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20 *Attorneys for Defendant Aspiro AB*

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

24 JUSTIN BAKER-RHETT, individually and on
 25 behalf of all others similarly situated,

26 *Plaintiff,*

27 v.

28 ASPIRO AB, a Swedish limited liability
 company, and KANYE WEST, an individual,
 together d/b/a TIDAL,

Defendants.

Case No. 4:16-cv-02013-JSW

**STIPULATION AND ~~PROPOSED~~
 ORDER EXTENDING BRIEFING
 SCHEDULE ON DEFENDANT ASPIRO
 AB'S MOTION TO TRANSFER VENUE,
 OR IN THE ALTERNATIVE MOTION TO
 DISMISS.**

Date: Friday, August 19, 2016

Time: 9:00 a.m.

Dept.: Courtroom 5, 2nd Floor

[Local Rule 6-2]

Pursuant to Paragraph 4 of the Judge White's Standing Civil Orders and Northern District
 Local Rule 6-2, Justin Baker-Rhett ("Plaintiff") and Defendant Aspiro AB ("Aspiro") by and
 through their undersigned counsel, hereby respectfully stipulate and agree, subject to Court
 approval, to (1) extend Plaintiff's deadline to respond to Defendant's Motion to Transfer Venue, or
 in the Alternative Motion to Dismiss, from July 5, 2016 to July 19, 2016, and (2) extend

1 Defendant's deadline to reply to Plaintiff's response from July 12, 2016 to July 26, 2016. In
2 support of this Stipulation, the Plaintiff and Defendant Aspiro AB state as follows:

3 WHEREAS, Defendant filed its Motion to Transfer Venue or, in the Alternative, Motion to
4 Dismiss on June 20, 2016;

5 WHEREAS, Plaintiff believes it would be an inefficient use of the Court's and the Parties'
6 resources to fully brief and argue Defendant's motion, believes that the United States District
7 Court for the Southern District of New York is an acceptable venue for his claims, and would
8 prefer to focus on the merits of his case as quickly as possible;

9 WHEREAS, counsel for Plaintiff conferred with counsel for Defendant Aspiro AB on June
10 30, 2016 and July 5, 2016, to discuss the possibility of a stipulated transfer of venue;

11 WHEREAS, Plaintiff and Defendant Aspiro AB believe that a two-week extension of the
12 briefing schedule on Defendant Aspiro AB's pending Motion will allow all Parties to come to a
13 stipulated agreement regarding the appropriate venue (or venues) for this lawsuit;

14 WHEREAS, just two other time modifications have been made in this case: first,
15 Defendants' time to answer or otherwise respond to Plaintiff's Corrected First Amended Class
16 Action Complaint ("Complaint") was extended from May 29, 2016 to June 20, 2016 (dkt. 10), and,
17 second, Defendant Kanye West's deadline to respond to Plaintiff's Complaint was again extended
18 from June 20, 2016 to July 6, 2016, (dkt. 17);

19 WHEREAS, this proposed change will not alter the date of any other event or any deadline
20 already fixed by Court order;

21 NOW THEREFORE, Plaintiff and Defendant Aspiro AB hereby STIPULATE and AGREE
22 as follows, subject to Court approval:

23 **STIPULATION**

24 1. Plaintiff's deadline to respond to Defendant Aspiro AB's Motion to Transfer Venue, or
25 in the Alternative Motion to Dismiss is extended from July 5, 2016 to July 19, 2016.

26 2. Defendant Aspiro AB's deadline to reply to Plaintiff's response is extended from July
27 12, 2016 to July 26, 2016.

28 3. The hearing on Defendant Aspiro AB's motion shall remain set for August 19, 2016.

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Dated: July 5, 2016

Todd Logan (SBN 305912)
EDELSON PC

By: /s/ Todd Logan
Todd Logan

Attorney for Plaintiff
JUSTIN BAKER-RHETT

Dated: July 5, 2016

Ashley Shively (SBN 264912)
REED SMITH LLP

By: /s/ Ashley L. Shively
Ashley L. Shively

Attorney for Defendant
Aspiro AB

~~PROPOSED~~ ORDER


PURSUANT TO STIPULATION, IT IS SO ORDERED:

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3 1. Plaintiff's deadline to respond to Defendant Aspiro AB's Motion to Transfer Venue, or
4 in the Alternative Motion to Dismiss is extended from July 5, 2016 to July 19, 2016.

5 2. Defendant Aspiro AB's deadline to reply to Plaintiff's response is extended from July
6 12, 2016 to July 26, 2016.

7 3. The hearing on Defendant Aspiro AB's motion remains set for August 19, 2016.
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11 Dated: July 6, 2016



HONORABLE JEFFREY S. WHITE
UNITED STATES DISTRICT JUDGE