

1 ALAN KORN, SBN 167933  
 LAW OFFICE OF ALAN KORN  
 2 1840 Woolsey Street  
 Berkeley, California 94703  
 3 Ph. (510) 548-7300  
 4 Fax: (510) 540-4821

5 *Attorney for Plaintiffs Penelope Houston, James Wilsey,*  
 6 *Daniel O'Brien and Greg Ingraham*

7 RICHARD J. IDELL, ESQ. (SBN 069033)  
 ORY SANDEL, ESQ. (SBN 233204)  
 8 IDELL & SEITEL LLP  
 465 California Street, Suite 300  
 9 San Francisco, CA 94104  
 Telephone: (415) 986-2400  
 10 Facsimile: (415) 392-9259

11 ANTHONY R. BERMAN, ESQ. (SBN 160634)  
 12 BERMAN ENTERTAINMENT AND TECHNOLOGY LAW  
 235 Montgomery St., Ste 760  
 13 San Francisco, CA 94104  
 Telephone: (415) 816-9623  
 14 Facsimile: (415) 421-2355

15 *Attorneys for Defendant David Ferguson*

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 17 **UNITED STATES DISTRICT COURT**  
 18 **NORTHERN DISTRICT OF CALIFORNIA**

19	PENELOPE HOUSTON, an individual, GREG	)	Case No. C10-01881 JSW
20	INGRAHAM, an individual, JAMES	)	
21	WILSEY, an individual, and DANIEL	)	<b>STIPULATION AND [PROPOSED]</b>
22	O'BRIEN, an individual,	)	<b>ORDER RE: SEVENTH EXTENSION</b>
	Plaintiffs,	)	<b>OF TIME TO FILE RESPONSE TO</b>
		)	<b>SECOND AMENDED COMPLAINT</b>
23	v.	)	<b>Hon. Jeffrey S. White, Presiding</b>
24	DAVID FERGUSON, an individual dba CD	)	(E-Filing)
25	PRESENTS, BURIED TREASURE MUSIC	)	
26	and ANARCHY ANTHEMS; BURIED	)	
27	TREASURE MUSIC, BURIED TREASURE	)	
28	INC., a Corporation of unknown jurisdiction;	)	
	INDEPENDENT ONLINE DISTRIBUTION	)	
	ALLIANCE, INC., a California Corporation;	)	

TUNECORE, INC., a Delaware Corporation;	)
and RHAPSODY INTERNATIONAL, INC., a	)
Delaware Corporation,	)
Defendants.	)

Pursuant to Rule 6(b) of the Federal Rules of Civil Procedure and Rule 6-1(a) of the Civil Local Rules of the United States District Court, Northern District of California, Plaintiffs PENELOPE HOUSTON, an individual, GREG INGRAHAM, an individual, JAMES WILSEY, an individual, and DANIEL O'BRIEN, an individual (collectively, "Plaintiffs"), on the one hand, and Defendant DAVID FERGUSON, an individual ("Defendant"), on the other hand, hereby agree and stipulate as follows:

WHEREAS, Plaintiffs filed a Second Amended Complaint on January 21, 2011; and

WHEREAS, Plaintiff and Defendant Ferguson previously stipulated, and this Court ordered on April 29, 2011, that Defendant Ferguson's response to the Second Amended Complaint is due by May 23, 2011; and

WHEREAS, this is the seventh request for extension of the date by which Defendant shall file a responsive pleading; and

WHEREAS, the parties are actively engaged in settlement discussions and negotiation of a settlement agreement in an attempt to resolve their dispute; and

WHEREAS, Rule 6-1(a) of the Civil Local Rules of the United States District Court, Northern District of California, permits the parties to extend the time within which to answer or otherwise respond to a complaint by stipulation in writing and without a Court order, provided the change will not alter the date of any event or any deadline already fixed by Court order; and

WHEREAS, Plaintiffs and Defendant agree that the extension of time for Defendant to file a responsive pleading to the Second Amended Complaint will not alter the date of any event or any deadline already fixed by Court order; and

WHEREAS, Plaintiffs and Defendant agree that the date by which Defendant shall file a responsive pleading should be extended to June 13, 2011, to allow the parties time to discuss settlement and complete the settlement agreement;

