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 ABBIGLIAMENTO SPORTIVO SRL and
 THEOFANIS PAPADAS

17 **UNITED STATES DISTRICT COURT**

18 **NORTHERN DISTRICT OF CALIFORNIA, OAKLAND DIVISION**

19 GIANNI VERSACE, S.P.A. AND VERSACE
 20 USA, INC.,

21 Plaintiffs,

22 vs.

23 VERSACE 19.69 ABBIGLIAMENTO
 SPORTIVO, S.R.L, THEOFANIS PAPADAS,
 24 SUSAN VALERO, VALERO
 ENTERPRISES, INC., BRILLIANCE NEW
 25 YORK LLC, V1969 BH LLC, V1969
 VERSACE SMO LLC, V1969 VERSACE HG
 26 LLC, AND V1969 USA LLC,

27 Defendants.

Case No. 4:16-cv-03617-HSG (LB)

28 **STIPULATION AND ~~PROPOSED~~
 ORDER CONTINUING TRIAL DATE**

1 Plaintiffs Gianni Versace, S.p.A. and Versace USA, Inc. (“Versace”) and Defendants
2 Versace 19.69 Abbigliamento Sportivo, S.r.l. and Theofanis Papadas (collectively, “Versace
3 19.69,” and together with Versace, the “Parties”), through their respective counsel of record,
4 hereby stipulate and agree as follows:

5 WHEREAS, on July 24, 2018, the Court entered an order granting Versace’s motion for
6 summary judgment, finding that a “permanent injunction is warranted,” and scheduling a case
7 management conference to discuss “a schedule for a bench trial regarding the amount of money
8 appropriately awarded in the form of infringer’s profits,” (ECF No. 261 at 30, 32);

9 WHEREAS, on August 27, 2018, the Court entered an order scheduling a bench trial to
10 commence on February 25, 2019, “regarding the amount of money appropriately awarded in the
11 form of infringer’s profits,” (ECF No. 267 at 2);

12 WHEREAS, on December 21, 2018, counsel of record for Versace 19.69 requested leave
13 to withdraw as counsel (ECF Nos. 272, 274);

14 WHEREAS, on January 2, 2019, the Court entered a permanent injunction, enjoining
15 Versace 19.69 from, *inter alia*, “licensing or otherwise inducing any persons to use any Infringing
16 Marks in the United States,” (ECF No. 275 at 3);

17 WHEREAS, counsel for the Parties have conferred and agree that, in light of the pending
18 motion to withdraw, the current trial date and related pre-trial deadlines be continued until the
19 motion to withdraw is resolved and, if necessary, Versace 19.69 obtains new counsel;

20 WHEREAS, a continuance of the trial date will also permit counsel for the Parties
21 (including new counsel for Versace 19.69, if necessary) to discuss whether the Parties’ can resolve
22 the pending disputes without the need for a bench trial;

23 NOW, THEREFORE, the Parties agree to the following, subject to the Court’s approval:

- 24 1. The trial date shall be vacated.
- 25 2. The parties shall meet and confer no later than 14 days after the Court has resolved
26 the pending motion to withdraw and, if necessary, Versace 19.69’s substitute counsel has appeared
27 in the case, and thereafter submit a joint stipulation requesting a new trial date.

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1 IT IS SO STIPULATED

2 DATED: January 10, 2019

MUNGER, TOLLES & OLSON LLP

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By: /s/Rosemarie T. Ring
Rosemarie T. Ring
Attorneys for Gianni Versace, S.p.A. and
Versace USA, Inc.

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7 DATED: January 10, 2019

DUNNEGAN & SCILEPPI LLC

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By: /s/William Dunnegan
William Dunnegan
Attorneys for Versace 19.69 Abbigliamento Sportivo,
S.r.L and Theofanis Papadas

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ECF ATTESTATION

I, William Larsen, am the ECF user whose account is being used to file this document. In accordance with Civil Local Rule 5-1(i)(2), I attest that concurrence in the filing of this document has been obtained from all signatories.

DATED: January 10, 2019

MUNGER, TOLLES & OLSON LLP

By: /s/ WILLIAM LARSEN
William Larsen
Attorneys for Gianni Versace, S.p.A. and
Versace USA, Inc.

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[PROPOSED] ORDER

Pursuant to the foregoing stipulation between Plaintiffs Gianni Versace, S.p.A. and Versace USA, Inc. (“Versace”) and Defendants Versace 19.69 Abbigliamento Sportivo, S.r.l. and Theofanis Papadas (“VAS Defendants,” collectively, the “Parties”), and good cause appearing, the Court hereby ORDERS:

1. The trial date of February 25, 2019, is vacated.
2. The parties shall meet and confer no later than 14 days after the Court has resolved the pending motion to withdraw and, if necessary, Versace 19.69’s substitute counsel has appeared in the case, and thereafter submit a joint stipulation requesting a new trial date.

IT IS SO ORDERED.

DATED: January 10, 2019



Honorable Haywood S. Gilliam Jr.
United States District Judge