned to Hon. Bernard Zimmerman
 STIPULATION AND ~~PROPOSED~~ ORDER
 TO EXTEND TIME TO RESPOND TO
 FIRST AMENDED COMPLAINT
 Complaint Filed: November 18, 2008
 First Amended Complaint Filed:
 December 23, 2008

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

4 WHEREAS this Court entered an order dated December 10, 2008, providing that “the time
5 for each defendant to move, answer, or otherwise respond to the Complaint in this Action, Case
6 No. CV 08-5211 BZ, is extended through January 15, 2009.”

7 WHEREAS Defendants served counsel for Plaintiffs with a Civil Code § 1782(e)
8 Compliance Communication on December 18, 2008 addressing possible resolution of Plaintiffs’
9 claims under the California Consumer Legal Remedies Act, California Civil Code Section 1780 *et*
10 *seq.*

11 WHEREAS Plaintiffs filed a First Amended Complaint against Defendants on December
12 23, 2008.

13 WHEREAS counsel for Defendants and counsel for Plaintiffs have been in communication
14 regarding a possible resolution of this case.

15 WHEREAS the extension will allow for further communications between counsel for
16 Plaintiffs and counsel for Defendants in order to pursue a possible resolution of this case, which
17 the parties believe will serve the interests of judicial efficiency and conservation of resources.

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

20 1. The time for Defendants to file their response to the First Amended Complaint is
21 extended through close of business on January 29, 2009. Following execution of this Stipulation,
22 counsel for Defendants shall promptly file it with the Court.

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

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1 Dated: January 8, 2009

IRELL & MANELLA LLP
Richard B. Kendall
Richard M. Simon
Julie A. Mandelsohn

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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.

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9 Dated: January 8, 2009

STRANGE & CARPENTER
Brian R. Strange
Gretchen Carpenter

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By: /s/ Brian R. Strange
Brian R. Strange
Attorneys for Plaintiffs
Monte Morgan & F. Jason Vasquez

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* 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.

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~~PROPOSED~~ ORDER

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Good cause appearing, IT IS HEREBY ORDERED that the time for each defendant to
move, answer, or otherwise respond to the First Amended Complaint in this Action, Case No. CV
08-5211 BZ, is extended through January 29, 2009.

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Dated: January 8, 2009



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Hon. Bernard Zimmerman
Magistrate Judge, United States District Court

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