

Hyosung (America), Inc. et al v. Hantle USA, Inc.

Doc. 7

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7 Attorneys for Defendants
 HANTLE, INC.
 8 WON GEE LEE
 MYUNG WON SUH
 9

10 UNITED STATES DISTRICT COURT
 11 NORTHERN DISTRICT OF CALIFORNIA
 12 OAKLAND DIVISION
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14 HYOSUNG (AMERICA), INC. and
 NAUTILUS HYOSUNG INC.

15 Petitioners,
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17 v.

18 HANTLE, INC. (fka Hantle USA, Inc.),
 GENMEGA, INC. (fka Huin, Inc.), WON GEE
 LEE and MYUNG WON SUH,
 19

20 Defendants.
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Case No. CV-10-2160- SBA

**STIPULATION TO EXTEND
 TIME FOR DEFENDANT WON
 GEE LEE TO ANSWER OR
 OTHERWISE RESPOND TO THE
 SECOND AMENDED
 COMPLAINT**

Judge: Hon. Sandra B. Armstrong

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 STIPULATION TO EXTEND TIME FOR WON GEE LEE TO
 ANSWER OR RESPOND
 CASE No. CV-10-2160- SBA

1 WHEREAS, Defendant Won Gee Lee ("Mr. Lee") is subject to a criminal indictment in
2 the Republic of Korea;

3 WHEREAS, in light of the ongoing criminal proceeding in Korea, Mr. Lee plans to file a
4 motion to stay the instant proceedings and/or a motion for a protective order in this matter;

5 WHEREAS, the parties have agreed to extend the time for Mr. Lee to answer Plaintiffs'
6 Second Amended Complaint, subject to the conditions below;

7 NOW, THEREFORE, pursuant to Local Civil Rules 6-1(a), 7-1(a), and 7-12, all parties,
8 by and through their respective counsel, hereby stipulate as follows:

- 9 1. The deadline for Mr. Lee to answer or otherwise respond to the Second Amended
10 Complaint is extended to May 13, 2011.
- 11 2. Any motion to stay and/or motion for a protective order governing Mr. Lee and/or
12 any of the other defendants based on the ongoing Korean criminal proceedings
13 and/or the Fifth Amendment to the United States Constitution shall be filed no
14 later than May 13, 2011, though this stipulation shall not preclude future motions
15 for a stay or a protective order that may be based on new or changed circumstances
16 and are not being relied on as a basis for the present extension;
- 17 3. Defendants shall meet and confer with Plaintiffs with respect to any such motion
18 to stay and/or motion for a protective order before filing;
- 19 4. Plaintiffs shall file their opposition to any such motion to stay and/or motion for a
20 protective order on or before June 3, 2011;
- 21 5. Defendant(s) shall file any reply within seven (7) days of the date that Plaintiffs
22 file their opposition;
- 23 6. The parties jointly request that the Court issue a ruling on such motion to stay
24 and/or motion for a protective order as soon as possible;
- 25 7. This stipulation shall not extend any other applicable deadline in the litigation; and
- 26 8. Mr. Lee and the other defendants shall participate in the Case Management
27 Conference scheduled for May 25, 2011 and the ENE Conference scheduled for
28 June 22, 2011, and shall not seek to postpone those events.

1 Dated: May 3, 2011

MATTHEW H. POPPE
KRISTIN S. CORNUELLE
JACOB A. SNOW
ORRICK, HERRINGTON & SUTCLIFFE LLP

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4 By: /s/ Matthew H. Poppe /s/
Matthew H. Poppe

5 Attorneys for Defendants
6 HANTLE, INC.
WON GEE LEE
7 MYUNG WON SUH

8 Dated: May 3, 2011

ADAM A. LEWIS
GRANT L. KIM
ALISON M. TUCHER
BARBARA N. BARATH
MORRISON & FOERSTER LLP

9
10
11 By: /s/ Grant L. Kim /s/ [as authorized]
12 Grant L. Kim

13 Attorneys for Plaintiffs
14 HYOSUNG (AMERICA), INC.
NAUTILUS HYOSUNG, INC.

15 Dated: May 3, 2011

16 MICHAEL LI-MING WONG
THAD A. DAVIS
ROCKY C. TSAI
17 ROPES & GRAY LLP

18
19 By: /s/ Thad A. Davis /s/ [as authorized]
20 Thad A. Davis

21 Attorneys for Defendant
22 GENMEGA, INC.

23 **~~PROPOSED~~ ORDER**

24 PURSUANT TO STIPULATION IT IS SO ORDERED.

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26 Dated: 5/6/11

By: 
United States District Court Judge