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4 Telephone: (310) 312-2000
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5 Attorneys for Plaintiff
6 Take-Two Interactive Software, Inc.



7
8 UNITED STATES DISTRICT COURT
9 NORTHERN DISTRICT OF CALIFORNIA
10 SAN FRANCISCO DIVISION

11 TAKE-TWO INTERACTIVE SOFTWARE,
INC.,

12 Plaintiff,

13 v.

14 ANGELO PAPENHOFF, a/k/a AAP, an
15 individual; THEO MORRA, an individual;
ERAY ORÇUNUS, an individual; ADRIAN
16 GRABER, an individual; DOE 1 a/k/a ASH R.
and ASH 735, an individual; and DOES 2
17 through 10, inclusive,

18 Defendants.

CASE NO. 3:21-CV-6831-TSH

The Honorable Thomas S. Hixson

**JOINT STIPULATED REQUEST FOR
AN ORDER CHANGING DATE**

[Declaration of Karin Pagnanelli and
[Proposed] Order filed concurrently herewith]

1 **I. STIPULATION**

2 Pursuant to Civil Local Rules 6-2 and 7-12, Plaintiff Take-Two Interactive Software, Inc.
3 (“Take-Two” or “Plaintiff”) and Defendants Angelo Papenhoff, Theo Morra, Eray Orçunus, and
4 Adrian Graber (collectively, the “Parties”) hereby stipulate for leave to change the date of the Rule
5 16 scheduling conference.

6 The Complaint in this action was filed on September 2, 2021. ECF 1. Defendants filed an
7 Answer on November 12, 2021. ECF 24. The Rule 16 scheduling conference is currently
8 scheduled for December 2, 2021, and the Joint Rule 26 Report is due on November 25, 2021,
9 which is Thanksgiving day. ECF 7.

10 Because counsel for the Parties plan to be out of the office during the holidays (and one
11 counsel will be on paternity leave), the Parties seek a brief continuance of the Rule 16 scheduling
12 conference by a little more than a month, until January 23, 2022. See Declaration of Karin
13 Pagnanelli. This extension will move the due date for the Joint Rule 26 report to January 16,
14 2022, after the holidays.

15 The Parties agree that none of them will be prejudiced by this continuance. This is the
16 first request for an extension, and the Court has not yet set a schedule or any deadlines. *Id.* at ¶6.

17 **II. CONCLUSION**

18 Therefore, the Parties respectfully request that the Rule 16 scheduling conference be
19 continued from December 2, 2021 to January 23, 2022, and that the Rule 26 Joint Report be due
20 no later than January 13, 2022.

21 DATED: November 18, 2021

Respectfully Submitted,

22 KARIN G. PAGNANELLI
23 MITCHELL SILBERBERG & KNUPP LLP

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25 By: /s/ Karin G. Pagnanelli
26 Karin G. Pagnanelli
27 Attorneys for Plaintiff
Take-Two Interactive Software, Inc.

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DATED: November 18, 2021

ERIN K. RUSSELL
THE RUSSELL FIRM

By: /s/ Erin K. Russell
Erin K. Russell
Attorneys for Defendants
Angelo Papenhoff, Theo Morra, Eray Orçunus,
Adrian Graber

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Attestation Regarding Signatures-Local Rule 5-1(i)(3)

I, Karin G. Pagnanelli, attest that all signatories listed, and on whose behalf the filing is submitted, concur in the filing’s content and have authorized the filing.

DATED: November 18, 2021

/s/ Karin G. Pagnanelli
Karin G. Pagnanelli

1 KARIN G. PAGNANELLI (SBN 174763), kgp@msk.com
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17 through 10, inclusive,

18 Defendants.

CASE NO. 3:21-CV-6831

The Honorable Thomas S. Hixson

**DECLARATION OF KARIN G.
PAGNANELLI IN SUPPORT OF JOINT
STIPULATED REQUEST FOR AN
ORDER CHANGING DATE**

[Joint Stipulated Request and [Proposed]
Order filed concurrently herewith]

1 I, Karin G. Pagnanelli, declare as follows:

2 1. I am an attorney-at-law, duly licensed to practice law in the State of California. I
3 am, through my Professional Corporation, a partner with the law firm of Mitchell Silberberg &
4 Knupp LLP (“MSK”), counsel of record for Plaintiff Take-Two Interactive Software, Inc. (“Take-
5 Two” or “Plaintiff”) in this action. I make this declaration in support of the Parties’ Joint
6 Stipulated Request for an Order Changing Date. I have personal knowledge of the following facts
7 and, if called and sworn as a witness, could and would competently testify thereto.

8 2. The Joint Rule 26 report is due on November 25, 2021 – Thanksgiving day. ECF
9 7. The initial scheduling conference is scheduled for December 2, 2021. *Id.*

10 3. Because it is allowed under the COVID protocols this year, counsel for the Take-
11 Two intends to take time off of work during the Thanksgiving, Christmas and Hanukah holidays.
12 Additionally, one of the counsel for Take-Two, Mark Humphrey will be unavailable for much of
13 December and early January because he is expecting his first child.

14 4. Counsel for Defendants also intends to take time off for the holidays.

15 5. Counsel proposes rescheduling the initial scheduling conference to January 20,
16 2022, which would set January 13, 2022 as the last day to file the Rule 26 report.

17 6. The Court has not set any deadlines in this case, other than setting the date for the
18 initial status conference.

19 7. The Parties agree that none of them will be prejudiced.

20 I declare under penalty of perjury under the laws of the United States of America that the
21 foregoing is true and correct.

22 Executed on this 18th day of November, 2021, at Huntington Beach, California.

23 /s/ Karin G. Pagnanelli
24 Karin G. Pagnanelli

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FILED
Nov 29 2021
CLERK, U.S. DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION

TAKE-TWO INTERACTIVE SOFTWARE,
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CASE NO. 3:21-CV-6831-TSH

The Honorable Thomas S. Hixson

~~PROPOSED~~ ORDER GRANTING
JOINT STIPULATED REQUEST FOR
AN ORDER CHANGING DATE

[Joint Stipulated Request and Declaration of
Karin G. Pagnanelli filed concurrently
herewith]

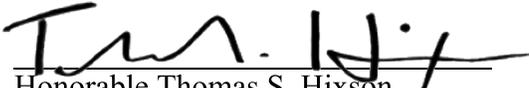
1 After full consideration of Parties' Joint Stipulated Request for an Order Changing Date
2 ("Stipulation") the Court hereby orders as follows:

3 The Stipulation is **GRANTED**:

- 4 1. The Rule 16 scheduling conference is continued from December 2, 2021 to January
- 5 20, 2022, at 10:00 am.
- 6 2. The Rule 26 Joint Report shall be filed no later than January 13, 2022.

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8 **PURSUANT TO STIPULATION, IT IS SO ORDERED.**

9 DATED: November 29, 2021


 Honorable Thomas S. Hixson
 United States Magistrate Judge

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