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11 *Attorneys for Plaintiffs*

Attorneys for Defendants

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

17 REARDEN LLC and REARDEN MOVA
 LLC,
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 Plaintiffs,
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 vs.
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 PARAMOUNT PICTURES CORPORATION
 21 and PARAMOUNT HOME
 ENTERTAINMENT DISTRIBUTION INC.,
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 Defendants.
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Case No. 3:17-cv-04192-JST
**JOINT STIPULATION AND ~~PROPOSED~~
 ORDER REGARDING DEFENDANTS'
 MOTIONS TO DISMISS PURSUANT TO
 FRCP 12(b)(6) OR, ALTERNATIVELY,
 TO STAY**
 Judge: Hon. Jon S. Tigar

1 **WHEREAS**, counsel for Plaintiffs and for the Defendants in *Rearden v. Disney*, *Rearden*
2 *v. Fox*, and *Rearden v. Paramount* have met and conferred regarding the most efficient way to file
3 documents related to Defendants’ upcoming motions to dismiss and have agreed upon the
4 following procedure:

- 5 • Defendants in *Rearden v. Disney*, *Rearden v. Fox*, and *Rearden v. Paramount* will
6 file the same consolidated Motion to Dismiss or Stay and supporting papers in all
7 three cases;
- 8 • Plaintiffs will file the same consolidated Opposition and supporting papers in all
9 three cases;
- 10 • Defendants will file the same consolidated Reply and supporting papers in all three
11 cases; and
- 12 • Defendants’ consolidated Motion to Dismiss or Stay will be within the applicable
13 page and other limitations of this Court’s Local Rules. Plaintiffs and Defendants
14 presently intend for their consolidated Opposition and Reply papers, respectively,
15 to be within the same limitations. This stipulation does not preclude either side
16 from seeking an extension of those limitations, either by stipulation or Order based
17 on good cause.

18 **WHEREAS**, the purpose of the foregoing procedure is to ensure that the Court and
19 opposing counsel will need to review only one set of briefing papers in dealing with these Motions
20 while preserving the record of each set of filings concerning the Motions in each of the respective
21 case dockets;

22 **WHEREAS**, the parties further agree that if Defendants file their Rule 12(b)(6) motions
23 on September 15, 2017, Plaintiffs’ responsive brief and supporting materials will be due on
24 October 16, 2017, Defendants’ reply brief and supporting materials will be due on November 2,
25 2017; and Defendants will notice the Motions for hearing on November 16, 2017, at 2:00 p.m.;

26 **WHEREAS**, the parties will confer with one another and the Courtroom Deputy regarding
27 a procedure to propose to the Court in the Joint Case Management Statement regarding the
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1 coordination of all of the related cases so that parties may file documents in only one master
2 docket;

3 **WHEREAS**, the Defendants in *Rearden v. Crystal Dynamics* are not represented by
4 counsel for the Defendants in *Rearden v. Disney*, *Rearden v. Fox*, and *Rearden v. Paramount*, and
5 therefore any motion directed to the pleading that Defendants in *Rearden v. Crystal Dynamics* will
6 not present the need for a single consolidated brief; nevertheless, to ensure a coordinated briefing
7 schedule and the need for the Court to consider and hear all motions directed to the pleadings at
8 the same time, Plaintiffs will agree that briefing on any motion filed by the parties to *Rearden v.*
9 *Crystal Dynamics* shall take place according to the same time and page-limit schedule set forth
10 above;

11 **NOW THEREFORE**, for good cause, the parties in the *Rearden v. Disney*, *Rearden v.*
12 *Fox*, and *Rearden v. Paramount* cases stipulate that the documents relevant to Defendants'
13 motions to dismiss the complaints and Plaintiffs' responsive brief in these cases will be filed
14 pursuant to the procedure and deadlines set forth above.

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1 **IT IS SO STIPULATED.**

2 DATED: September 14, 2017

HAGENS BERMAN SOBOL SHAPIRO LLP

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By: /s/ Mark S. Carlson
 MARK S. CARLSON

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Attorneys for Plaintiffs

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8 DATED: September 14, 2017

MUNGER, TOLLES & OLSON LLP

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By: /s/ Kelly M. Klaus
 KELLY M. KLAUS

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Attorneys for Defendants

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CIVIL LOCAL RULE 5-1 ATTESTATION

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I, Kelly M. Klaus, am the ECF user whose credentials were utilized in the electronic filing of this document. In accordance with Civil Local Rule 5-1(i)(3), I hereby attest that Mark S. Carlson concurred in the filing of this document.

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 /s/ Kelly M. Klaus
 Kelly M. Klaus

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

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3 DATED: September 15, 2017

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The Honorable Jon S. Tigar

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