

1 Laurence D. King (SBN 206423)  
 Linda M. Fong (SBN 124232)  
 2 KAPLAN FOX & KILSHEIMER LLP  
 350 Sansome Street, Suite 400  
 3 San Francisco, CA 94104  
 Telephone: 415-772-4700  
 4 Facsimile: 415-772-4707  
 Email: [lking@kaplanfox.com](mailto:lking@kaplanfox.com)  
 5 [lfong@kaplanfox.com](mailto:lfong@kaplanfox.com)

6 Robert N. Kaplan (Admitted *Pro Hac Vice*)  
 Linda P. Nussbaum (Admitted *Pro Hac Vice*)  
 7 Jason A. Zweig (Admitted *Pro Hac Vice*)  
 Susan R. Schwaiger (Admitted *Pro Hac Vice*)  
 8 KAPLAN FOX & KILSHEIMER LLP  
 850 Third Avenue, 14th Floor  
 9 New York, NY 10022  
 Telephone: 212-687-1980  
 10 Facsimile: 212-687-7714  
 E mail: [rkaplan@kaplanfox.com](mailto:rkaplan@kaplanfox.com)  
 11 [lnussbaum@kaplanfox.com](mailto:lnussbaum@kaplanfox.com)  
 12 [jzweig@kaplanfox.com](mailto:jzweig@kaplanfox.com)  
[sschwaiger@kaplanfox.com](mailto:sschwaiger@kaplanfox.com)

13 *Attorneys for Plaintiff CMP Consulting Services, Inc.*

14 [Additional counsel listed on signature block]

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

19 CMP CONSULTING SERVICES, INC., on behalf of itself and all others similarly 20 situated  21 Plaintiff,  22 v.  23 SONY CORPORATION; et al.  24 Defendants. 25	) Case No.: C 09-05114 VRW ) ) CLASS ACTION ) ) <b>STIPULATION RE EXTENSION OF TIME</b> ) <b>FOR DEFENDANT PHILIPS LITE-ON</b> ) <b>DIGITAL SYSTEMS TO RESPOND TO</b> ) <b>COMPLAINT; [PROPOSED] ORDER</b> ) <b>EXTENDING TIME TO RESPOND TO</b> ) <b>COMPLAINT</b>
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 STIPULATION RE EXTENSION OF TIME FOR DEFENDANT PHILIPS LITE-ON DIGITAL SYSTEMS TO  
 RESPOND TO COMPLAINT; [PROPOSED] ORDER EXTENDING TIME TO RESPOND TO COMPLAINT,  
 Case No. C 09-05114 VRW

1 WHEREAS the undersigned plaintiff has filed the above-captioned case;

2 WHEREAS plaintiff alleges antitrust violations by manufacturers, distributors, and  
3 sellers of Optical Disk Drives and products containing Optical Disk Drives (collectively  
4 “ODD products”);

5 WHEREAS at least four complaints have been filed to date in federal district courts  
6 throughout the United States by plaintiffs purporting to bring class actions on behalf of  
7 direct purchasers alleging antitrust violations by manufacturers, distributors, and sellers of  
8 ODD products (collectively “the ODD Cases”);

9 WHEREAS plaintiff anticipates the possibility of Consolidated Amended Complaints  
10 in the ODD Cases;

11 WHEREAS plaintiff and Philips Lite-On Digital Solutions, U.S.A., Inc. (“PLDS  
12 U.S.A.”) have agreed that an orderly schedule for any response to the pleadings in the ODD  
13 Cases would be more efficient for the parties and for the Court;

14 WHEREAS plaintiff agrees that the deadline for PLDS U.S.A. to answer, move, or  
15 otherwise respond to its Complaint shall be extended until the earliest of the following  
16 dates: (1) forty-five days after the filing of a Consolidated Amended Complaint in the ODD  
17 Cases; or (2) forty-five days after plaintiff provides written notice to PLDS U.S.A. that  
18 plaintiff does not intend to file a Consolidated Amended Complaint; or (3) any earlier  
19 response date to which PLDS U.S.A. agrees or by which it is ordered to respond in any  
20 ODD case;

21 WHEREAS this Stipulation does not constitute a waiver by PLDS U.S.A. of any  
22 defense, including but not limited to the defenses of lack of personal jurisdiction, subject  
23 matter jurisdiction, improper venue, sufficiency of process or service of process;

24 PURSUANT TO LOCAL RULE 6-1(a), PLAINTIFF AND DEFENDANT  
25 PLDS U.S.A., BY AND THROUGH THEIR RESPECTIVE  
26 COUNSEL OF RECORD, HEREBY STIPULATE AS FOLLOWS:

1            1.        The deadline for PLDS U.S.A. to answer, move, or otherwise respond to  
2 plaintiff's Complaint shall be extended until the earliest of the following dates: (1) forty-five  
3 days after the filing of a Consolidated Amended Complaint in the ODD Cases; or (2) forty-  
4 five days after plaintiff provides written notice to PLDS U.S.A. that plaintiff does not intend  
5 to file a Consolidated Amended Complaint; or (3) any earlier response date to which PLDS  
6 U.S.A. agrees or by which it is ordered to respond in any ODD case.

7            2.        This Stipulation does not constitute a waiver by PLDS U.S.A., or any other  
8 named defendant joining the Stipulation of any defense, including but not limited to the  
9 defenses of lack of personal jurisdiction, subject matter jurisdiction, improper venue,  
10 sufficiency of process or service of process.

11 DATED: November 24, 2009

Respectfully submitted,

12  
13 By: \_\_\_\_\_ /s/

14 Laurence D. King (SBN 206423)  
15 Linda M. Fong (SBN 124232)  
16 KAPLAN FOX & KILSHEIMER LLP  
17 350 Sansome Street, Suite 400  
18 San Francisco, CA 94104  
19 Telephone: 415-772-4700  
20 Facsimile: 415-772-4707  
21 Email: [lking@kaplanfox.com](mailto:lking@kaplanfox.com)  
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27 KAPLAN FOX & KILSHEIMER LLP  
28 850 Third Avenue, 14th Floor  
New York, NY 10022  
Telephone: 212-687-1980  
Facsimile: 212-687-7714  
E mail: [rkaplan@kaplanfox.com](mailto:rkaplan@kaplanfox.com)  
[lnussbaum@kaplanfox.com](mailto:lnussbaum@kaplanfox.com)  
[jzweig@kaplanfox.com](mailto:jzweig@kaplanfox.com)  
[sschwaiger@kaplanfox.com](mailto:sschwaiger@kaplanfox.com)

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Michael E. Criden  
Kevin B. Love  
CRIDEN & LOVE, P.A.  
7301 S.W. 57th Court, Suite 515  
South Miami, FL 33143  
Telephone: (305) 357-9010  
Facsimile: (305) 357-9050  
Email: [mcriden@cridenlove.com](mailto:mcriden@cridenlove.com)  
[klove@cridenlove.com](mailto:klove@cridenlove.com)

*Attorneys for Plaintiff CMP Consulting Services, Inc.*

DATED: November 24, 2009

/s/  
\_\_\_\_\_  
David Lisi  
HOWREY LLP  
1950 University Avenue, 4th Floor  
East Palo Alto, California 94303  
Telephone: 650.798.3500  
Facsimile: 650.798.3600  
Email: [lisid@howrey.com](mailto:lisid@howrey.com)

*Attorneys for Defendant Philips Lite-On Digital Systems, U.S.A.*

**ATTESTATION**

I, Linda M. Fong, the ECF User whose identification and password are being used to electronically file this document hereby attest, in compliance with General Order 45.X.B, that David Lisi has concurred in its filing and that Mr. Lisi's signature, indicated by a conformed signature ("/s/") within this e-filed document, will be kept on file.

DATED: November 24, 2009  
/s/  
\_\_\_\_\_  
Linda M. Fong

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~~PROPOSED~~ ORDER

PURSUANT TO STIPULATION, IT IS SO ORDERED.

Dated: 12/7/2009



**PROOF OF SERVICE**


I, Adrianna D. Gutierrez, declare that I am over the age of eighteen (18) and not a party to the within action. I am employed in the law firm of Kaplan Fox & Kilsheimer LLP, 350 Sansome Street, Suite 400, San Francisco, California 94104.

On November 24, 2009, I used the Northern District of California's Electronic Case Filing System, with the ECF registered to Linda M. Fong to file following document(s):

**STIPULATION RE EXTENSION OF TIME FOR DEFENDANT PHILIPS LITE-ON DIGITAL SYSTEMS TO RESPOND TO COMPLAINT; [PROPOSED] ORDER EXTENDING TIME TO RESPOND TO COMPLAINT**

The ECF system is designed to send an e-mail message to all parties in the case, which constitutes service.

Executed November 24, 2009, at San Francisco, California.

  
Adrianna D. Gutierrez