

1 *Counsel listed on signature pages*

2

3

4

5

6

7

8

UNITED STATES DISTRICT COURT

9

NORTHERN DISTRICT OF CALIFORNIA

10

OAKLAND DIVISION

11

12 THELONIOUS SPHERE MONK, JR., as  
13 Administrator of and on behalf of the  
14 ESTATE OF THELONIOUS SPHERE  
15 MONK, Deceased,

Plaintiff,

15

v.

16

17 NORTH COAST BREWING CO., INC., a  
18 California Corporation,

Defendant.

19

20

21

22

23

24

25

26

27

28

CASE NO. 4:17-CV-05015-HSG

**JOINT STIPULATION AND ~~PROPOSED~~  
ORDER TO CONTINUE INITIAL CASE  
MANAGEMENT CONFERENCE**

Current Date:  
November 28, 2017  
Time: 2:00 p.m.

Proposed Rescheduled Date:  
December 5, 2017  
Time: 2:00 p.m.

JOINT STIPULATION AND ~~PROPOSED~~  
ORDER TO CONTINUE CMC  
CASE NO. 4:17-CV-05015-HSG

McDERMOTT WILL & EMERY LLP  
ATTORNEYS AT LAW  
MENLO PARK

1 Plaintiff Thelonious Sphere Monk, Jr. as administrator of and on behalf of the Estate of  
2 Thelonious Sphere Monk (“Plaintiff”) and Defendant North Coast Brewing Company  
3 (“Defendant”) together (“the Parties”) by and through their respective counsel of record, hereby  
4 stipulate and request that the Court continue the Initial Case Management Conference set for  
5 November 28, 2017 at 2:00 p.m. (Dkt. 14) to December 5, 2017 at 2:00 p.m., or another time that  
6 is convenient for the Court.

7 WHEREAS, the Parties have an Initial Case Management Conference on calendar for  
8 November 28, 2017;

9 WHEREAS, the Parties’ Case Management Statement is due by November 21, 2017;

10 WHEREAS, counsel for both Parties have conflicts and are unable to attend the Initial  
11 Case Management Conference as currently set;

12 WHEREAS, the Parties have met, conferred, and agreed that the Initial Case Management  
13 Conference be rescheduled to December 5, 2017, or at the next date available to the Court. The  
14 Parties have also met, conferred and agreed that the Case Management Statement be due on  
15 November 28, 2017. This change will not alter the date of any other event or deadline already  
16 fixed by Court order; and

17 WHEREAS, the Parties respectfully request that the Court continue the due date of the  
18 Case Management Statement to November 28, 2017, and that the Court reschedule the Initial  
19 Case Management Conference to December 5, 2017 at 2:00 p.m., or at the next date available to  
20 the Court.

21 **IT IS HEREBY STIPULATED AND AGREED** by and between the Parties hereto, that  
22 the Court enter an order, continuing the Initial Case Management Conference to December 5,  
23 2017 at 2:00 p.m. or a date thereafter at the Court’s convenience, and the Case Management  
24 Statement to be due by November 28, 2017.

1 Dated: November 7, 2017

Respectfully submitted,

2

McDERMOTT WILL & EMERY LLP

3

4

By: /s/ Nitin Gambhir

5

Nitin Gambhir

6

NITIN GAMBHIR (SBN 259906)

ngambhir@mwe.com

McDERMOTT WILL & EMERY LLP

7

275 Middlefield Road, Suite 100

Menlo Park, CA 94025-4004

8

Telephone: 650 815 7400

Facsimile: 650 815 7401

9

10

ROBERT ZELNICK (*Pro Hac Vice forthcoming*)

rzelnick@mwe.com

The McDermott Building

11

McDERMOTT WILL & EMERY LLP

12

500 North Capitol Street, N.W.

Washington, D.C. 20001-1531

13

Telephone: 202-756-8000

Facsimile: 202-756-8087

14

Attorneys for Defendant

NORTH COAST BREWING CO., INC.

15

16

17 Dated: November 7, 2017

SAVUR THREADGOLD LLP

18

19

By: /s/ John Mansfield

20

Jonah A. Grossbardt

21

JONAH A. GROSSBARDT (CA Bar No. 283584)

jg@savurlaw.com

SAVUR THREADGOLD LLP

22

10250 Constellation Blvd., Suite 100

Los Angeles, CA 90067

23

Telephone: (646) 475-2515

Facsimile: (646) 275-2401

24

25

Attorneys for Plaintiff

26

Thelonious Sphere Monk, Jr., as Administrator of

and on behalf of the

27

Estate of Thelonious Sphere Monk, deceased

28

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28

Dated: November 7, 2017

SCHNEIDER ROTHMAN INTELLECTUAL  
PROPERTY GROUP, LLC

By: /s/ Joel B. Rothman

Joel B. Rothman

JOEL B. ROTHMAN (*pro hac vice*)  
joel.rothman@sriplaw.com  
SCHNEIDER ROTHMAN INTELLECTUAL  
PROPERTY GROUP, LLC  
4651 North Federal Highway  
Boca Raton, FL 33431  
Telephone: (561) 404-4350  
Facsimile: (561) 404-4353

Attorneys for Plaintiff  
Thelonious Sphere Monk, Jr., as Administrator of  
and on behalf of the  
Estate of Thelonious Sphere Monk, deceased

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28

**SIGNATURE ATTESTATION**

Pursuant to Civil Local Rule 5-1(i), I hereby attest that I have obtained the concurrence in the filing of this document from all the signatories for whom a signature is indicated by a “conformed” signature (/s/) within this e-filed document and I have on file records to support this concurrence for subsequent production for the Court if so ordered or for inspection upon request.

Dated: November 7, 2017

/s/ Robert Zelnick  
Robert Zelnick

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28

~~PROPOSED~~ ORDER

PURSUANT TO PARTIES' JOINT STIPULATION AND FINDING GOOD CAUSE, **IT IS SO ORDERED.**

The Initial Case Management Conference is continued to December 5, 2017 at 2:00 p.m.  
The Case Management Statement is due by November 28, 2017.

Dated: 11/7/2017

  
\_\_\_\_\_  
HONORABLE HAYWOOD S. GILLIAM JR.  
UNITED STATES DISTRICT JUDGE

McDERMOTT WILL & EMERY LLP  
ATTORNEYS AT LAW  
MENLO PARK