

1 James F. Basile (SBN 228965)
 james.basile@kirkland.com
 2 Mark E. McKane (SBN 230552)
 mark.mckane@kirkland.com
 3 KIRKLAND & ELLIS LLP
 555 California Street
 4 San Francisco, California 94104
 Telephone: (415) 439-1400
 5 Facsimile: (415) 439-1500

6 Attorneys for Defendants
 7 TEXTRON INC., BELL HELICOPTER
 8 TEXTRON INC., and TEXTRON
 INNOVATIONS, INC.

9 *Additional counsel listed on signature block*

10
 11 **UNITED STATES DISTRICT COURT**
 12 **NORTHERN DISTRICT OF CALIFORNIA**
 13 **SAN FRANCISCO DIVISION**

14
 15 ELECTRONIC ARTS INC.,

16 Plaintiff,

17 vs.

18 TEXTRON INC., BELL HELICOPTER
 19 TEXTRON INC., and TEXTRON
 INNOVATIONS INC.,

20 Defendants.

CASE NO. 12-CV-0118-WHA

Hon. William Alsup

**STIPULATED ~~PROPOSED~~ ORDER
 EXTENDING DEADLINES**

Complaint Filed: Jan. 6, 2012

21
 22 WHEREAS, on January 6, 2012, Electronic Arts Inc. (“EA”) filed the Complaint against
 23 Textron Inc. (“Textron”), Bell Helicopter Textron Inc. (“Bell”), and Textron Innovations Inc.
 24 (“Textron Innovations”) currently before this Court;

25 WHEREAS, on January 30, 2012, the parties in this action agreed to extend the Defendants’
 26 time to respond to EA’s complaint until February 29, 2012;

27 WHEREAS, on February 23, 2012 this Court entered an order approving the withdrawal of
 28 Jones Day and the substitution of Kirkland & Ellis LLP as counsel for Defendants;

1 WHEREAS, on February 24, 2012, Textron Innovations and Bell filed a complaint in the
2 Northern District of Texas alleging trademark, trade dress, and certain other claims against EA
3 (“Texas Action”);

4 WHEREAS, on February 29, 2012, Defendants in this action file a Motion to Dismiss or, in
5 the Alternative, Stay or Transfer this action to the Northern District of Texas (“Defendants’ Forum
6 Motion”), a hearing for Defendants’ Forum Motion has been noticed for April 26, 2012, and EA
7 intends to oppose Defendants’ Forum Motion;

8 WHEREAS, on or before March 19, 2012, EA intends to file in the Northern District of
9 Texas a motion to transfer the Texas Action to this Court (“EA’s Forum Motion”);

10 WHEREAS, the Initial Case Management Conference in this matter is currently scheduled
11 for April 5, 2012; the joint case management statement is due on March 29, 2012; and the parties’
12 Rule 26 meet-and-confer and ADR obligations are due on March 13, 2012 pursuant to this Court’s
13 January 6, 2012 Order;

14 WHEREAS, the parties agree that resolution of the venue and forum issues raised in
15 Defendants’ Forum Motion and EA’s Forum Motion prior to substantive litigation in either forum
16 will best promote efficiency and conserve judicial resources, and the parties intend to file a similar
17 timing stipulation in the Northern District of Texas;

18 WHEREAS, the parties believe that the stipulated time changes below will not affect the
19 current schedule aside from revised deadlines reflected below;

20 IT IS HEREBY STIPULATED THAT:

21 1. The deadline for Defendants to respond to EA’s Complaint by answer or Rule 12(b)
22 motion shall be 10 days from the entry of any order denying Defendants’ Forum Motion;

23 2. The deadline for the parties to satisfy their Rule 26 meet-and-confer and ADR
24 obligations referenced in this Court’s January 6, 2012 Order shall be 20 days from the entry of any
25 order denying Defendants’ Forum Motion;

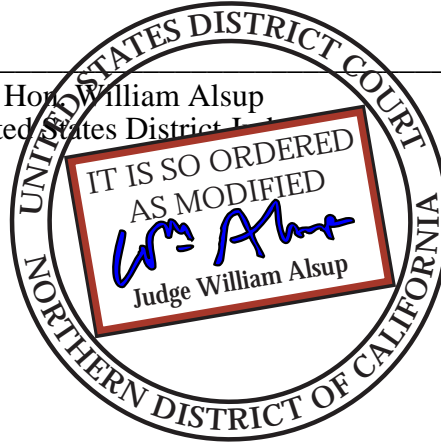
26 3. The Initial Case Management Conference shall be rescheduled for 45 days from the
27 entry of any order denying Defendants’ Forum Motion, or at such later time as is convenient for the
28 Court;

1 ~~PURSUANT TO STIPULATION, IT IS SO ORDERED.~~

2 The case management is continued to May 10, 2012, at 11:00 a.m. A joint case management
3 statement is due at least seven days prior. All initial deadlines are extended accordingly.

4 DATED: March 7, 2012.

5 _____
6 The Hon. William Alsup
7 United States District Judge



8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

1 **ATTESTATION PURSUANT TO GENERAL ORDER 45**

2

3 I, Mark E. McKane, attest that concurrence in the filing of this document has been obtained

4 from the signatories. I declare under penalty of perjury that the foregoing is true and correct.

5

6 DATED: March 6, 2012

KIRKLAND & ELLIS LLP

7 /s/ Mark E. McKane

8 Mark E. McKane

9 Mark E. McKane (SBN 230552)
10 mark.mckane@kirkland.com
11 KIRKLAND & ELLIS LLP
12 555 California Street
13 San Francisco, California 94104
14 Telephone: (415) 439-1400
15 Facsimile: (415) 439-1500

16

17

18

19

20

21

22

23

24

25

26

27

28

CERTIFICATE OF SERVICE

I hereby certify that the foregoing document was filed electronically with the Clerk of the Court using the CM/ECF system, which will send notification of such filing to the e-mail addresses registered for service, and I hereby certify that I caused the foregoing documents to be mailed via the United States Postal Service to the non-CM/ECF participants indicated on the Manual Notice List.

DATED: March 6, 2012

/s/ Mark E. McKane

Mark E. McKane