

1 JOHN T. JASNOCH (CA 281605)
SCOTT+SCOTT ATTORNEYS AT LAW LLP
 2 600 W. Broadway, Suite 3300
 San Diego, CA 92101
 3 Telephone: (619) 233-4565
 Facsimile: (619) 233-0508
 4 Email: jjasnoch@scott-scott.com

5 THOMAS L. LAUGHLIN, IV (*pro hac vice*)
 JONATHAN M. ZIMMERMAN (*pro hac vice*)
 6 **SCOTT+SCOTT ATTORNEYS AT LAW LLP**
 The Helmsley Building
 7 230 Park Avenue, 17th Floor
 New York, NY 10169
 8 Telephone: (212) 223-6444
 Facsimile: (212) 223-6334
 9 Email: tlaughlin@scott-scott.com
 jzimmerman@scott-scott.com

10 *Attorneys for Plaintiff City of Birmingham*
 11 *Relief and Retirement System*

12 **UNITED STATES DISTRICT COURT**
 13 **NORTHERN DISTRICT OF CALIFORNIA**
SAN JOSE DIVISION

14 CITY OF BIRMINGHAM RELIEF AND
 RETIREMENT SYSTEM, Derivatively and on
 15 Behalf of Nominal Defendant NETFLIX, INC.,
 16 Plaintiff,
 17 v.
 18 REED HASTINGS, DAVID WELLS,
 RICHARD BARTON, A. GEORGE (SKIP)
 19 BATTLE, TIMOTHY HALEY, JAY HOAG,
 LESLIE KILGORE, ANN MATHER, BRAD
 20 SMITH, ANNE SWEENEY, NEIL HUNT,
 TED SARANDOS, GREG PETERS, and
 21 DAVID HYMAN,
 22 Defendants,
 23 - and -
 24 NETFLIX, INC.,
 25 Nominal Defendant.

Case No. 5:18-cv-02107-BLF

STIPULATION AND ~~PROPOSED~~
ORDER MODIFYING BRIEFING
SCHEDULE

1 Plaintiff City of Birmingham Relief and Retirement System (“Plaintiff”), Defendants
2 Reed Hastings, David Wells, Richard Barton, A. George (Skip) Battle, Timothy Haley, Jay
3 Hoag, Leslie Kilgore, Ann Mather, Brad Smith, Anne Sweeney, Neil Hunt, Ted Sarandos,
4 Greg Peters, and David Hyman, as well as Nominal Defendant Netflix, Inc. (collectively,
5 “Defendants” and collectively, with Plaintiff, the “Parties”), hereby stipulate as follows:

6 WHEREAS, on May 9, 2018, the Court entered an order, which among other dates, set
7 August 10, 2018 as the date Plaintiff shall file its opposition to Defendants’ response to
8 Plaintiff’s complaint and September 14, 2018 for Defendants to file a reply;

9 WHEREAS, on August 8, 2018, due to a medical issue that arose earlier in the week,
10 Plaintiff asked Defendants for an extension of two weeks to file its opposition and agreed to
11 extend the date for Defendants’ reply by an equal amount of days;

12 WHEREAS, the Parties met and conferred and agreed to solely extend the dates for
13 both Plaintiff’s opposition and Defendants’ reply to August 24, 2018 and September 28, 2018,
14 respectively.

15 WHEREAS, the Parties further agreed that the noticed motion to dismiss hearing date
16 of December 13, 2018 shall remain unchanged.

17 ACCORDINGLY, IT IS HEREBY STIPULATED AND AGREED, by the Parties
18 through their undersigned counsel, that the filing deadlines shall be modified as follows:

- 19 • Plaintiff shall file its opposition to Defendants’ response on or before August 24,
20 2018; and
- 21 • Defendants shall reply to Plaintiff’s opposition on or before September 28, 2018.

22 **IT IS SO STIPULATED.**

23
24
25
26
27
28

1 Dated: August 8, 2018

SCOTT+SCOTT ATTORNEYS AT LAW LLP

2 By: /s/ John T. Jasnoch
3 JOHN T. JASNOCH (CA 281605)
4 600 W. Broadway, Suite 3300
5 San Diego, CA 92101
6 Telephone: (619) 233-4565
7 Facsimile: (619) 233-0508
8 Email: jjasnoch@scott-scott.com

9 THOMAS L. LAUGHLIN, IV (*pro hac vice*)
10 JONATHAN M. ZIMMERMAN (*pro hac vice*)
11 **SCOTT+SCOTT ATTORNEYS AT LAW LLP**
12 The Helmsley Building
13 230 Park Avenue, 17th Floor
14 New York, NY 10169
15 Telephone: (212) 223-6444
16 Facsimile: (212) 223-6334
17 Email: tlaughlin@scott-scott.com
18 jzimmerman@scott-scott.com

19 *Attorneys for Plaintiff City of Birmingham*
20 *Relief and Retirement System*

21 Dated: August 8, 2018

**WILSON SONSINI GOODRICH & ROSATI
Professional Corporation**

22 By: /s/ Rodney G. Strickland
23 RODNEY G. STRICKLAND (CA 161934)
24 KEITH E. EGGLETON (CA 159842)
25 RYAN S. WOLF (CA 319353)
26 650 Page Mill Road
27 Palo Alto, CA 94304-1050
28 Telephone: (650) 493-9300
Facsimile: (650) 493-6811
Email: rstrickland@wsgr.com
keggleton@wsgr.com
rwolf@wsgr.com

LORI W. WILL (*pro hac vice*)
WILSON SONSINI GOODRICH & ROSATI
222 Delaware Avenue, Suite 800
Wilmington, DE 19803-5225
Telephone: (302) 304-7600
Facsimile: (866) 974-7329
Email: lwill@wsgr.com

*Attorneys for Defendants Reed Hastings,
David Wells, Richard Barton, A. George
(Skip) Battle, Timothy Haley, Jay Hoag,
Leslie Kilgore, Ann Mather, Brad Smith,
Anne Sweeney, Neil Hunt, Ted Sarandos,
Greg Peters, David Hyman and Nominal
Defendant Netflix, 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

~~PROPOSED~~ ORDER

PURSUANT TO THE STIPULATION, IT IS SO ORDERED that the filing deadlines shall be modified as follows:

- Plaintiff shall file its opposition to Defendants' response on or before August 24, 2018; and
- Defendants shall reply to Plaintiff's opposition on or before September 28, 2018.

DATED: August 9, 2018.



HON. BETH LABSON FREEMAN
UNITED STATES DISTRICT JUDGE