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8 Manwin Licensing International S.à.r.l.
and Digital Playground, Inc.

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10 UNITED STATES DISTRICT COURT
11 CENTRAL DISTRICT OF CALIFORNIA

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13 MANWIN LICENSING
INTERNATIONAL S.A.R.L., a
14 Luxemburg limited liability company
(s.à.r.l.), and DIGITAL
15 PLAYGROUND, INC., a California
corporation,

16 Plaintiffs,

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v.

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19 ICM REGISTRY, LLC, d/b/a .XXX, a
Delaware limited liability corporation;
INTERNET CORPORATION FOR
20 ASSIGNED NAMES AND NUMBERS,
a California nonprofit public benefit
21 corporation; and Does 1-10,

22 Defendants.

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24

AND RELATED COUNTERCLAIMS

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Case No. CV11- 9514 PSG (JCGx)

The Honorable Philip S. Gutierrez

**STIPULATION REGARDING
AMENDED COUNTERCLAIMS
AND SCHEDULING CONFERENCE**

Courtroom: 880 Roybal Federal Building

1 Plaintiffs Manwin Licensing International S.à.r.l. and Digital Playground,
2 Inc. (collectively, “Plaintiffs”), Defendant Internet Corporation for Assigned
3 Names and Numbers (“ICANN”), and Defendant and Counterclaimant ICM
4 Registry, LLC (“ICM”), stipulate as follows through their undersigned counsel of
5 record:

6 1. On or about September 28, 2012, ICM filed and served counterclaims.
7 The parties met and conferred about the counterclaims and Plaintiffs’ contentions
8 that they are insufficient, as well as ICM’s responses that those contentions are
9 meritless. As a result of those conferences, ICM has agreed, without conceding the
10 merits of Plaintiffs’ position, to consider Plaintiffs’ arguments in good faith and to
11 amend its counterclaims as ICM may see fit, and Plaintiffs have agreed, without
12 conceding the merits of ICM’s position, to consider ICM’s responses and
13 amendments in good faith, all in a mutual effort to reduce or eliminate disputes and
14 motion practice.

15 2. The parties therefore agree on the following schedule for ICM to
16 serve and file amended counterclaims, and for Plaintiffs to respond to those
17 counterclaims:

18 (a) ICM shall serve and file its amended counterclaims on or before
19 November 13, 2012.

20 (b) Responding parties shall have up to and including December 7,
21 2012 to respond to the amended counterclaims.

22 3. In addition, recognizing the possibility that ICM’s amendment of its
23 counterclaims may not address all of Plaintiffs’ contentions that they are
24 insufficient, and that Plaintiffs may file motions to dismiss or strike in response to
25 the amended counterclaims, the parties jointly request that the Court consider
26 moving the scheduling conference presently set for January 14, 2013 to sometime
27 in early February 2013 (preferably between February 4 and February 15, when all

1 counsel are available). Such a continuance would facilitate the discussions and
2 agreements of the parties pursuant to F.R. Civ. P. 26 and the Local Rules by
3 allowing the pleadings in this matter to be settled before the parties submit their
4 joint report and before the scheduling conference.

5 SO STIPULATED.

6 DATED: November 6, 2012

THOMAS P. LAMBERT
JEAN PIERRE NOGUES
KEVIN E. GAUT
MITCHELL SILBERBERG & KNUPP LLP

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9 By: /s/Jean Pierre Nogues
Jean Pierre Nogues
10 Attorneys for Plaintiffs and
11 Counterdefendants

12 DATED: November 5, 2012

RICHARD P. SYBERT
HAZEL MAE B. PANGAN
GORDON & REES LLP

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15 By: /s/Richard P. Sybert
Richard P. Sybert
16 Attorneys for Defendant
ICM REGISTRY, LLC d/b/a .XXX

17 DATED: November 5, 2012

JEFFREY A. LEVEE
JONES DAY

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20 By: /s/Jeffrey A. LeVee
Jeffrey A. LeVee
21 Attorneys for Defendant
INTERNET CORPORATION FOR
ASSIGNED NAMES AND NUMBERS

22 **Attestation Regarding Signatures**

23 I, Jean P. Nogues, attest that all signatories listed, and on whose behalf the
24 filing is submitted, concur in the filing's content and have authorized the filing.

25 DATED: November 6, 2012

26 By: /s/Jean Pierre Nogues
Jean Pierre Nogues

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