

1 David M. Given (State Bar No. 142375)
 2 dm@phillaw.com
 3 Nicholas A. Carlin (State Bar No.
 4 112532)
 5 nac@phillaw.com
 6 Alexander H. Tuzin (State Bar No.
 7 267760)
 8 aht@phillaw.com
 9 PHILLIPS, ERLEWINE & GIVEN LLP
 10 50 California Street, 35th Floor
 11 San Francisco, CA 94111
 12 Telephone: 415-398-0900
 13 Facsimile: 415-398-0911

14 *Attorneys for Plaintiff*

15 Jeffrey D. Goldman (State Bar No. 155589)
 16 jgoldman@jmbm.com
 17 Ryan S. Mauck (State Bar No. 223173)
 18 rmauck@jmbm.com
 19 Brian M. Yates (State Bar No. 241798)
 20 byates@jmbm.com
 21 JEFFER MANGELS BUTLER & MITCHELL
 22 LLP
 23 1900 Avenue of the Stars, Seventh Floor
 24 Los Angeles, California 90067-4308
 25 Telephone: 310-203-8080
 26 Facsimile: 310-203-0567

27 *Attorneys for Defendant*

28 UNITED STATES DISTRICT COURT
 NORTHERN DISTRICT OF CALIFORNIA

1 RICK JAMES, by and through THE JAMES
 2 AMBROSE JOHNSON, JR., 1999 TRUST, his
 3 successor in interest, individually and on
 4 behalf of all others similarly situated,

5 Plaintiff,

6 vs.

7 UMG RECORDINGS, INC., a Delaware
 8 corporation,

9 Defendant.

10 Case No. CV 11-01613 SI

11 **STIPULATION AND [PROPOSED]
 12 ORDER CONTINUING CASE
 13 MANAGEMENT CONFERENCE**

14 The Honorable Susan Illston

1 Plaintiff in the above-captioned action and Defendant UMG Recordings, Inc., by and
2 through their counsel, hereby stipulate as follows:

3 WHEREAS, Plaintiff in this case filed its complaint on April 1, 2011;

4 WHEREAS, on June 1, 2011, the Court issued an Order relating the case entitled *Rob*
5 *Zombie et al. v. UMG Recordings, Inc.*, Case No. CV 11-02431 SI (the “Zombie Action”), to this
6 case;

7 WHEREAS, a further Case Management Conference is currently scheduled in this case,
8 as well as in the Zombie Action, for October 14, 2011 at 3:00 p.m.;

9 WHEREAS, due to prior-scheduled commitments, counsel for Plaintiff are unavailable for
10 a Case Management Conference on October 14, 2011, and the parties therefore wish to continue
11 the upcoming further Case Management Conference to the next date that is available for the Court
12 and the parties;

13 WHEREAS, the parties therefore jointly and respectfully request that the Court continue
14 the upcoming further Case Management Conference until November 4, 2011 at 3:00 p.m.;

15 WHEREAS, the purpose of this request is not for delay;

16 WHEREAS, the requested continuance will not alter any other deadlines set by the Court;

17 WHEREAS, concurrent with the filing of this stipulation, the parties in the Zombie Action
18 are filing a similar request to continue the Case Management Conference in that case to the same
19 date, November 4, 2011 at 3:00 p.m.;

20 IT IS HEREBY STIPULATED THAT:

21 1. The parties respectfully request that the upcoming further Case Management
22 Conference be continued from October 14, 2011 until November 4, 2011 at 3:00 p.m.

23
24 IT IS SO STIPULATED.
25
26
27
28

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

[PROPOSED] ORDER

IT IS HEREBY ORDERED, pursuant to the Stipulation between the parties, that:

1. The upcoming further Case Management Conference is continued until November 4, 2011 at 3:00 p.m.

PURSUANT TO STIPULATION, IT IS SO ORDERED.

DATED: 10/6/11



The Honorable Susan Illston
United States District Judge

941085.1