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UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION

IN RE OPTICAL DISK DRIVE PRODUCTS
ANTITRUST LITIGATION

MDL No. 2143

CASE NO. 3:13-cv-1877-RS

This document relates to:

STATE OF FLORIDA, OFFICE OF THE
ATTORNEY GENERAL, DEPARTMENT
OF LEGAL AFFAIRS,

Plaintiff,

v.

HITACHI-LG DATA STORAGE, INC., et al.

Defendants.

**STIPULATION AND ~~[PROPOSED]~~
ORDER REGARDING THE SCHEDULE
FOR ANY AMENDMENT OF THE STATE
OF FLORIDA'S COMPLAINT AND
DEFENDANTS' RESPONSES**

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

26

By /s/ Lizabeth A. Brady
LIZABETH A. BRADY

27

Office of the Attorney General
State of Florida
PL-01, The Capitol

28

1 DATED: April 18, 2014

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11 DATED: April 18, 2014

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1 DATED: April 18, 2014

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21 DATED: April 18, 2014

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1 DATED: April 18, 2014

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9 Pursuant to Civil Local Rule 5-1(i)(3), the filer attests that concurrence in the filing of
10 this document has been obtained from each of the signatories.

11 PURSUANT TO STIPULATION, IT IS SO ORDERED.

12
13 DATED: 4/21/14

14 
15 HONORABLE RICHARD SEEBORG
16 UNITED STATES DISTRICT COURT JUDGE

17 NY\6126835