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18 *Counsel for Individual and Representative*
19 *Plaintiffs and the Proposed Class*

20 [Additional Counsel Listed on Signature Page]

21 **UNITED STATES DISTRICT COURT**
22 **NORTHERN DISTRICT OF CALIFORNIA**
23 **SAN FRANCISCO DIVISION**

24 SARAH ANDERSEN, KELLY MCKERNAN,
25 KARLA ORTIZ, H. SOUTHWORTH PKA
26 HAWKE SOUTHWORTH, GRZEGORZ
27 RUTKOWSKI, GREGORY MANCHESS,
28 GERALD BROM, JINGNA ZHANG, JULIA
KAYE, ADAM ELLIS,

Individual and Representative
Plaintiffs,

v.

STABILITY AI LTD., STABILITY AI, INC.,
DEVIANTART, INC., MIDJOURNEY, INC.,
RUNWAY AI, INC.,

Defendants.

Case No. 3:23-cv-00201-WHO

JOINT STIPULATED REQUEST AND
[PROPOSED] ORDER CHANGING TIME
FOR DEVIANTART'S MOTION TO
RENEW ITS SPECIAL MOTION TO
STRIKE

1 Pursuant to Civil Local Rule 6-2(a), the undersigned Parties to the above-captioned action, by
2 and through their respective undersigned counsel, hereby agree and stipulate as follows:

3 WHEREAS, on November 29, 2023, Plaintiffs Sarah Andersen, Kelly McKernan, Karla Ortiz,
4 H. Southworth Pka Hawke Southworth, Grzegorz Rutkowski, Gregory Manchess, Gerald Brom,
5 Jingna Zhang, Julia Kaye, and Adam Ellis filed a First Amended Complaint (ECF No. 129);

6 WHEREAS, on December 20, 2023, DeviantArt, Inc. (“DeviantArt”) filed a Motion to Renew
7 its Special Motion to Strike Under California Code of Civil Procedure section 425.16 (“Motion”)
8 (ECF No. 136);

9 WHEREAS, at present, the briefing schedule for responding to the Motion requires
10 Oppositions to be due by January 3, 2024; Replies due by January 10, 2024; and Motion Hearing set
11 for January 24, 2024;

12 WHEREAS, due to the intervening holidays and office closures, the Parties agreed to extend
13 dates to respond by one week (seven days): Plaintiffs’ deadline to respond to the Motion shall be
14 January 10, 2024; DeviantArt’s deadline to file a reply brief in support of the Motion shall be January
15 17, 2024; a hearing on the Motion shall be held on February 7, 2024 (or the next earliest date
16 convenient for the Court and Parties) (Declaration of Christopher K.L. Young (“Young Decl.”), ¶ 2.);
17 and

18 WHEREAS, the requested time modification will not have any material impact on the schedule
19 for the Action (Young Decl., ¶ 4);

20 IT IS HEREBY STIPULATED AND AGREED, by and between Plaintiffs and Defendant
21 DeviantArt, as represented by their undersigned counsel, subject to the approval of the court, that the
22 briefing schedule for DeviantArt’s Motion is revised as follows:

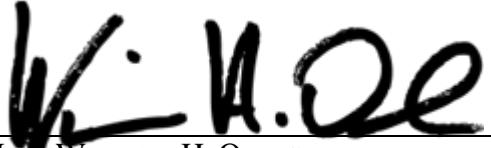
- 23 1. The deadline for Oppositions to the Motion shall be extended to January 10, 2024.
- 24 2. Replies to the Motion shall be due on January 17, 2024.
- 25 3. A hearing on the Motion shall be held on February 7, 2024 (or the next earliest date
26 convenient for the Court and Parties).

1 **[PROPOSED] ORDER**

2 The above Stipulation of the Parties is hereby approved. It is HEREBY ORDERED that the
3 briefing schedule for DeviantArt’s Motion to Renew its Special Motion to Strike Under California
4 Code of Civil Procedure section 425.16 (ECF No. 136; the “Motion”) is revised as follows:

- 5 • **January 10, 2024 for Oppositions to the Motion**
- 6 • **January 17, 2024 for Replies to the Motion**
- 7 • **February 7, 2024 for hearing on the Motion**

8
9 Dated: January 2, 2024

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12 HON. WILLIAM H. ORRICK
13 UNITED STATES DISTRICT JUDGE
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1 Dated: December 26, 2023

/s/ Christopher K.L. Young
Christopher K.L. Young

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23 *Counsel for Individual and Representative
24 Plaintiffs and the Proposed Class*

1 Dated: December 26, 2023

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12 *Counsel for Defendant DeviantArt, Inc.*

1 **SIGNATURE ATTESTATION**

2 Pursuant to Local Rule 5-1(h)(3), I attest under penalty of perjury that concurrence in the filing
3 of this document has been obtained from any other signatory to this document.

4 Dated: January 2, 2024

By: /s/ Christopher K.L. Young
Christopher K.L. Young

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