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26 SONY MUSIC ENTERTAINMENT, SONY MUSIC
ENTERTAINMENT US LATIN LLC, AND
27 ZOMBA RECORDING LLC

28 STIPULATION AND [PROPOSED] SCHEDULING
ORDER REGARDING JURISDICTIONAL
DISCOVERY

CASE No. 16-cv-00951-RS

1 UNITED STATES DISTRICT COURT
2 NORTHERN DISTRICT OF CALIFORNIA
3 SAN FRANCISCO DIVISION
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5 ARISTA MUSIC, ARISTA RECORDS, LLC,
6 LAFACE RECORDS LLC, SONY MUSIC
7 ENTERTAINMENT, SONY MUSIC
8 ENTERTAINMENT US LATIN LLC, and
9 ZOMBA RECORDING LLC,

10 Plaintiff,

11 vs.

12 RADIONOMY, INC., RADIONOMY SA,
13 RADIONOMY GROUP, B.V., and
14 ALEXANDRE SABOUNDJIAN, an individual,

15 Defendants.

Case No. 16-cv-00951-RS

**STIPULATION AND ~~PROPOSED~~
SCHEDULING ORDER REGARDING
JURISDICTIONAL DISCOVERY**

Place: Courtroom 3, 17th floor
Judge: Honorable Richard Seeborg

16 The undersigned counsel for the parties in the above-captioned action hereby stipulate and
17 agree, pursuant to Civil Local Rule 6-2, as follows:

18 WHEREAS, on February 26, 2016, Plaintiffs filed a Complaint for Copyright Infringement
19 and Unfair Competition (the "Complaint) against Defendants [Dkt. 1];

20 WHEREAS, on May 9, 2016, Radionomy Group, B.V. filed a motion to dismiss pursuant to
21 Rule 12(b)(2) and Radionomy Group B.V. Radionomy, S.A. and Radionomy, Inc. filed a motion to
22 dismiss pursuant to Rule 12(b)(6) [Dkt. 32], and Alexandre Saboundjian filed a motion to dismiss
23 pursuant to Rule 12(b)(2) and 12(b)(6) [Dkt. 31];

24 WHEREAS, on May 23, 2016, Plaintiffs filed an opposition to Defendants' motions to
25 dismiss and requested permission to conduct limited discovery to develop further the record
26 establishing personal jurisdiction [Dkt. 41];
27

1 WHEREAS, on or about June 1, 2016, Plaintiffs served separate sets of document requests,
2 interrogatories, and requests for admission on each of the Defendants (collectively, the “Discovery
3 Requests”);

4 WHEREAS, on June 8, 2016, the Court entered an order, among other things: (i) denying
5 Defendants’ motions to dismiss without prejudice; (ii) granting Plaintiffs’ request for limited
6 discovery of facts relating to personal jurisdiction and (iii) and requiring such discovery to be
7 completed within the next 45 days; *i.e.*, by July 25, 2016 (the “Order”) [Dkt. 46];

8 WHEREAS, after the Court issued the Order, Plaintiffs advised Defendants of the specific
9 Discovery Requests they contend relate to jurisdiction and, on June 24, 2016, Defendants served
10 initial written responses to those requests;

11 WHEREAS, Defendants are moving with all due haste to gather and review documents
12 potentially responsive to the jurisdictional Discovery Requests, but anticipate needing additional
13 time to complete their production in light of the need to navigate and comply with various European
14 data privacy laws or blocking statutes and because many of the documents are foreign-language
15 documents that require translation to facilitate review;

16 WHEREAS, Defendants intend on complying with their discovery obligations in this Action
17 and under U.S. law, including the Federal Rules of Civil Procedure, but require additional time to
18 produce documents to Plaintiffs, and Plaintiffs anticipate requiring additional time to review and, if
19 necessary, translate foreign language documents prior to taking any jurisdiction related depositions
20 of Defendants;

21 WHEREAS, the parties have scheduled a mediation for July 19, 2016, which could
22 potentially resolve the dispute in this case and eliminate the need for Defendants to complete
23 jurisdictional discovery.

24 NOW, THEREFORE, IT IS HEREBY STIPULATED by and between the parties, through
25 their respective counsel that:

1 1. Defendants’ deadline for producing documents responsive to Plaintiffs’ jurisdictional
2 requests shall be extended from July 25, 2016 to August 25, 2016, but Defendants shall undertake
3 reasonable, good faith efforts to produce documents responsive to such requests on a rolling basis in
4 advance of this deadline;

5 2. After Defendants complete the production of documents responsive to Plaintiffs’
6 jurisdictional discovery requests, the parties shall meet and confer regarding the schedule of any
7 jurisdiction related depositions, taking into account the witnesses’ schedules and the time needed
8 for Plaintiffs to translate and review foreign language documents prior to such jurisdiction related
9 depositions. The deadline for the completion of such jurisdictional depositions shall be October 14,
10 2016.

11
12 Dated: July 7, 2016

Respectfully Submitted,

WEIL, GOTSHAL & MANGES LLP

By: /s/ Gregory S. Silbert

GREGORY S. SILBERT

*Attorneys for Defendants RADIONOMY, INC.,
RADIONOMY S.A., and RADIONOMY GROUP,
B.V.*

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By: /s/ Todd A. Roberts

TODD A. ROBERTS

*Attorneys for Defendant ALEXANDRE
SABOUNDJIAN*

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By: /s/ Jeffrey G. Knowles

JEFFREY G. KNOWLES

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ATTESTATION PURSUANT TO CIVIL LOCAL RULE 5-1

I, Gregory S. Silbert, am the ECF user whose identification and password are being used to file this Stipulation and [Proposed] Scheduling Order Regarding Jurisdictional Discovery. In compliance with Civil Local Rules 5-1(c)(4) and 5-1(i)(3), I hereby attest that Todd A. Roberts and Jeffrey G. Knowles concurred in this filing.

Dated: July 7, 2016

/s/ Gregory S. Silbert
GREGORY S. SILBERT

IT IS SO ORDERED.

Dated: 7/8/16



Honorable Richard Seeborg
United States District Court Judge