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9 **UNITED STATES DISTRICT COURT**
10 **NORTHERN DISTRICT OF CALIFORNIA**
11 **SAN FRANCISCO DIVISION**

12 THE WAVE STUDIO, LLC, a New York
Limited Liability Company,

13 Plaintiff,

14 v.

15 AMADEUS NORTH AMERICA, INC., a Florida
16 Corporation, CATHAY PACIFIC AIRWAYS
LTD., a Hong Kong Corporation,
17 KONINKLIJKE LUCHTVAART
MAATSCHAPPIJ, N.V., a Netherlands Antilles
18 Corporation d/b/a KLM ROYAL DUTCH
AIRLINES, JOHN LIM, an individual d/b/a
19 TRAVELS-WEB, PRICELINE.COM LLC, a
Delaware Corporation and DOES 1-100,
20

21 Defendants.
22

Case No.: 3:15-cv-01364-RS

**STIPULATION TO TRANSFER CASE TO
THE SOUTHERN DISTRICT OF NEW
YORK AND [~~PROPOSED~~] ORDER
THEREON**

23 Plaintiff, The Wave Studio, LLC (“Plaintiff”), and Defendants Amadeus North America,
24 Inc. (“Amadeus”), Cathay Pacific Airways Ltd. (“Cathay”), and priceline.com LLC (“Priceline”),
25 collectively (“Defendants”), by and through their attorneys of record hereby agree and stipulate as
26 follows:
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1 WHEREAS, this is a suit for copyright infringement arising out of Defendants’ alleged use
2 of photographs purportedly entitled to copyright protection;

3 WHEREAS, Plaintiff has brought multiple suits against numerous third parties alleging
4 infringement with respect to all or many of the same copyright registration certificates asserted in
5 the present action (hereafter collectively, “the Third Party Suits”);

6 WHEREAS, a number of the Third Party Suits have been transferred from the United States
7 District Court for the Northern District of California to the United States District Court for the
8 Southern District of New York, including, but not limited to, *The Wave Studio, LLC v. American*
9 *Express Company*, Civil Action No. 7:15-cv-03420, *The Wave Studio, LLC v. Mastercard*
10 *International, Inc.*, Civil Action No. 7:14-cv-08322, *The Wave Studio, LLC v. Visa Inc.*, Civil
11 Action No. 7:15-cv-04953, *The Wave Studio, LLC v. AOL Inc. et al*, Civil Action No. 7:15-cv-
12 05962, *The Wave Studio, LLC v. United Airlines Inc.*, Civil Action No. 7:15-cv-05392, and *The*
13 *Wave Studio, LLC v. Virgin America Inc et al*, Civil Action No. 7:15-cv-05960;

14 WHEREAS, in view of the foregoing, the parties agree that judicial economy would be best
15 served by transferring the current action to the United States District Court for the Southern District
16 of New York;

17 WHEREAS, defendants KLM Royal Dutch Airlines and Lim have not yet been served with
18 the complaint and have therefore not appeared in the case as of yet. Plaintiff intends to serve them
19 with process through appropriate means once the matter is transferred.

20 NOW THEREFORE, THE PARTIES HEREBY STIPULATE that:

- 21 1. This action be transferred to the Southern District of New York;
- 22 2. The deadline for Defendants to answer or otherwise respond to the Complaint shall
23 be extended to thirty (30) days following docketing of the Complaint by the Southern
24 District of New York; and

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3. The Initial Case Management Conference scheduled for October 8, 2015, and all associated deadlines shall be vacated.

IT IS SO STIPULATED.

DATED: September 1, 2015

COBALT LLP

By: /s/ Vijay K. Toke
Vijay K. Toke

Attorneys for Plaintiff
THE WAVE STUDIO, LLC

PURSUANT TO STIPULATION, IT IS SO ORDERED.

Dated: 9/1/15



Hon. Richard Seeborg

UNITED STATES DISTRICT JUDGE

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