

1 DAVID R. EBERHART (S.B. #195474)  
 2 deberhart@omm.com  
 3 DAVID J. SEPANIK (S.B. #221527)  
 4 dsepanik@omm.com  
 5 O'MELVENY & MYERS LLP  
 6 Two Embarcadero Center, 28th Floor  
 7 San Francisco, CA 94111-3823  
 8 Telephone: (415) 984-8700  
 9 Facsimile: (415) 984-8701

10 Attorneys for Defendant  
 11 Apple Inc.

12 **UNITED STATES DISTRICT COURT**  
 13 **NORTHERN DISTRICT OF CALIFORNIA**

14 TOM LUCE, BRIAN KROLL, MATT  
 15 BLACKETT, LAWRENCE RIGGS,

16 Plaintiffs,

17 v.

18 SELENA GOMEZ, SELENA GOMEZ &  
 19 THE SCENE, LINDY ROBBINS, TOBY  
 20 GAD, HOLLYWOOD RECORDS, INC., a  
 21 California Corporation, HEY KIDDO  
 22 MUSIC, GAD SONGS, LLC, a Limited  
 23 Liability Company, APPLE INC., a  
 24 California Corporation, EMI APRIL  
 25 MUSIC, INC., a Connecticut Corporation,  
 26 and KOBALT MUSIC SERVICES  
 27 AMERICA, INC., a Delaware Corporation.

28 Defendants.

Case No. CV12-2063 MMC

**STIPULATION TO EXTEND TIME TO  
 RESPOND TO COMPLAINT**

**Original response date: May 29, 2012**  
**Current response date: July 27, 2012**  
**New response date: August 10, 2012**

1                   WHEREAS, Plaintiffs Tom Luce, Brian Kroll, Matt Blackett, and Lawrence Riggs  
2 (Plaintiffs) filed this action against, among others, Defendants Apple Inc., (Apple) and  
3 Hollywood Records, Inc. (Hollywood Records), and a response was originally due May 29, 2012;

4                   WHEREAS, on May 25, 2012, pursuant to Local Rule 6-1, the Plaintiffs and  
5 Apple agreed to extend the time within which Apple must answer or otherwise respond to the  
6 Complaint until June 28, 2012;

7                   WHEREAS, on May 29, 2012, pursuant to Local Rule 6-1, the Plaintiffs and  
8 Hollywood Records agreed to extend the time within which Hollywood Records must answer or  
9 otherwise respond to the Complaint until July 2, 2012;

10                  WHEREAS, on June 26, 2012, pursuant to Local Rule 6-1, the Plaintiffs and  
11 Apple, and the Plaintiffs and Hollywood Records, agreed to extend the time within which Apple  
12 and Hollywood Records must answer or otherwise respond to the Complaint until July 27, 2012;

13                  WHEREAS, pursuant to Local Rule 6-1, the Plaintiffs and Apple, and the  
14 Plaintiffs and Hollywood Records, have respectively agreed to extend the time within which  
15 Apple and Hollywood Records must answer or otherwise respond to the Complaint until August  
16 10, 2012 so that the parties can continue their attempt to resolve this matter outside of the  
17 courtroom. This extension will not alter the date of any event or any deadline already fixed by  
18 Court order;

19                  NOW, THEREFORE, Plaintiffs, Apple, and Hollywood Records, through their  
20 respective counsel, hereby stipulate as follows:

21                  Defendant Apple Inc. and Defendant Hollywood Records, Inc. in the above-  
22 entitled matter shall have until August 10, 2012, to answer or otherwise respond to the Complaint.

1 Dated: July 25, 2012

Respectfully submitted,

2

O'MELVENY & MYERS LLP

3

4

By: /s/ David R. Eberhart

5

David R. Eberhart

6

Attorneys for Defendant

Apple Inc.

7

Dated: July 25, 2012

Respectfully submitted,

8

PHILLIPS, ERLEWINE & GIVEN LLP

9

10

By: /s/ Nicholas A. Carlin

11

Nicholas A. Carlin

12

Attorneys for Plaintiffs

Tom Luce, Brian Kroll, Matt Blackett,

Lawrence Riggs

13

Dated: July 25, 2012

Respectfully submitted,

14

15

16

By: /s/ Karen N. Frederiksen

17

Karen N. Frederiksen

Attorney for Defendant

Hollywood Records, Inc.

18

19

**ATTESTATION**

20

Pursuant to General Order No. 45X(B), I hereby attest that concurrence in the filing of this document has been obtained from each of the above-listed signatories.

21

22

23

24

DATED: July 25, 2012

By: /s/ David R. Eberhart

25

David R. Eberhart

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 ORDEER**

Upon stipulation of the parties and good cause appearing therefore, IT IS SO ORDERED.

DATED: July 26, 2012

  
\_\_\_\_\_  
HON. MAKINE M. CHESNEY  
UNITED STATES DISTRICT COURT JUDGE