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11 Attorneys for Gianni Versace, S.P.A and
Versace USA, Inc.

13 UNITED STATES DISTRICT COURT
14 NORTHERN DISTRICT OF CALIFORNIA

16 GIANNI VERSACE, S.P.A. and VERSACE
USA, Inc.
17 Plaintiffs,
18
19 vs.
20 VERSACE 19.69 ABBIGLIAMENTO
SPORTIVO S.R.L., THEOFANIS PAPADAS,
V1969 VERSACE SMO LLC, V1969
21 VERSACE HG LLC, and V1969 USA LLC.
22 Defendants.

Case No. 3:16-cv-03617-HSG
**AMENDED JOINT STIPULATION AND
ORDER SETTING BRIEFING
SCHEDULE FOR MOTIONS AND
RELATED EXPEDITED DISCOVERY**

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1 Plaintiffs Gianni Versace, S.p.A. and Versace USA, Inc. (“Versace”) and Defendants
2 Versace 19.69 Abbigliamento Sportivo, S.r.l. and Theofanis Papadas (“VAS Defendants”), by and
3 through their respective counsel of record, hereby stipulate and agree as follows:

4 WHEREAS, on October 26, 2016, the Court in the above-captioned action set a schedule
5 for briefing and expedited discovery on the VAS Defendants’ personal jurisdiction motion and
6 Versace’s preliminary injunction motion [Dkt No. 56] based on the parties’ October 21, 2016
7 stipulation [Dkt. No. 55];

8 WHEREAS, under the schedule, the VAS Defendants were required to file their personal
9 jurisdiction motion by October 28, 2016 and to respond to jurisdictional discovery requests from
10 Versace, including the production of documents, by November 11, 2016, in advance of Versace’s
11 deadline to file its opposition by December 1, 2016;

12 WHEREAS, the hearing on the VAS Defendants’ personal jurisdiction motion is set for
13 December 22, 2016;

14 WHEREAS, on October 30, 2016, the parties agreed that they would each have an
15 additional day to serve and respond to Versace’s jurisdictional discovery requests;

16 WHEREAS, Versace served its jurisdictional discovery requests on the VAS Defendants
17 on November 1, including requests for production of documents under FRCP 34, interrogatories
18 under FRCP 33, and a deposition notice under FRCP 30(b)(6);

19 WHEREAS, on November 14, 2016, counsel for the VAS Defendants informed Versace’s
20 counsel that the VAS Defendants would not respond to Versace’s jurisdiction discovery requests
21 until some unspecified date after he returned from Greece on November 24, 2016;

22 WHEREAS, on November 15, 2016, Versace’s counsel informed counsel for the VAS
23 Defendants that this deviation from stipulated schedule was unacceptable given Versace’s
24 deadline to file its opposition on December 1, 2016;

25 WHEREAS, on November 18, 2016, counsel for the VAS Defendants responded by stating
26 that he was leaving for Greece on November 20, 2016, was returning on November 25, 2016, and
27 would “keep [Versace’s counsel] advised,” but again did not provide dates for production of
28 documents, answers to interrogatories, or a FRCP 30(b)(6) deposition;

1 WHEREAS, counsel for the VAS Defendants believes the VAS Defendants can produce
2 documents and answer interrogatories in response to Versace's jurisdictional discovery requests
3 by December 9, 2016, and schedule a FRCP 30(b)(6) deposition by January 13, 2017;

4 WHEREAS, counsel for Versace and the VAS Defendants have met and conferred and, in
5 light of the above, have agreed to reschedule the hearing date and adjust the briefing schedule for
6 the VAS Defendants' personal jurisdiction motion to allow for the completion of jurisdictional
7 discovery served by Versace on the VAS Defendants in advance of the deadline for Versace to file
8 its opposition;

9 WHEREAS, the VAS Defendants acknowledge that this amended schedule may need to be
10 amended again should it be necessary for Versace to file a motion to compel further documents,
11 answers and/or testimony relevant to the VAS Defendants' personal jurisdiction motion;

12 WHEREAS, the VAS Defendants further acknowledge that Versace's agreement to the
13 amended schedule set forth below will not be used to argue against the issuance or scope of a
14 preliminary injunction on grounds of delay or balance of the hardships;

15 WHEREAS, the parties agree that the schedule for briefing and a hearing on Versace's
16 preliminary injunction motion as set by the October 26, 2016 order should remain in effect;

17 NOW THEREFORE, Versace and the VAS Defendants hereby agree to the following
18 amended schedule for the VAS Defendants' personal jurisdiction motion and related jurisdictional
19 discovery, subject to approval by the Court:

- 20 • VAS Defendants will produce documents and provide answers to Versace's jurisdictional
21 discovery by December 9, 2016;
- 22 • VAS Defendants will produce a witness or witnesses for a FRCP 30(b)(6) deposition by
January 13, 2017;
- 23 • Versace will have until January 31, 2017 to file an opposition;
- 24 • VAS Defendants will have until February 7, 2017 to reply; and
- 25 • Hearing: February 23, 2017 at 2:00 p.m.

26 **IT IS SO STIPULATED.**
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1 DATED: November 23, 2016

MUNGER, TOLLES & OLSON LLP

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By: /s/Rosemarie T. Ring
ROSEMARIE T. RING

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Attorneys for Gianni Versace, S.P.A and
Versace USA, Inc.

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7 DATED: November 23, 2016

SFIKAS & KARAMBELAS LLP

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By: /s/Nicholas G. Karambelas
NICHOLAS G. KARAMBELAS

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Attorneys for Versace 19.69 Abbigliamento Sportivo
S.R.L. and Theofanis Papadas

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1 **ORDER**

2 Pursuant to the foregoing Stipulation Setting Briefing Schedule For Motions And Related
3 Expedited Discovery, and good cause appearing:

4 The VAS Defendants' personal jurisdiction motion and related jurisdictional discovery
5 shall proceed as follows:

- 6 • VAS Defendants will produce documents and provide answers to Versace's jurisdictional
7 discovery by December 9, 2016;
- 8 • VAS Defendants will produce a witness or witnesses for a FRCP 30(b)(6) deposition by
January 13, 2017;
- 9 • Versace will have until January 31, 2017 to file an opposition;
- 10 • VAS Defendants will have until February 7, 2017 to reply; and
- 11 • Hearing: February 23, 2017 at 2:00 p.m.

12 **PURSUANT TO STIPULATION, IT IS SO ORDERED.**

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14 DATED: 11/28/2016

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Hon. Haywood S. Gilliam, Jr.