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 8 Joe Quirk

9 UNITED STATES DISTRICT COURT  
 10 NORTHERN DISTRICT OF CALIFORNIA  
 11 SAN FRANCISCO DIVISION

13	JOE QUIRK,	)	Case No. 3:11-CV-03773 RS
14	Plaintiff,	)	<b>STIPULATION AND <del>PROPOSED</del></b> <b>ORDER RE RESPONSES TO FIFTH</b> <b>AMENDED COMPLAINT</b> <b>[L.R. 6-1(b)]</b>
15	vs.	)	
16	SONY PICTURES ENTERTAINMENT INC., et al.,	)	
17	Defendants.	)	Trial Date: March 25, 2013
18		)	Complaint Filed: August 1, 2011
19		)	FAC Filed: September 28, 2011
20		)	SAC Filed: November 28, 2011
21		)	TAC Filed: February 29, 2012
22		)	4AC Filed: August 1, 2012
23		)	5AC Filed: November 30, 2012
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**STIPULATION AND ~~PROPOSED~~ ORDER RE RESPONSES TO FIFTH  
 AMENDED COMPLAINT [L.R. 6-1(b)]; CASE NO. 3:11-CV-03773 RS**

1 Pursuant to Northern District of California Local Rule 6-1(b), plaintiff Joe Quirk  
2 (“plaintiff”) and defendants Sony Pictures Entertainment Inc. (“Sony”), Columbia Pictures  
3 Industries, Inc. (“Columbia”), Pariah, David Koepp, and DGK, Inc. (“DGK”) (collectively,  
4 “defendants”), by and through their undersigned attorneys, hereby stipulate as follows:

5 **STIPULATION**

6 1. On November 30, 2012, plaintiff filed a Fifth Amended Complaint (“5AC”)  
7 that added new defendant DGK to all claims for relief in the Fourth Amended Complaint  
8 (“4AC”);

9 2. The 5AC did not amend any substantive allegations against earlier defendants  
10 Sony, Columbia, Pariah, and Koepp, all of whom had already answered the 4AC on August  
11 18, 2012;

12 3. Plaintiff and defendants agree that defendants Sony, Columbia, Pariah, and  
13 Koepp’s answers to the 4AC should also be construed as answers to plaintiff’s allegations in  
14 the 5AC. Therefore, plaintiff and defendants agree that defendants Sony, Columbia, Pariah,  
15 and Koepp shall not be required to file separate answers to the 5AC; and

16 4. Plaintiff and defendants further agree that defendant DGK will file a  
17 responsive pleading to the 5AC by December 21, 2012.

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1           5.       This stipulation does not prejudice any party and does not affect any other  
2 matters or deadlines set by the Court.

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4           **IT IS SO STIPULATED.**

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6 Dated: December 12, 2012.

VALLE MAKOFF LLP

7 By: /s/ Heather A. Landis

8 Heather A. Landis  
9 Attorneys for Plaintiff  
10 Joe Quirk

11  
12 Dated: December 12, 2012.

CALDWELL LESLIE & PROCTOR, PC

13 By: /s/ Andrew Esbenshade

14 Andrew Esbenshade  
15 Attorneys for Defendants  
16 Sony Pictures Entertainment Inc.; Columbia  
17 Pictures Industries, Inc.; Pariah; David Koepp;  
18 and DGK, Inc.

19           **PURSUANT TO STIPULATION, IT IS SO ORDERED.**

20  
21 Dated: 12/12, 2012



22 HONORABLE RICHARD SEEBORG  
23 District Court Judge