

1 DAVID R. EBERHART (S.B. #195474)  
 2 deberhart@omm.com  
 3 ALEXANDER B. PARKER (S.B. #264705)  
 4 aparker@omm.com  
 5 JESSE J. KOEHLER (S.B. #300530)  
 6 jkoebler@omm.com  
 7 O'MELVENY & MYERS LLP  
 8 Two Embarcadero Center, 28th Floor  
 9 San Francisco, California 94111-3823  
 10 Telephone: (415) 984-8700  
 11 Facsimile: (415) 984-8701

12 Attorneys for Defendant  
 13 APPLE INC.

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

17 DARREN EASTMAN,  
 18  
 19 Plaintiff,  
 20  
 21 v.  
 22 APPLE INC.,  
 23  
 24 Defendant.

Case No. 3:18-cv-05929-JST

**JOINT STIPULATION REGARDING  
 CONTINUANCE OF JANUARY 2,  
 2019 INITIAL CASE MANAGEMENT  
 CONFERENCE AND ~~PROPOSED~~  
 ORDER**

1 **STIPULATION**

2 Plaintiff Darren Eastman, in *pro se*, and Defendant Apple Inc. (“Apple”), through its  
3 counsel of record, and subject to the approval of the Court, hereby agree and stipulate as follows:

4 1. On October 2, 2018, the Court set the Initial Case Management Conference for  
5 January 2, 2019. Dkt. 10.

6 2. Lead counsel for Apple has a scheduling conflict that will preclude his in-person  
7 attendance at the Initial Case Management Conference as currently scheduled. Counsel for Apple  
8 informed Plaintiff of this scheduling conflict on October 3, 2018.

9 3. In view of the foregoing, good cause exists, and Plaintiff and Apple respectfully  
10 ask the Court, to reset the Initial Case Management Conference—currently scheduled for January  
11 2, 2019—for January 9, 2019 at 2 p.m. or for a subsequent date more convenient for the Court.

12 **SO STIPULATED.**

13 Dated: October 4, 2018

14 DAVID R. EBERHART  
15 O’MELVENY & MYERS LLP

16 By: /s/ David R. Eberhart  
17 David R. Eberhart

18 Attorneys for Defendant  
19 APPLE INC.

20 Dated: October 4, 2018

21 DARREN EASTMAN, IN PRO SE

22 By: /s/ Darren Eastman  
23 Darren Eastman

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28

**ATTESTATION**

I hereby attest that the other signatory listed concurs in this filing's content and has authorized the filing.

Dated: October 4, 2018

O'MELVENY & MYERS LLP

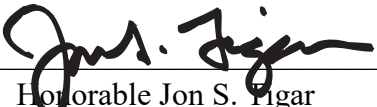
By:         /s/ David R. Eberhart          
David R. Eberhart

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28

~~PROPOSED~~ ORDER

IT IS ORDERED that the foregoing Stipulation is approved. The Initial Case Management Conference is reset for January 9, 2019 at 2 p.m. in Courtroom 9, 19th Floor, 450 Golden Gate Avenue, San Francisco, California 94102.

Dated: October 9, 2018

  
\_\_\_\_\_  
Honorable Jon S. Pigar  
United States District Judge