

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

SHEPARD FAIREY AND OBEY GIANT
ART, INC.,

Plaintiffs,

v.

THE ASSOCIATED PRESS,

Defendant and Counterclaim
Plaintiff,

v.

SHEPARD FAIREY, OBEY GIANT ART,
INC., OBEY GIANT LLC, STUDIO
NUMBER ONE, INC., and ONE 3 TWO,
INC. (d/b/a OBEY CLOTHING),

Counterclaim Defendants.

And

MANNIE GARCIA,

Defendant, Counterclaim
Plaintiff and Cross-claim
Plaintiff/Defendant,

v.

SHEPARD FAIREY and OBEY GIANT
ART, INC.,

Counterclaim Defendants,

And

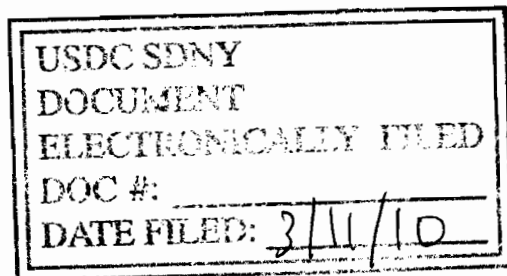
THE ASSOCIATED PRESS

Cross-claim Plaintiff/Defendant.

ECF

Case No. Civ. 09-01123 (AKH)

~~PROPOSED~~ SECOND AMENDED
CASE MANAGEMENT ORDER



After consultation with counsel for the parties, the following Second Amended Case Management Order is adopted. This plan is also a scheduling order pursuant to Rules 16 and 26(f) of the Federal Rules of Civil Procedure:

1. The status conference previously set for March 5, 2010 at 10:00 a.m. is adjourned.
2. The deadline for amendment of pleadings and joinder passed on January 22, 2010 and will not be further extended.
3. The deadline for completion of all fact discovery previously set for January 31, 2010 will now be **March 31, 2010**.
4. The deadline for disclosure of expert witnesses and exchange of expert reports previously set for February 26, 2010 will now be **April 26, 2010**; except the deadline for disclosure of Mannie Garcia's expert witnesses and the exchange of those expert reports previously set for March 5, 2010 will now be **May 3, 2010**.
5. The filing deadline for motions for summary judgment in connection with the copyright ownership issue previously set for March 2, 2010 will now be **May 3, 2010**. Opposition papers shall be due 30 days after the Motions are filed and Reply papers shall be due 15 days after the Oppositions are filed.

6. The deadline for disclosure of rebuttal experts and exchange of rebuttal expert reports previously set for April 2, 2010 will now be **June 1, 2010**.

7. The deadline for the completion of expert discovery (including depositions) previously set for April 30, 2010 will now be **June 30, 2010**.

8. The deadline for filing any remaining motions for summary judgment previously set for May 27, 2010 will now be **July 26, 2010**. Opposition papers shall be due 30 days after the Motions are filed and Reply papers shall be due 15 days after the Oppositions are filed.

In addition, plaintiffs and counterclaim defendants Shepard Fairey, Obey Giant Art, Inc., Obey Giant LLC, and Studio Number One, Inc. are directed to preserve all materials, including all electronic materials, bearing on the spoliation and fabrication issues.

IT IS SO ORDERED.

Dated: 3/10/10


The Honorable Alvin K. Hellerstein
United States District Court Judge