STIPULATED EXTENSION OF TIME / CASE NO. 5:13-CV-05428-LHK

GoldieBlox, Ihc. v. Island Def Jam Music Group et al

Doc 27

1	MICHAEL DIAMOND; DECHEN YAUCH,
2	MICHAEL DIAMOND; DECHEN YAUCH, EXECUTOR OF THE ESTATE OF ADAM YAUCH; BROOKLYN DUST MUSIC; BEASTIE BOYS; and ADAM HOROVITZ,
3	
4	Counterclaim-Plaintiffs,
5	V.
6	GOLDIEBLOX, INC.,
7	Counterclaim-Defendant.
8	
9	
10	
11	
12	
13	
14	
15	
16	
17	
18	
19	
20	
21	
22	
23	
24	
25	
26	
27	
28	

STIPULATED EXTENSION OF TIME / CASE NO. 5:13-CV-05428-LHK

Plaintiff and Counterclaim-Defendant GoldieBlox, Inc. ("GoldieBlox") and Defendants and Counterclaim-Plaintiffs Beastie Boys, Adam Horovitz and Brooklyn Dust Music; and Counterclaim-Plaintiffs Michael Diamond and Dechen Yauch, executor of the estate of Adam Yauch (collectively "Beastie Boys"), pursuant to Civil Local Rules 6-1 and 6-2, respectfully request that the Court enter the following stipulation regarding extending all current deadlines. The parties now AGREE and STIPULATE to extend all current deadlines by twenty-one (21) days.

## 1. Reason for the Extension of Time.

The current deadline for GoldieBlox to answer or otherwise respond to the Beastie Boys' counterclaims is January 27, 2014. The parties have been exploring settlement options and have met and conferred and jointly agree to the requested extension so that the parties can continue to engage in settlement discussions.

## 2. Prior Time Modifications.

On January 9, 2014 the Court vacated all dates previously set in this case upon reassignment to Judge Koh. Dkt. No. 24. On January 22, 2014, the Court issued a Clerk's Notice Setting Case Management Following Reassignment, setting a deadline of March 12, 2014 for the parties to submit a Case Management Statement, and setting a Case Management Conference for March 19, 2014. Dkt. No. 25. Also on January 22, the Court granted the parties' stipulated request to extend by twenty-one (21) days all dates including GoldieBlox's time to respond to the Beastie Boys' counterclaims. Dkt. No. 26.

## 3. Effect of Modification.

The requested extension will extend by twenty-one (21) days GoldieBlox's time to respond to the Beastie Boys' counterclaims, thus making GoldieBlox's response due not later than February 17, 2014.

To the extent that the Court's order dated January 22 granting the parties' stipulation to extend dates (Dkt. No. 26) did not extend the deadlines set by the Court following reassignment (Dkt. No. 25), the requested extension would serve to do so. Thus, the effect of the request would also (a) extend the parties' deadline to submit the Case Management Statement to April 2, 2014; and (b) extend the Case Management Conference to April 9, 2014 (or another date convenient for the Court).

<sup>&</sup>lt;sup>1</sup> That stipulation was filed on January 6. Dkt. No. 21.

1			
2	Dated: January 27, 2014 DURIE TANGRI LLP		
3	By: <u>/s/ Daralyn J. Durie</u> DARALYN J. DURIE		
4	Attorneys for Plaintiff and Counterclaim-		
5	Defendant GOLDIEBLOX, INC.		
6	Dated: January 27, 2014 SHEPPARD, MULLIN, RICHTER & HAMPTON LLP		
7			
8	By: <u>/s/ Kent R. Raygor</u> KENT R. RAYGOR		
9	Attorneys for Defendants and Counterclaim-		
10   11	Plaintiffs BEASTIE BOYS, ADAM HOROVITZ and BROOKLYN DUST		
12	MUSIC; and Counterclaim-Plaintiffs MICHAEL DIAMOND and DECHEN		
13	YAUCH, executor of the estate of ADAM YAUCH		
14	FILER'S ATTESTATION		
15	Pursuant to Civil L.R. 5-1(i)(3), regarding signatures, I, Daralyn J. Durie, attest that concurrence		
16	in the filing of this document has been obtained.		
17	g · · · · · · · · · · · · · · · · · · ·		
18	Dated: January 27, 2014  /s/ Daralyn J. Durie  DARALYN J. DURIE		
19			
20	CERTIFICATE OF SERVICE		
21	I certify that all counsel of record is being served on January 27, 2014 with a copy of this		
22	document via the Court's CM/ECF system.		
23			
24	/s/ Daralyn J. Durie DARALYN J. DURIE		
25			
26			
27			
28	2		
	STIPULATED EXTENSION OF TIME / CASE NO. 5:13-CV-05428-LHK		