

1 HON. BARBARA J. ROTHSTEIN

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7 **UNITED STATES DISTRICT COURT**

8 **WESTERN DISTRICT OF WASHINGTON**

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10 SA MUSIC, LLC, WILLIAM KOLBERT,  
11 AS TRUSTEE OF THE HAROLD ARLEN  
12 TRUST, RAY HENDERSON MUSIC CO.  
INC., FOUR JAY MUSIC COMPANY, and  
JULIA RIVA,

13 Plaintiffs,

14 v.

15 MICROSOFT CORPORATION,

16 Defendant.

17

Case No. 20-cv-0651-BJR

**STIPULATED MOTION  
AND ORDER**

18 The undersigned counsel for Plaintiffs SA Music, LLC, William Kolbert, as  
19 Trustee of the Harold Arlen Trust, Ray Henderson Music Co., Inc., Four Jays Music  
20 Company, and Julia Riva, and for Defendant Microsoft Corporation (“Microsoft”)  
21 hereby stipulate and agree as follows:

22 **Background**

23 1. Plaintiffs have commenced this lawsuit for copyright infringement  
24 against Microsoft.

25 2. Microsoft executed a Waiver of Service on May 6, 2020 (ECF No. 11)  
26 and its response to the Complaint is presently due July 5, 2020.

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28 STIPULATED MOTION  
AND ORDER  
Case No. 20-cv-00651-BJR

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1 3. On May 29, 2020, the Court entered a scheduling order (ECF No. 13)  
2 setting the following initial deadlines:

- |   |  |           |
|---|--|-----------|
| 3 | a. Deadline for FRCP 26(f) Conference:   | 6/26/2020 |
| 4 | b. Initial Disclosures Pursuant to FRCP 26(a)(1):                                | 7/6/2020  |
| 5 |  |           |
| 6 | c. Combined Joint Status Report and Discovery<br>Plan as Required by FRCP 26(f): | 7/10/2020 |
| 7 |  |           |

8 4. The parties met and conferred on June 25, 2020 concerning grounds for  
9 a possible motion to dismiss by Microsoft.

10 5. Without conceding the validity of any of Microsoft's arguments,  
11 Plaintiffs have agreed to file an Amended Complaint.

12 **Stipulation**

13 6. The parties have agreed that Plaintiffs will file an Amended Complaint  
14 by July 27, 2020 and Microsoft shall answer, move, or otherwise respond to the  
15 Amended Complaint within 30 days of its filing.

16 7. There have been no prior amendments to the Complaint or extensions of  
17 Microsoft's time to respond to the Complaint.

18 8. This Stipulation does not affect any of the other deadlines in the case.  
19 The parties intend to serve their Initial Disclosures Pursuant to FRCP 26(a)(1) and  
20 submit a Combined Joint Status Report and Discovery Plan in accordance with the  
21 Court's prior scheduling order.

1 NOW, THEREFORE, the parties stipulate as follows, subject to the Court's  
2 approval:

- 3 1. Plaintiffs shall file an Amended Complaint on or before July 27, 2020;  
4 and  
5 2. Defendant shall answer, move, or otherwise respond to the Amended  
6 Complaint within 30 days of its filing.

7 Dated: July 7, 2020

8 Respectfully submitted,

9 s/ Philip P. Mann

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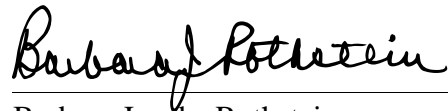
Attorneys for Defendant  
Microsoft Corporation

**ORDER**

Pursuant to the parties' stipulation, it is so ordered:

1. Plaintiffs shall file an Amended Complaint on or before July 27, 2020;  
and
2. Defendant shall answer, move, or otherwise respond to the Amended Complaint within 30 days of its filing.

Dated this 7th day of July, 2020.



Barbara Jacobs Rothstein  
U.S. District Court Judge

Presented by:

*s/ Philip P. Mann, Attorney for Plaintiffs*  
*s/ Ambika K. Doran, Attorney for Defendant*