

1 Elizabeth L. Deeley (SBN 230798)
 KIRKLAND & ELLIS LLP
 2 555 California Street, Suite 2700
 San Francisco, CA 94104
 3 Telephone: (415) 439-1400
 Facsimile: (415) 439-1500
 4 E-mail: elizabeth.deeley@kirkland.com

5 Jay P. Lefkowitz (admitted *pro hac vice*)
 Nathaniel J. Kritzer (admitted *pro hac vice*)
 6 Anjelica Simone Gregory (admitted *pro hac vice*)
 KIRKLAND & ELLIS LLP
 7 601 Lexington Avenue
 New York, NY 10022
 8 Telephone: (212) 446-4800
 Facsimile: (212) 446-4900
 9 E-mail: lefkowitz@kirkland.com
 E-mail: nathaniel.kritzer@kirkland.com
 10 E-mail: anjelica.gregory@kirkland.com

11 Attorneys for Defendants *Frankly Inc.*,
Steve Chung, JJR Private Capital Limited Partnership,
 12 *Ron Schmeichel and Louis Schwartz*

13 **UNITED STATES DISTRICT COURT**
 14 **NORTHERN DISTRICT OF CALIFORNIA**
 15 **SAN FRANCISCO DIVISION**

16 GANNAWAY ENTERTAINMENT, INC., a
 Delaware corp., ALBERT C. GANNAWAY III,
 17 SAMANTHA GANNAWAY,
 18 Plaintiffs,
 19 v.
 20 FRANKLY INC., STEVE CHUNG, SKP
 AMERICA, LLC, JJR PRIVATE CAPITAL
 21 LIMITED PARTNERSHIP, RON
 SCHMEICHEL, LOUIS SCHWARTZ,
 22 Defendants.

CASE NO. 3:17-cv-04169-RS
**STIPULATION AND ~~PROPOSED~~
 ORDER EXTENDING TIME FOR
 DEFENDANTS TO REPLY TO
 PLAINTIFFS' OPPOSITIONS TO
 DEFENDANTS' MOTIONS TO DISMISS**

1 WHEREAS, Defendants Frankly, Inc. ("Frankly"), Steve Chung ("Chung"), JJR Private
2 Capital Limited Partnership ("JJR"), Ron Schmeichel, and Louis Schwartz filed a Motion to Dismiss
3 on October 31, 2017;

4 WHEREAS, Defendant SKP America LLC ("SKP-A") filed a Motion to Dismiss (ECF No.
5 47) on October 31, 2017, incorporating by reference arguments made in the Motion to Dismiss (ECF
6 No. 43) filed by Frankly, Chung, JJR, Ron Schmeichel and Louis Schwartz;

7 WHEREAS, Plaintiffs filed an Opposition to Defendants Frankly Chung, JJR, Ron
8 Schmeichel, and Louis Schwartz's Motion to Dismiss on November 22, 2017;

9 WHEREAS, Plaintiffs filed an Opposition to Defendant SKP-A's Motion to Dismiss on
10 November 22, 2017;

11 WHEREAS, Plaintiffs similarly incorporated by reference in their Opposition to Defendants
12 Frankly, Chung, JJR, Ron Schmeichel, and Louis Schwartz's Motion to Dismiss arguments made in
13 its Opposition to Defendant SKP-A's Motion to Dismiss;

14 WHEREAS, Plaintiffs also incorporated by reference in their Opposition to Defendant SKP-
15 A's Motion to Dismiss arguments made in its Opposition to Defendants Frankly, Chung, JJR, Ron
16 Schmeichel, and Louis Schwartz's Motion to Dismiss;

17 WHEREAS, the parties believe it will be more orderly and efficient for Defendants to file a
18 joint 30-page Omnibus Reply, instead of two fifteen-page reply briefs, to respond to Plaintiffs'
19 Opposition briefs;

20 WHEREAS, the parties previously agreed Defendants' replies would be due on December 13,
21 2017, and have further agreed to an additional one week extension to December 20, 2017;

22 WHEREAS, the parties have met, conferred, and agreed that Defendants may file a joint 30-
23 page Omnibus Reply brief by December 20, 2017;

24 NOW, THEREFORE IT IS HEREBY STIPULATED AND AGREED THAT, Defendants
25 may file a joint 30-page Omnibus Reply brief in support of their motions to dismiss, which shall be
26 filed and served by December 20, 2017.

1 DATED: December 7, 2017

2 /s/ Nathaniel J. Kritzer

3 Nathaniel J. Kritzer (*admitted pro hac vice*)
4 KIRKLAND & ELLIS LLP
5 601 Lexington Avenue
6 New York, New York 10022
7 Telephone: (212) 446-4833
8 Facsimile: (212) 446-4900
9 Email: nathaniel.kritzer@kirkland.com

7 Attorney for Defendants
8 *Frankly Inc., Steve Chung,*
9 *JJR Private Capital Limited*
10 *Partnership, Ron Schmeichel*
11 *and Louis Schwartz*

/s/ Kirk M. Hallam

Kirk M. Hallam
Jun Y. Kwon
Gorman & Miller
201 Santa Monica Blvd., Ste. 300
Santa Monica, California 90401
Telephone: (310) 656-8000
Facsimile: (310) 564-7623
Email: khallam@gormanmiller.com
Email: jkwon@gormanmiller.com

Attorneys for Plaintiffs
Gannaway Entertainment, Inc.,
Albert C. Gannaway III and Samantha
Gannaway

11 /s/ Charles Jaeger

12 Charles Jaeger
13 Farmer Brownstein Jaeger LLP
14 235 Montgomery St., Suite 835
15 San Francisco, CA 94104
16 Telephone: (415) 962-2879
17 Facsimile: (415) 520-5678
18 Email: cjaeger@fbj-law.com

15 Attorney for Defendant
16 *SKP America, LLC*

18 **PURSUANT TO STIPULATION, IT IS SO ORDERED,**

22 DATED: 12/7, 2017



HONORABLE RICHARD SEEBORG
UNITED STATES DISTRICT COURT JUDGE