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9 Attorneys for Defendant
10 RUNWAY AI, INC.

11 UNITED STATES DISTRICT COURT
12 NORTHERN DISTRICT OF CALIFORNIA
13 SAN FRANCISCO DIVISION

14 SARAH ANDERSEN, an individual;
KELLY MCKERNAN, an individual;
15 KARLA ORTIZ, an individual;
H. SOUTHWORTH PKA HAWKE
16 SOUTHWORTH, an individual;
GRZEGORZ RUTKOWSKI, an individual;
17 GREGORY MANCHNESS, an individual;
GERALD BROM, an individual;
18 JINGNA ZHANG, an individual;
JULIA KAYE, an individual;
19 ADAM ELLIS, an individual,

20 Individual and Representative
21 Plaintiffs,

22 v.

23 STABILITY AI LTD., a UK corporation;
STABILITY AI, INC., a Delaware corporation;
24 DEVIANTART, INC., a Delaware corporation;
MIDJOURNEY, INC., a Delaware corporation;
25 RUNWAY AI, INC., a Delaware corporation,

26 Defendants.
27

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

**STIPULATED REQUEST FOR ORDER
CHANGING TIME (CIV. L.R. 6-2)**

Judge: Hon. William H. Orrick

Date Filed: January 13, 2023

Trial Date: None Set

1 The parties to this action, having met and conferred, hereby stipulate to the following
2 extension of upcoming deadlines in connection with Defendants’ responses to Plaintiffs’ First
3 Amended Complaint (“FAC”), and they respectfully ask the Court to fix the deadlines set forth
4 herein by an order of the Court.

5 WHEREAS, Plaintiffs Sarah Andersen, Kelly McKernan, and Karla Ortiz filed the
6 original complaint against original Defendants Stability AI Ltd., Stability AI Inc., DeviantArt,
7 Inc., and Midjourney, Inc. (the “Original Defendants”) on January 13, 2023 (ECF No. 1);

8 WHEREAS, this Court entered its Order on Motions to Dismiss and Strike Re: Dkt. Nos.
9 49, 50, 51, 52, 58 on October 30, 2023, granting in full the Original Defendants’ Motions to
10 Dismiss, except for the direct copyright infringement claim asserted by Plaintiff Andersen against
11 Original Defendants Stability AI Ltd. and Stability AI Inc., and granting Plaintiffs leave to amend
12 (ECF No. 117);

13 WHEREAS, this Court entered a Minute Entry on November 7, 2023 scheduling the
14 deadline for Plaintiffs to file a FAC as November 29, 2023; the Original Defendants’ deadline to
15 file any motions to dismiss the FAC as January 12, 2024; Plaintiffs’ deadline to oppose such
16 motions as February 23, 2024; Original Defendants’ deadline for replies as March 22, 2024; and a
17 hearing on any motions to dismiss for April 10, 2024 (ECF No. 120);

18 WHEREAS, Plaintiffs filed the FAC on November 29, 2023, adding H. Southworth aka
19 Hawke Southworth, Grzegorz Rutkowski, Gregory Manchess, Gerald Brom, Jingna Zhang, Julia
20 Kaye, and Adam Ellis as new Plaintiffs and Runway AI, Inc., as a new Defendant (ECF No. 129);

21 WHEREAS, Plaintiffs served Defendant Runway AI, Inc., on January 4, 2024, triggering
22 a default response date of January 25, 2024;

23 WHEREAS, there have been no other significant modifications of time in this case to
24 date;

25 WHEREAS, in the interests of efficiency and judicial economy, all parties agree that any
26 further motions to dismiss by defendants should be briefed and heard on the same schedule;

27 WHEREAS, granting this stipulation will not impact any other deadlines in this case, as
28 none have been set; and

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WHEREAS, no party will be prejudiced by this stipulation, and all agree hereto.

NOW, THEREFORE, THE PARTIES HEREBY AGREE AND STIPULATE to request an order from the Court setting the following amended schedule for all Defendants to respond to the FAC:

- 1) Defendants’ deadline to respond to the FAC shall be extended to **February 8, 2024;**
- 2) The deadline for Plaintiffs to respond to any motions to dismiss shall be **March 21, 2024;**
- 3) The deadline for Defendants to file Replies in support of any motions to dismiss shall be **April 18, 2024;** and
- 4) A hearing on any motions to dismiss shall take place on **May 8, 2024** (or the date of the Court’s next availability thereafter).

SO STIPULATED.

Dated: January 11, 2024

By: JOSEPH SAVERI LAW FIRM, LLP

s/ Joseph R. Saveri

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[PROPOSED] ORDER

PURSUANT TO STIPULATION, IT IS SO ORDERED.

Dated: January 11, 2024

By: 
HON. WILLIAM H. ORRICK
United States District Judge

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ATTESTATION

I, Bailey W. Heaps, am the ECF user whose ID and password are being used to file this STIPULATED REQUEST FOR AN ORDER CHANGING TIME (L.R. 6-2). In compliance with N.D. Cal. Civ. L.R. 5-1(i)(3), I hereby attest that each of the signatories has concurred in the filing of this document and has authorized the use of his or her electronic signature.

/s/ Bailey W. Heaps
BAILEY W. HEAPS