

1 Matthew J. Oppenheim (*pro hac vice*)
2 Corey Miller (*pro hac vice*)
3 Danae Tinelli (*pro hac vice*)
4 OPPENHEIM + ZEBRAK, LLP
5 4530 Wisconsin Avenue NW, 5th Floor
6 Washington, DC 20016
7 Telephone: (202) 480-2999
8 matt@oandzlaw.com
9 corey@oandzlaw.com
10 danae@oandzlaw.com

7 Noel M. Cook, SBN 122777
8 HANSON BRIDGETT LLP
9 425 Market Street, 26th Floor
10 San Francisco, California 94105
11 Telephone: (415) 777-3200
12 Facsimile: (415) 541-9366
13 ncook@hansonbridgett.com

Jacob L. Tracer (*pro hac vice*)
RECORDING INDUSTRY ASSOCIATION
OF AMERICA
1000 F St. NW, 2nd Floor
Washington, DC 20004-1512
Telephone: (202) 857-9611
jtracer@riaa.com

12 *Attorneys for Plaintiffs* UMG Recordings, Inc.; Capitol Records, LLC; Concord Bicycle
13 Assets, LLC; CMGI Recorded Music Assets LLC; Sony Music Entertainment; and Arista
14 Music

15 **UNITED STATES DISTRICT COURT**
16 **NORTHERN DISTRICT OF CALIFORNIA**
17 **SAN FRANCISCO DIVISION**

18)
19 UMG RECORDINGS, INC., CAPITOL)
20 RECORDS, LLC, CONCORD BICYCLE)
21 ASSETS, LLC, CMGI RECORDED MUSIC)
22 ASSETS LLC, SONY MUSIC)
23 ENTERTAINMENT, and ARISTA MUSIC)

24 Plaintiff(s),)

25 vs.)

26 INTERNET ARCHIVE, BREWSTER)
27 KAHLE, KAHLE/AUSTIN FOUNDATION,)
28 GEORGE BLOOD, and GEORGE BLOOD,)
L.P.)

Defendant(s).)

Case No.: 3:23-cv-06522-MMC

Stipulation and Proposed Order to Stay the Case for Thirty Days

1 Pursuant to Civil Local Rule 6-1(b) and Section 7 of the Court’s Standing Orders, Plaintiffs
2 UMG Recordings, Inc., Capitol Records, LLC, Concord Bicycle Assets, LLC, CMGI Recorded
3 Music Assets LLC, Sony Music Entertainment, and Arista Music (“collectively, “Plaintiffs”) and
4 Defendants Internet Archive, Brewster Kahle, the Kahle/Austin Foundation, George Blood, and
5 George Blood LP (collectively, “Defendants”) (Plaintiffs and Defendants shall collectively be
6 referred to as the “Parties”), hereby stipulate as follows:

7 WHEREAS, Plaintiffs noticed their Motion for Leave to File the Second Amended
8 Complaint (“Motion”) for hearing on April 11, 2025, ECF No. 159;

9 WHEREAS, the Parties have engaged in and made significant progress in settlement
10 discussions and believe a thirty (30) day stay of proceedings will facilitate resolution of this matter;

11 WHEREAS, the Parties are optimistic that settlement discussions may be successful and
12 that this case can be dismissed;

13 WHEREAS, in the event that settlement discussions do not result in a resolution, the Parties
14 agree to confer and submit a proposed schedule to the Court to reset case deadlines;

15 NOW, THEREFORE, the Parties hereby stipulate and respectfully request the Court to
16 order as follows:

- 17 1. The hearing on Plaintiffs’ Motion noticed for April 11, 2025 is VACATED.
- 18 2. This case shall be stayed for thirty (30) days from the date of entry of this Order to
19 allow the Parties to continue their settlement discussions.
- 20 3. If the settlement discussions result in a resolution, the Parties will promptly file an
21 appropriate dismissal with the Court.
- 22 4. If the settlement discussions are not successful, the Parties shall meet and confer to
23 propose a new schedule for the case and submit a joint proposed scheduling order to
24 the Court within ten (10) days following the expiration of the stay.

25
26 IT IS SO STIPULATED.

1 Dated: April 4, 2025

2 /s/ Matthew J. Oppenheim

3 Matthew J. Oppenheim (*pro hac vice*)
4 Corey Miller (*pro hac vice*)
5 Danae Tinelli (*pro hac vice*)
6 OPPENHEIM + ZEBRAK LLP
7 4530 Wisconsin Avenue NW, 5th Floor
8 Washington, DC 20016
9 Telephone: (202) 480-2999
10 matt@oandzlaw.com
11 danae@oandzlaw.com
12 corey@oandzlaw.com

13 Noel M. Cook, SBN 122777
14 HANSON BRIDGETT LLP
15 425 Market Street, 26th Floor
16 San Francisco, California 94105
17 Telephone: (415) 777-3200
18 Facsimile: (415) 541-9366
19 ncook@hansonbridgett.com

20 Jacob L. Tracer (*pro hac vice*)
21 RECORDING INDUSTRY ASSOCIATION
22 OF AMERICA
23 1000 F St. NW, 2nd Floor
24 Washington, DC 20004-1512
25 Telephone: (202) 857-9611
26 jtracer@riaa.com

27 ***Attorneys for Plaintiffs UMG Recordings, Inc.;***
28 ***Capital Records, LLC; Concord Bicycle Assets,***
LLC; CMGI Recorded Music Assets LLC; Sony
Music Entertainment; and Arista Music

/s/ Andrew M. Gass

Andrew M. Gass (Bar No. 259694)
andrew.gass@lw.com
Joseph R. Wetzel (Bar No. 238008)
joe.wetzel@lw.com
LATHAM & WATKINS LLP
505 Montgomery Street, Suite 2000
San Francisco, CA 94111
(415) 391-0600

Allison L. Stillman (*pro hac vice*)
alli.stillman@lw.com
1271 Avenue of the Americas
New York, NY 10020
(212) 906-1200

Brent Murphy (*pro hac vice*)
brent.murphy@lw.com
555 Eleventh Street NW, Suite 1000
Washington, DC 20004
(202) 637-2201

Attorneys for Defendants Internet Archive,
Brewster Kahle, Kahle/Austin Foundation,
George Blood, and George Blood L.P.

SIGNATURE ATTESTATION

Pursuant to Civ. L.R. 5.1, I hereby attest that I have obtained the concurrence in the filing of this document from all the signatories for whom a signature is indicated by a “conformed” signature (/s/) within this e-filed document and I have on file records to support this concurrence for subsequent production for the Court if so ordered for inspection upon request.

Dated: April 4, 2025

OPPENHEIM + ZEBRAK, LLP
/s/ Matthew J. Oppenheim
Matthew J. Oppenheim

1 UNITED STATES DISTRICT COURT
2 NORTHERN DISTRICT OF CALIFORNIA
3 SAN FRANCISCO DIVISION

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5 UMG RECORDINGS, INC., CAPITOL
6 RECORDS, LLC, CONCORD BICYCLE
7 ASSETS, LLC, CMGI RECORDED MUSIC
8 ASSETS LLC, SONY MUSIC
9 ENTERTAINMENT, and ARISTA MUSIC

10 Plaintiff(s),

11 vs.

12 INTERNET ARCHIVE, BREWSTER
13 KAHLE, KAHLE/AUSTIN FOUNDATION,
14 GEORGE BLOOD, and GEORGE BLOOD,
15 L.P.

16 Defendant(s).

) Case No.: 3:23-cv-06522-MMC

) **[Proposed] Order to Stay Case for Thirty Days**

17 The Court, having considered the Parties’ Stipulation to Stay the Case for Thirty Days,
18 and good cause having been shown, hereby orders as follows:

- 19 1. The hearing on Plaintiffs’ Motion noticed for April 11, 2025 is VACATED.
20 2. This case shall be stayed for thirty (30) days from the date of entry of this Order to allow
21 the Parties to continue their settlement discussions.
22 3. If the settlement discussions result in a resolution, the Parties will promptly file an
23 appropriate dismissal with the Court.
24 4. If the settlement discussions are not successful, the Parties shall meet and confer to propose
25 a new schedule for the case and submit a joint proposed scheduling order to the Court
26 within ten (10) days following the expiration of the stay.

27 **IT IS SO ORDERED.**

28 Dated: _____

MAXINE M. CHESNEY
United States District Judge