

1 Pursuant to Civil Local Rule 6-1(a), counsel for Plaintiff William Grecia (“Grecia”)
2 and Defendants VUDU, Inc. (“VUDU”) and Digital Entertainment Content Ecosystem
3 (DECE) LLC (“DECE”) hereby jointly stipulate and agree as follows:

4 Grecia’s initial complaint against VUDU and DECE was filed in Case No. 3:14-cv-
5 01220-EMC (the “*VUDU/DECE* Litigation”). The Court granted VUDU and DECE’s
6 motions to dismiss the initial complaint on August 29, 2014 (Dkt. 60).

7 Grecia’s first amended complaint against VUDU and DECE was filed on September
8 5, 2014 in *Grecia v. Apple Inc.*, Case No. 3:14-cv-775-EMC (Dkt. 135) (the “*Apple* Litigation”).

9 Grecia, VUDU, and DECE now stipulate that (1) Grecia will file the second
10 amended complaint attached as Exhibit A to this Stipulation by October 3, 2014, which shall
11 supersede the first amended complaint filed on September 5, 2014, (2) VUDU and DECE
12 need not respond to the first amended complaint, and (3) VUDU and DECE shall have until
13 October 17, 2014 to answer or otherwise respond to the second amended complaint.

14 VUDU’s and DECE’s consent to Plaintiff filing the second amended complaint attached as
15 Exhibit A shall not be construed as an admission or waiver of any argument or defenses
16 relating to the sufficiency of Plaintiff’s second amended complaint. VUDU and DECE
17 reserve all rights with respect to the second amended complaint, including that it continues
18 to fail to state a claim.

19 The only pending Court-ordered deadlines in this case are for the December 2014
20 case management statement and case management conference. These deadlines are not
21 affected by this stipulation.

22 **IT IS SO STIPULATED.**

23
24 Dated: October 3, 2014

Respectfully Submitted,

25 /s/ Matthew M. Wawrzyn

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28 MANSFIELD LAW

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ATTESTATION FOR SIGNATURE

Pursuant to Civil L.R. 5-1(i)(3) regarding signatures, I attest under penalty of perjury that concurrence in the filing of this document has been obtained from the other signatories.

Date: October 3, 2014

/s/ Matthew M. Wawrzyn

IT IS SO ORDERED:

Edward M. Chen
U.S. District

