

1 Gennaro A. Filice III, Bar No. 061112
FILICE BROWN EASSA & MCLEOD LLP
 2 1999 Harrison Street, Suite 1800
 Oakland, California 94612-3520
 3 Telephone: 510.444.3131
 Facsimile: 510.839.7940
 4 Email: GFilice@filicebrown.com

5 Peter M. Boyle (admitted *pro hac vice*)
 Constance K. Robinson (admitted *pro hac vice*)
 6 **KILPATRICK STOCKTON LLP**
 607 14th Street, N.W., Suite 900
 7 Washington, DC 20005
 Email: PBoyle@kilpatrickstockton.com
 8 CRobinson@kilpatrickstockton.com

9 Attorneys for Defendant
 10 COLLEGIATE LICENSING COMPANY

11 **UNITED STATES DISTRICT COURT**
 12 **NORTHERN DISTRICT OF CALIFORNIA**

14 EDWARD C. O'BANNON, JR., on behalf
 15 of himself and all others similarly situated,

16 Plaintiff,

17 v.

18 NATIONAL COLLEGIATE ATHLETIC
 ASSOCIATION, et al.,

19 Defendants.
 20

Case No. 09-cv-3329 (CW)

**STIPULATION EXTENDING TIME TO
 FILE AND SERVE RESPONSIVE
 PLEADINGS**

21
 22 Pursuant to Civil L.R. 6-1(a), the parties, through their undersigned counsel who are
 23 authorized to enter into this stipulation on their behalf, hereby stipulate and agree to (1) an
 24 extension of time within which Defendants the National Collegiate Athletic Association
 25 ("NCAA") and The Collegiate Licensing Company ("CLC") must file responsive pleadings to the
 26 Complaint and (2) a schedule for Plaintiff to file a First Amended Complaint.

27 The parties enter the Stipulation based on the following facts:

28 WHEREAS counsel for the NCAA and CLC met and conferred with Plaintiff's counsel

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STIPULATION EXTENDING TIME TO FILE AND SERVE RESPONSIVE PLEADINGS
(CASE NO. 09-cv-3329 CW)

FBE&M

LAKE MERRITT PLAZA
 1999 HARRISON STREET
 EIGHTEENTH FLOOR
 OAKLAND CA 94612-3541
 PHONE 510.444.3131

1 regarding an extension of time to answer the Complaint or file initial responsive pleadings and
2 Plaintiff's counsel agreed to stipulate to an extension;

3 WHEREAS Plaintiff's counsel has stated its intent to file a First Amended Complaint
4 after the Court rules on a pending Administrative Motion to Consider Whether Cases Should be
5 Related, filed July 29, 2009 in the action styled *Keller v. Electronic Arts, Inc., et al.*, 4:09-cv-
6 01967 ("Related Case Motion");

7 WHEREAS the parties have agreed to allow the NCAA and CLC to serve and file their
8 answers or initial responsive pleadings to the Complaint or First Amended Complaint within
9 thirty (30) days after Plaintiffs file the First Amended Complaint, but no later than September 28,
10 2009;

11 WHEREAS Gennaro A. Filice, III, the filer of this stipulation, pursuant to General Order
12 No. 45, Electronic Case Filing, section 10(b), hereby attests that Jon T. King and Robert J.
13 Wierenga concur in the filing of this stipulation.

14 NOW, THEREFORE, the parties hereby stipulate that:

15 1. Plaintiff shall file an amended complaint within ten (10) days of the Court's ruling
16 on its Related Case Motion, but no later than August 27, 2009; and

17 2. Defendants the National Collegiate Athletic Association and The Collegiate
18 Licensing Company will serve and file their initial responsive pleadings to Plaintiff's Complaint,
19 whether or not amended, within thirty (30) days after Plaintiff files its First Amended Complaint,
20 but no later than September 28, 2009.

21
22 Dated: August 12, 2009

By: /s/Gennaro A. Filice III

23 Gennaro August Filice III (SBN: 061112)
24 FILICE BROWN EASSA & McLEOD LLP

25 Attorneys for Defendant
26 The Collegiate Licensing Company
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Dated: August 12, 2009

By: /s/Robert J. Wierenga

Robert J. Wierenga
MILLER CANFIELD PADDOCK & STONE, P.L.C.
Attorneys for Defendant

National Collegiate Athletic Association

Dated: August 12, 2009

By: /s/Jon T. King

Jon T. King
HAUSFELD LLP
Attorneys for Plaintiff
Edward C. O'Bannon Jr.

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PROOF OF SERVICE

I, Heather Hauck, declare:

I am a citizen of the United States and employed in Alameda County, California. I am over the age of eighteen years and not a party to the within-entitled action. My business address is 1999 Harrison Street, Suite 1800, Oakland, California 94612-3520. On August 12, 2009, I served a copy of the within document(s):

STIPULATION EXTENDING TIME TO FILE AND SERVE RESPONSIVE PLEADINGS

- by transmitting via the CM/ECF system which will send notification to the email addresses registered with the Clerk of the Court.
- by placing the document(s) listed above in a sealed envelope with postage thereon fully prepaid, the United States mail at Oakland, California addressed as set forth below.

Arthur N. Bailey Hausfeld LLP 44 Montgomery Street, 34 th Floor San Francisco, CA 94104	Jack Simms Tanya Chutkan Boies Schiller & Flexner LLP 5301 Wisconsin Avenue, Suite 800 Washington, DC 20015
Megan E. Jones Hausfeld LLP 1700 K Street, NW, Suite 650 Washington, DC 20006	Robert Sturtevant Eaton Morgan Lewis Bockius LLP One Market Street Spear Street Tower San Francisco, CA 94105

I am readily familiar with the firm's practice of collection and processing correspondence for mailing. Under that practice it would be deposited with the U.S. Postal Service on that same day with postage thereon fully prepaid in the ordinary course of business. I am aware that on motion of the party served, service is presumed invalid if postal cancellation date or postage meter date is more than one day after date of deposit for mailing in affidavit.

I declare under penalty of perjury under the laws of the State of California that the above is true and correct.

Executed on August 12, 2009, at Oakland, California.

/s/Heather Hauck
Heather Hauck