

1 Henrik Mosesi, Esq. (SBN: 189672)
Anthony Lupu, Esq. (SBN 226168)
2 Pillar Law Group APLC
150 S. Rodeo Drive, Suite 260
3 Beverly Hills, CA 90212
Tel.: 310-999-0000
4 Fax: 888-667-5482
Henrik@Pillar.law
5 Anthony@Pillar.law
Attorneys for Plaintiff
6
7

8 **UNITED STATES DISTRICT COURT**
9 **NORTHERN DISTRICT OF CALIFORNIA**
10 **OAKLAND**

11 MALIBU MEDIA, LLC,

12 Plaintiff,

13 vs.

14 JOHN DOE subscriber assigned IP address
76.126.99.126,

15 Defendant.
16

Case Number: 3:15-cv-4441-WHA

Order re

STIPULATION TO EXTEND
DISCOVERY AS TO EMPLOYMENT
RECORDS

17 This Stipulation is made on this 7th day of December 2016, by and between Plaintiff, Malibu
18 Media, LLC (“Plaintiff”), and Defendant, John Doe Subscriber assigned IP address 76.126.99.126
19 (“Defendant”). NOW, THEREFORE, the parties hereby stipulate to an extension of the discovery
20 deadline as to employment records by thirty (30) days for the reasons stated herein:

21 1. Plaintiff filed this case against John Doe subscriber assigned IP address
22 76.126.99.126 for the infringement of Plaintiff’s copyrighted works through BitTorrent.

23 2. Defendant claims that he was at his place of employment during certain dates and
24 times of infringement and produce purported timesheets and a calendar from his employer.
25 Defendant did not produce any affidavit or a declaration from the custodian of records
26 authenticating the documents.

27 - 1 -

28 Order re Stipulation to Extend Discovery as to Employment Records
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1 3. Defendant served "Supplemental Initial Disclosures" on November 28, 2016, in
2 which Defendant identified his supervisor at his place of employment as an individual likely to have
3 discoverable information.

4 4. Plaintiff, seeking to verify the accuracy of Defendant's timesheets and calendar
5 advised Defendant of its intent to subpoena Defendant's employer. Defendant objected and set
6 forth privacy concerns stemming from the disclosure of Defendant's identity to his employer.

7 5. Defendant and Plaintiff stipulate to an extension of the discovery deadline in order to
8 permit the Parties to further confer, including discussing the matter with deputy counsel for the city
9 in which Defendant resides, and, if necessary, conduct additional limited discovery on the issue.

10 6. Accordingly, the Parties hereby stipulate that the discovery cutoff deadline may be
11 extended by thirty (30) days as to the issue of employment time sheets, timecards or any other
12 document evidencing the dates and times Defendant was at work during the periods of
13 infringement.

14 Dated: December 8, 2016

15 Respectfully submitted,

16 /s/ Anthony Lupu
17 Anthony Lupu, Esq.
18 Pillar Law Group APLC
19 150 S. Rodeo Drive, Suite 260
20 Beverly Hills, CA 90212
21 Tel.: 310-999-0000
22 Fax: 888-667-5482
23 Anthony@Pillar.law
24 Attorneys for Plaintiff

16 /s/ Joseph Curtis Edmondson
17 Joseph Curtis Edmondson
18 Law Offices of J. Curtis Edmondson
19 3699 NW John Olsen Pl
20 Hillsboro, OR 97124
21 (503) 336-3749
22 Fax: (503) 482-7418
23 Email: jcedmondson@edmolaw.com
24 Attorneys for Defendant

25 SO ORDERED this 8 day of December, 2016.

26 The parties may not rely
27 on this extension as a
28 basis for requesting further
 extensions or continuances.

By: 
UNITED STATES DISTRICT JUDGE