



Christian Gilstrap

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ORDER

STIPULATION TO EXTEND TIME TO RESPOND TO COMPLAINT

WHEREAS, there have been multiple actions related to this case filed in both the Northern District of California and the Southern District of New York (the "Actions");

WHEREAS, the Court has entered an order in the first-filed action, Petru,, et al. v. Apple, Inc., et al. (11-cv-3892 N.D. Cal.) (the "Petru Action"), to extend the time to answer, move 6 or otherwise respond to the complaint until December 15, 2011, without prejudice to the right of 7 any party to seek a further adjustment to the schedule; come prior to the response date in the Petru Action; prejudice to any of Plaintiffs' claims or defense of Hachette Book Group, Inc., HarperCollins

WHEREAS, the parties have agreed that the response date in this action should not

WHEREAS, plaintiffs agree that submission of this Stipulation should be without Publishers L.L.C. (incorrectly sued as "HarperCollins Publishers, Inc."), Holtzbrinck Publishers, LLC d/b/a Macmillan (incorrectly sued as Macmillan Publishers, Inc.), Penguin Group (USA) Inc., Simon & Schuster, Inc., and Apple, Inc. (collectively, "Defendants"); answer, move or otherwise respond to the complaint in this action will not alter the date of any event or any deadline already fixed by Court order; between Plaintiffs and Defendants, as follows:

otherwise respond to the complaint is hereby extended to December 15, 2011, without prejudice to 22 the right of any party to seek a further adjustment to the response date based on future 23 developments;

complaint in any of the Actions prior to the time provided in this Stipulation, Defendants will 26



respond to the complaint in this action at the same time;

by its submission of this Stipulation; and

WHEREAS, this stipulation to extend the time within which Defendants have to

NOW, THEREFORE, IT IS HEREBY STIPULATED AND AGREED, by and

1. Pursuant to Civil Local Rule 6-1(a), Defendants' time to answer, move or
2. If any of the Defendants that are a party to this Stipulation responds to a
3. None of Plaintiffs' claims or Defendants' defenses are prejudiced or waived
4. Defense counsel may file notices of appearance in this action without prejudice to their respective clients' jurisdictional or venue defenses.

I, Raoul D. Kennedy, am the ECF User whose ID and password are being used to file this Stipulation to Extend Time To Respond To Complaint. In compliance with General Order 45, X.B., I hereby attest that each of the following signatories has concurred in this filing.

IT IS SO ORDERED:

Edward M. Chen