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11 Attorneys for Plaintiffs  
12 Monte Morgan and F. Jason Vasquez

13 UNITED STATES DISTRICT COURT  
14 NORTHERN DISTRICT OF CALIFORNIA

15  
16 MONTE MORGAN and F. JASON )  
VASQUEZ, on behalf of themselves and all )  
17 others similarly situated, )  
18 Plaintiffs, )  
19 vs. )  
20 HARMONIX MUSIC SYSTEMS, INC., a )  
corporation; MTV NETWORKS, a division of )  
21 VIACOM INTERNATIONAL, INC., a )  
corporation; ELECTRONIC ARTS INC., a )  
22 corporation; and DOES Through 10, )  
23 Defendants. )

Case No. CV 08 5211 BZ  
Case assigned to Hon. Bernard Zimmerman  
JOINT MOTION FOR ADMINISTRATIVE  
RELIEF RE: FOUR WEEK CONTINUANCE  
OF THE APRIL 13, 2009 INITIAL CASE  
MANAGEMENT CONFERENCE AND  
FOUR WEEK EXTENSION OF INITIAL  
DISCLOSURE AND CASE MANAGEMENT  
DEADLINES AND OF TIME TO RESPOND  
TO FIRST AMENDED COMPLAINT  
Complaint Filed: November 18, 2008  
First Amended Complaint Filed:  
December 23, 2008

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1 Pursuant to Northern District Local Rule 7-11 and 7-12, Plaintiffs Monte Morgan and  
2 F. Jason Vasquez (“Plaintiffs”) and defendants Harmonix Music Systems, Inc., MTV Networks, a  
3 division of Viacom International Inc., and Electronic Arts Inc. (collectively, “Defendants”),  
4 through their respective counsel, hereby jointly request that the Court continue the Initial Case  
5 Management Conference, currently scheduled for April 13, 2009, until May 11, 2009 (four  
6 weeks), or until such time thereafter as is convenient for the Court; that the Court grant a four  
7 week extension to each of the deadlines set forth in the Court’s February 19, 2009 Order Granting  
8 Joint Motion For Administrative Relief Re: Four Week Continuance Of The March 16, 2009  
9 Initial Case Management Conference And Extension Of Initial Disclosure And Case Management  
10 Deadlines (“February 19 Scheduling Order”) and that the Court grant a four week extension of  
11 Defendants’ time to respond to the First Amended Complaint, through April 13, 2009. A copy of  
12 the February 19 Scheduling Order is attached hereto as Exhibit A.

13 This Motion is based on the concurrently filed Joint Stipulation To Extend Initial  
14 Disclosure And Case Management Deadlines And Time To Respond To First Amended  
15 Complaint, all pleadings and papers on file in this action, and facts of which the Court may take  
16 judicial notice.

17 As set forth in the Joint Stipulation, the parties believe that a four-week continuance of the  
18 Initial Case Management Conference, to May 11, 2009, and a four week extension of the deadlines  
19 set forth in the February 19 Scheduling Order, as well as a four week extension of the Defendants’  
20 time to respond to the First Amended Complaint until April 13, will serve the interest of judicial  
21 economy and efficiency. The parties have been in communication regarding a possible resolution  
22 of this case and have needed to conduct factual research relating to the parameters of possible  
23 settlement. The parties believe that these discussions could result in a resolution of some or all of  
24 the claims asserted by Plaintiffs and may substantially affect the parties’ initial disclosures and the  
25 issues to be addressed in the Joint Case Management Statement and Rule 26 disclosures, and,  
26 accordingly, that an extension will enable a more productive Initial Case Management Conference.

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1 For the foregoing reasons, the parties respectfully request that the Court's Scheduling  
 2 Order be modified as follows:

Event	Date per Feb. 19 Order	Modified Date
3 4 Last day to: • meet and confer re: initial disclosures, early settlement, ADR process selection, and 5 discovery plan • file ADR Certification signed by Parties and Counsel • file either Stipulation to ADR Process or 6 Notice of Need for ADR Phone Conference 7	March 23, 2009	April 20, 2009
8 Last day to file Rule 26(f) Report, complete initial disclosures or state objection in Rule 26(f) Report and file Case Management Statement 9	April 6, 2009	May 4, 2009
10 INITIAL CASE MANAGEMENT CONFERENCE	April 13, 2009 4:00 PM, Courtroom G	May 11, 2009 4:00 PM, Courtroom G

11 In addition, the parties respectfully request that the Defendants' time to respond to the First  
 12 Amended Complaint be extended four weeks, from March 16, 2009 to April 13, 2009.

13 A Proposed Order granting this motion and adopting the parties Stipulation is filed  
 14 concurrently herewith.

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 16 Dated: March 12, 2009

IRELL & MANELLA LLP  
 Richard B. Kendall  
 Richard M. Simon  
 Julie A. Mandelsohn

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 20 By:           /s/ Richard B. Kendall            
 Richard B. Kendall\*  
 Attorneys for Defendants  
 Harmonix Music Systems, Inc., Viacom  
 International, Inc. & Electronic Arts Inc.

21  
 22  
 23 Dated: March 12, 2009

STRANGE & CARPENTER  
 Brian R. Strange  
 Gretchen Carpenter

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 26  
 27 By:           /s/ Brian R. Strange            
 Brian R. Strange  
 Attorneys for Plaintiffs  
 Monte Morgan & F. Jason Vasquez  
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1 \* I, Richard B. Kendall, am the ECF user whose ID and password are being used to file this Joint  
2 Motion. In compliance with General Order 45.X.B, I hereby attest that Brian R. Strange has  
3 concurred with this filing.  
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