1		
2		
3		
4		
5		
6		
7		
8	UNITED STATES	DISTRICT COURT
9	NORTHERN DISTRI	CT OF CALIFORNIA
10	SAN FRANCI	SCO DIVISION
11	IN RE OPTICAL DISK DRIVE PRODUCTS	MDL No. 2143
12	ANTITRUST LITIGATION	
13	This document relates to:	CASE NO. 3:13-cv-1877-RS
14	STATE OF FLORIDA, OFFICE OF THE	STIPULATION AND [PROPOSED] ORDER REGARDING THE SCHEDULE
15	ATTORNEY GENERAL, DEPARTMENT OF LEGAL AFFAIRS,	FOR ANY AMENDMENT OF THE STATE OF FLORIDA'S COMPLAINT AND
16	Plaintiff,	DEFENDANTS' RESPONSES
17	V.	
18	HITACHI-LG DATA STORAGE, INC., et al.	
19	Defendants.	
20		
21		
22		
23		
24		
25		
26		
27		
28		
LATHAM®WATKINS Attorneys At Law San Francisco		Stipulation and [Proposed] Order re Schedule for Any Amendment of Florida Complaint

MDL No. 2143; CASE NO. 3:13-cv-1877-RS

1	WHEREAS, on January 10, 2014, this Court entered the Stipulation and Order Regarding	
2	Defendants' Responses to the State of Florida's Amended Complaint for Damages, Civil	
3	Penalties, Injunctive Relief which, among other things, ordered the parties to work in good faith	
4	to agree upon and submit a schedule for Defendants to file an answer in this action, if necessary,	
5	following the resolution of Defendants' motion to dismiss (Dkt. 23);	
6	WHEREAS, on April 8, 2014, this Court dismissed Count III of Florida's Complaint with	
7	leave to amend. (Order Granting in Part and Denying in Part Motion to Dismiss State of Florida's	
8	Complaint, Dkt. 28);	
9	WHEREAS, Florida is presently evaluating whether to file a second amended complaint;	
10	and	
11	WHEREAS, the undersigned parties have conferred and agree on the below schedule.	
12	It is therefore STIPULATED and AGREED that:	
13	(i) Florida may have until May 19, 2014 to file a second amended complaint;	
14	(ii) Defendants may then have 30 days from that date, until June 18, 2014, to file their	
15	responses to the second amended complaint (or the Florida Amended Complaint (Dkt. 11) if	
16	Florida elects not to file a second amended complaint); and	
17	(iii) To the extent any Defendant or Defendants move to dismiss, in whole or in part,	
18	any second amended complaint filed by Florida, pursuant to Federal Rule of Civil Procedure 12	
19	or otherwise, those moving Defendants shall not be required to file an answer to that second	
20	amended complaint, if at all, until after the Court rules on any such motion. The parties further	
21	agree to negotiate in good faith and submit to the court a schedule for any such moving	
22	Defendants to file an answer, if necessary.	
23	IT IS SO STIPULATED.	
24	DATED: April 18, 2014 STATE OF FLORIDA	
25	By /s/Lizabeth A Brady	
26	By <u>/s/ Lizabeth A. Brady</u> LIZABETH A. BRADY	
27	Office of the Attorney General State of Florida	
28	PL-01, The Capitol	
LATHAM®WATKINS Attorneys At Law San Francisco	1 Stipulation and [Proposed] Order re Schedule for Any Amendment of Florida Complaint	

Schedule for Any Amendment of Florida Complaint MDL No. 2143; CASE NO. 3:13-cv-1877-RS

LATHAM&WATKINS Attorneys At Law San Francisco		Stipulation and [Proposed] Order re Schedule for Any Amendment of Florida Complaint
28		2
27		
20		Facsimile: (202) 508-4650 mark.popofsky@ropesgray.com
26		Telephone: (202) 508-4600
25		700 12th Street NW, Suite 900 Washington, DC 20005-3948
24		One Metro Center
23		MARK S. POPOFSKY
22		By/s/ Mark S. Popofksy
21	DATED: April 18, 2014	ROPES & GRAY LLP
20		Anomeys for Defendant WEC Corporation
19		Attorneys for Defendant NEC Corporation
18		Facsimile: (415) 591-1400 rpringle@winston.com
17		San Francisco, CA 94111-5894 Telephone: (415) 591-1000
16		101 California Street
15		By <u>/s/ Robert B. Pringle</u> ROBERT B. PRINGLE
14	DATED: April 18, 2014	WINSTON & STRAWN LLP
13		
12		Technology Corp., and Toshiba Corp.
11		Attorneys for Defendants Toshiba Samsung Storage Technology Korea Corp., Toshiba Samsung Storage
10		belinda.lee@lw.com
9		Telephone: (415) 395-8240 Facsimile: (415) 395-8095
8		505 Montgomery Street, Suite 2000 San Francisco, CA 94111 Talanhana: (415) 305 8240
7		By <u>/s/ Belinda S Lee</u> BELINDA S LEE
6	DATED: April 10, 2014	
5	DATED: April 18, 2014	LATHAM & WATKINS LLP
4		Attorneys for Plaintiffs State of Florida
3		Liz.Brady@myfloridalegal.com
2		Telephone: (850) 414-3300 Facsimile: (850) 488-9134
1		Tallahassee, FL 32399-1050

1 2		Attorneys for Defendants Hitachi-LG Data Storage, Inc. and Hitachi-LG Data Storage Korea, Inc.
3	DATED: April 18, 2014	BAKER BOTTS LLP
4		
5		By <u>/s/ Evan Werbel</u> EVAN WERBEL
6		1299 Pennsylvania Ave. NW
7		Washington, DC 20004 Telephone: (202) 383-7199 Facsimile: (202) 383-6610
8		evan.werbel@bakerbotts.com
9		Attorneys for Defendants Koninklijke Philips N.V.,
10		Lite-On IT Corp. of Taiwan, Philips & Lite-On Digital Solutions Corp., and Philips & Lite-On
10		Digital Solutions U.S.A., Inc.
12	DATED: April 18, 2014	DICKSTEIN SHAPIRO LLP
12		By/s/ Lisa M. Kaas
13		LISA M. KAAS
14		1825 Eye Street NW
15		Washington, DC 20006 Telephone: (202) 420-2200
10		Facsimile: (202) 420-2201 kaasl @dicksteinshapiro.com
		-
18		Attorneys for Defendants BenQ Corporation and BenQ America Corp.
19		
20	DATED: April 18, 2014	O'MELVENY & MYERS LLP
21		By/s/ Ian Simmons
22		IAN SIMMONS
23		1625 Eye Street NW
24		Washington, DC 20006 Telephone: (202) 383-5106
25		Facsimile: (202) 383-5414 isimmons@omm.com
26		Attorneys for Defendants Samsung Electronics Co.,
27		Ltd.
28		2
LATHAM®WATKINS□		3
Attorneys At Law San Francisco		Stipulation and [Proposed] Order re Schedule for Any Amendment of Florida Complaint MDL No. 2143; CASE NO. 3:13-cv-1877-RS

1	DATED: April 18, 2014	BOIES SCHILLER & FLEXNER LLP
2		By/s/ John F. Cove, Jr.
3		JOHN F. COVE, JR.
4		1999 Harrison Street, Suite 900 Oakland, CA 94612
5		Telephone: (510) 874-1000
6		Facsimile: (510) 874-1460
		jcove@bsfllp.com
7		Attorneys for Defendants Sony Corporation, Sony
8		Optiarc America, Inc., and Sony Optiarc Inc.
9		
10	DATED: April 18, 2014	VINSON & ELKINS LLP
11		By <u>/s/ Craig P. Seebald</u>
12		CRAIG P. SEEBALD
		2200 Pennyslvania Ave. NW
13		Suite 500 West
14		Washington, DC 20037-1701
15		Telephone: (202) 639-6500 Facsimile: (202) 879-8950
		cseebald@velaw.com
16		Attorneys for Defendant Hitachi, Ltd.
17		Anomeys for Defendum Intacht, Lia.
18	DATED: April 18, 2014	DLA PIPER LLP
19		By <u>/s/ Deanna L. Cairo</u>
20		DEANA L. CAIRO
21		500 8th Street, N.W.
		Washington, DC 20004
22		Telephone: (202) 799-4523
23		Facsimile: (202) 799-5523 Deana.cairo@dlapiper.com
24		
25		Attorneys for Defendant TEAC Corporation and TEAC America Inc.
26		
20 27		
28		
20		4
KINS		4 Stipulation and [Proposed] C

1	DATED: April 18, 2014	EIMER STAHL LLP
2		By <u>/s/ Nathan P. Eimer</u>
3		NATHAN P. EIMER
		224 South Michigan Avenue, Suite 100
4		Chicago, IL 60604
5		Telephone: (312) 660-7601
6		Facsimile: (312) 692-1718 neimer@eimerstahl.com
7		
8		Attorneys for Defendant LG Electronics, Inc.
9	DATED: April 18, 2014	JONES DAY
10		By /s/ Eric P. Enson
11		ERIC P. ENSON
		555 South Flower Street, Fiftieth Floor
12		Los Angeles, CA 90071
13		Telephone: (213) 489-3939
14		Facsimile: (213) 243-2539 epenson@JonesDay.com
15		
		Attorneys for Defendant Pioneer Electronics (USA) Inc., Pioneer North America, Inc., Pioneer
16		<i>Corporation, and Pioneer High Fidelity Taiwan</i> <i>Co., LTD.</i>
17		CO., EID.
18	DATED: April 18, 2014	WINTSON & STRAWN LLP
19		By/s/ Jeffrey L. Kessler
20		JEFFREY L. KESSLER
21		200 Park Avenue
22		New York, NY 10166
		Telephone: (212) 294-6700 Facsimile: (212) 294-4700
23		jkessler@dl.com
24		Attorneys for Defendant Panasonic Corporation
25		and Panasonic Corporation of North America
26		
27		
28		
		5
KINS		Stipulation and [Proposed] Orde

Stipulation and [Proposed] Order re Schedule for Any Amendment of Florida Complaint MDL No. 2143; CASE NO. 3:13-cv-1877-RS

1	DATED: April 18, 2014 NOVAK DRUCE CONNOLLY BOVE & QUIGG LLP
2	By/s/ Keith A. Walter Jr.
3	KEITH A. WALTER JR.
4	1007 North Orange Street Ninth Floor Wilmington, DE 19801
5	Telephone: (302) 252-4258
6	Facsimile: (302) 658-5614 Keith.Walter@novakdruce.com
7	Attorneys for Defendant Quanta Storage Inc. and
8	Quanta Storage America Inc.
9	Pursuant to Civil Local Rule $5-1(i)(3)$, the filer attests that concurrence in the filing of this document has been obtained from each of the signatories.
10	
11	PURSUANT TO STIPULATION, IT IS SO ORDERED.
12	2. half
13	DATED: 4/21/14 HONORABLE RICHARD SEEBORG
14	UNITED STATES DISTRICT COURT JUDGE
15	NY\6126835
16	
17	
18	
19	
20	
21	
22	
23	
24	
25	
26	
27	
28	6
TKINS ^{LLI}	O Stipulation and [Proposed] Order Schedule for Any Amendment of Florida Complai