

1 John V. Picone III (State Bar No. 187226)
 jpicone@hopkinscarley.com
 2 Jennifer Coleman (State Bar No. 213210)
 jcoleman@hopkinscarley.com
 3 C. Gideon Korrell (State Bar No. 284890)
 gkorrell@hopkinscarley.com
 4 HOPKINS & CARLEY
 A Law Corporation
 5 The Letitia Building
 70 South First Street
 6 San Jose, CA 95113-2406

7 **mailing address:**
 P.O. Box 1469
 8 San Jose, CA 95109-1469
 Telephone: (408) 286-9800
 9 Facsimile: (408) 998-4790

10 Attorneys for Plaintiff
 PACE Anti-Piracy, Inc.

11
 12 UNITED STATES DISTRICT COURT
 13 NORTHERN DISTRICT OF CALIFORNIA
 14 OAKLAND DIVISION

15 PACE ANTI-PIRACY, INC., a California
 corporation,

16 Plaintiff,

17 v.

18 INSIDE SECURE S.A., a French legal
 19 entity, and INSIDE SECURE CORP., a
 Delaware corporation,

20 Defendants.
 21

CASE NO. 4:17-cv-05860-HSG

**STIPULATION AND ORDER TO FILE
 FIRST AMENDED COMPLAINT**

22 **STIPULATION**

23
 24 Plaintiff PACE Anti-Piracy, Inc. (“Plaintiff”) and defendants Inside Secure S.A. and
 25 Inside Secure Corp. (“Defendants”) by, and through their respective counsel, jointly stipulate as
 26 follows:

27 WHEREAS, Plaintiff filed the instant action on October 12, 2017;

28 ///

1 WHEREAS, on December 26, 2017, Defendants filed a motion to dismiss,, which is now
2 fully briefed;

3 WHEREAS, on February 7, 2018, the Court issued an order (Dkt. 53) setting the deadline
4 for amending pleadings and joining parties for April 9, 2018;

5 WHEREAS, Plaintiff intends to file a First Amended Complaint to assert two additional
6 causes of action of induced infringement and contributory infringement (Attached hereto as
7 Exhibit 1);

8 WHEREAS, FRCP Rule 15(a)(2) permits a party to amend its pleading with the opposing
9 party's written consent or the court's leave;

10 WHEREAS, Defendants do not oppose or object to the filing of the First Amended
11 Complaint;

12 WHEREAS, the filing of the First Amended Complaint does not affect the issues raised
13 by Defendants' pending motion, which, if granted, would result in dismissal of all causes of
14 action in the First Amended Complaint;

15

16 NOW IT IS HEREBY STIPULATED AND AGREED by and between Plaintiff and
17 Defendants, through their undersigned counsel of record, that:

18 1. Plaintiff may file its First Amended Complaint; and

19 ///

20 ///

21 ///

22 ///

23 ///

24 ///

25 ///

26 ///

27 ///

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

2. Defendants do not need to re-file their pending motion to dismiss or otherwise respond to the First Amended Complaint prior to the resolution of that motion.

IT IS SO STIPULATED

Dated: April 10, 2018

HOPKINS & CARLEY
A Law Corporation

By: /s/ John V. Picone III

John V. Picone III
Jennifer S. Coleman
C. Gideon Korrell
Attorneys for Plaintiff
PACE Anti-Piracy, Inc.

Dated: April 10, 2018

SKADDEN, ARPS, SLATE, MEAGHER &
FLOM LLP

By: /s/ James Y. Pak

James Y. Pak
Attorneys for Defendants
Inside Secure and Inside Secure Corp.

ATTESTATION OF E-FILED SIGNATURE

Pursuant to Local Rule 5-1(i)(3), I hereby certify that I have obtained the concurrence in the filing of this document from all signatories for whom a signature is indicated by a “conformed” signature (/ s /) within this electronically filed document and I have on file records to support this concurrence for subsequent production to the Court if so ordered or for inspection upon request.

Dated: April 10, 2018

By: /s/ John Picone

John V. Picone III
Attorney for Plaintiff
PACE Anti-Piracy, Inc.

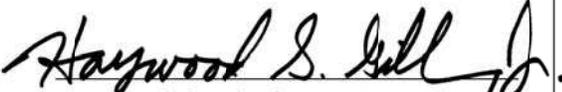
1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

ORDER

Pursuant to FRCP Rule 15, the Court’s February 7, 2018 scheduling order, stipulation of the parties, and good cause appearing therefore, the Plaintiff is hereby granted leave to file its First Amended Complaint.

IT IS SO ORDERED.

Dated: April 10, 2018


HAYWOOD S. GILLIAM, JR.
United States District Judge