

**UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF MICHIGAN**

**BROADCAST MUSIC, INC.,; E.O. SMITH MUSIC;
UNIVERSAL MUSIC-Z TUNES LLC d/b/a
UNIVERSAL MUSIC Z SONGS; EMI BLACKWOOD
MUSIC, INC.;**

Plaintiffs,

Case No. 1:11-cv-01001-RHB

v

Hon. Robert Holmes Bell
Chief, U.S. District Judge

**LADY GODIVA’S, INC., d/b/a LADY GODIVA’S;
MARK LONDON, individually, and
SENSATIONS, INC., d/b/a SENSATIONS,**

Defendants.

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STIPLULATED ORDER EXTENDING DEADLINE
FOR DEFENDANTS/COUNTER-PLAINTIFFS TO RESPOND TO PLAINTIFFS’
COMBINED MOTION FOR 12(b)(6) DISMISSAL OF COUNTERCLAIM

1. On or about September 20, 2011, Plaintiffs Broadcast Music, Inc. (“BMI”), E.O. Smith Music, Universal Music-Z Tunes LLC d/b/a Universal Music Z Songs, and EMI Blackwood Music, Inc. filed their Complaint in this Court.

2. On October 25, 2011, Defendants Lady Godiva’s, Inc., d/b/a Lady Godiva’s and Mark London filed their Answer. That same day Lady Godiva’s and Sensations, Inc. d/b/a Sensations filed a Counterclaim against Plaintiff/Counter-Defendant BMI.

3. On November 29, 2011, Plaintiffs BMI, et al., filed their Combined Motion and Brief for 12(b)(6) Dismissal of Counterclaim.

4. Pursuant to LCivR 7.2(c) and Fed. R. Civ. P. 6(d), Defendants/Counter-Plaintiffs Lady Godiva’s and Sensations must file a responsive brief and any supporting materials on or before December 30, 2011.

5. Plaintiffs and Defendants are currently engaging in settlement negotiations and as a result have agreed to extend the deadline by which Defendants/Counter-Plaintiffs must file their responsive brief and supporting materials for 21 days, from December 30, 2011 up to, and including, January 20, 2012. This extension shall also apply to Plaintiffs/Counter-Defendants in that they may file a reply brief up to, and including, February 6, 2012.

THE PARTIES STIPULATE AND AGREE THAT, in light of the foregoing, the following Order be entered, subject to approval of the Court.

IT IS HEREBY AGREED AND ORDERED THAT:

The deadline by which Defendants/Counter-Plaintiffs Lady Godiva’s and Sensations must file their responsive brief and supporting materials in response to Plaintiffs Combined

Motion for 12(b)(6) Dismissal of Counterclaim is hereby extended for 21 days, from December 30, 2011 up to, and including, January 20, 2012. This extension shall also apply to Plaintiffs/Counter-Defendants in that they may file a reply brief up to, and including, February 6, 2012.

Dated: _____

Honorable Robert Holmes Bell
United States District Court Judge

STIPULATED AS TO FORM AND CONTENT:

HOWARD & HOWARD ATTORNEYS PLLC

PFEIFFLE LAW OFFICE, P.C.

By: /s/ Michelle M. Wezner

By: /s/ Alexander B. Pfeiffle

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Dated: December 22, 2011

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