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7 **Attorney for Plaintiffs**
8 Open Source Security Inc. &
9 Bradley Spengler

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**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION**

10 OPEN SOURCE SECURITY INC. and)
11 BRADLEY SPENGLER)
12)
13 Plaintiff,)
14 v.)
15 BRUCE PERENS, and Does 1-50,)
16 Defendants.)

) Case No.: 3:17-cv-04002-LB

)
) **STIPULATED REQUEST TO SET**
) **REVISED SCHEDULE FOR**
) **PROCEEDINGS ON MOTION FOR**
) **ATTORNEYS' FEES AND MOTION**
) **FOR SANCTIONS; DECLARATION**
) **OF ROHIT CHHABRA IN SUPPORT**
) **THEREOF; [PROPOSED] ORDER**

) Location: Courtroom C, 15th Floor
) Judge: Hon. Laurel Beeler
)
)

Pursuant to Civil Local Rules 6-1, 6-2, and 7-12, and subject to the Court's approval, Plaintiffs Open Source Security, Inc. and Bradley Spengler, and Defendant Bruce Perens hereby stipulate to the following revised dates and deadlines relating to Defendant's pending motion for attorneys' fees (ECF No. 62) and motion for sanctions¹ (ECF No. 64):

Event	Stipulated Date
Plaintiff's response to motion for attorneys' fees	March 8, 2018 (Currently February 21, 2018)
Plaintiff's counsel's opposition to motion for sanctions (subject to Court's determination of Plaintiffs' counsel's ex parte motion (ECF No. 68)).	March 8, 2018 (Currently February 22, 2018)
Defendant's reply in support of motion for attorneys' fees	March 22, 2018 (Currently February 28, 2018)
Defendant's reply in support of motion for sanctions	March 22, 2018 (Currently March 1, 2018)
Combined hearing on Defendant's motion for attorneys' fees and motion for sanctions	April 5, 2018 (Currently March 29, 2018)

On February 7, 2018, Defendant filed a motion for attorneys' fees (ECF No. 62). On February 8, 2018, Defendant filed a motion for sanctions on Plaintiffs' counsel (ECF No. 64). On February 12, 2018, Plaintiffs' counsel requested an extension to respond to the motions. The reason for the extension is that due to his existing commitments in other matters, responding to the motions within the current timeframe would be impracticable without imposing an undue financial hardship.

On February 13, 2018, the parties conferred regarding a schedule and have agreed to the above stipulated schedule, which extends deadlines for Plaintiffs and Plaintiffs' counsel to oppose and/or respond to the motions as well as Defendant's reply thereof.

For the foregoing reasons, the undersigned parties respectfully request that:

- (1) the deadline for Plaintiffs' response to motion for attorneys' fees be extended to **March 8, 2018** from February 21, 2018;

¹ Subject to the Court's determination on Plaintiffs' counsel's ex parte motion to determine the motion for sanctions improper on procedural grounds

- 1 (2) subject to the Court’s determination on Plaintiffs’ counsel’s ex parte motion to determine
2 the motion for sanctions improper, Plaintiffs’ counsel’s reply in opposition to motion for
3 sanction be extended to **March 8, 2018** from February 22, 2018;
- 4 (3) the deadline for Defendant’s reply in support to his motion for attorneys’ fees be extended
5 to **March 22, 2018** from February 28, 2018;
- 6 (4) the deadline for Defendant’s replies in support of his motion for sanction be extended to
7 **March 22, 2018** from March 1, 2018;
- 8 (5) a combined hearing on both motions be extended to **April 5, 2018** from March 29, 2018.
9 The foregoing is so stipulated among the parties by and through their undersigned counsel.

10
11 Dated: February 14, 2018

CHHABRA LAW FIRM, PC
ROHIT CHHABRA

12 BY: /s/ Rohit Chhabra

13 Rohit Chhabra
14 Attorney for Plaintiffs Open Source Security, Inc.
and Bradley Spengler

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16 Dated: February 14, 2018

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18 MELODY DRUMMOND HANSEN
19 HEATHER J. MEEKER
20 CARA L. GAGLIANO
O’MELVENY & MYERS LLP

21 By: /s/ Melody Drummond Hansen

22 Melody Drummond Hansen
23 Attorneys for Defendant Bruce Perens

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ATTESTATION CLAUSE

I, Rohit Chhabra, hereby attest in accordance with Local Rule 5-1(i)(3) that each signatory has concurred in the filing of this document.

Dated: February 14, 2018

CHHABRA LAW FIRM, PC
ROHIT CHHABRA

/s/ Rohit Chhabra
Rohit Chhabra
Attorney for Plaintiffs Open Source Security,
Inc. and Bradley Spengler

[PROPOSED] ORDER

PURSUANT TO STIPULATION, IT IS SO ORDERED.

4 Dated: _____
5 The Honorable Laurel Beeler
6 United States District Magistrate Judge

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DECLARATION

I, Rohit Chhabra, declare as follows:

1. I am the attorney of record for Plaintiffs in the above-referenced action, and am admitted to practice before this Court. Pursuant to Civil Local Rule 6-2(a), I submit this declaration in support of the parties' Stipulated Request to Set Revised Schedule for Defendant's motion for attorneys' fees and motion for sanction. I have personal knowledge and am informed of the facts stated herein and, if called to testify, I could and would testify completely hereto.

2. On February 7, 2018, Defendant filed a motion for attorneys' fees (ECF No. 62).

3. On February 8, 2018, Defendant filed a motion for sanctions on Plaintiffs' counsel (ECF No. 64).

4. On February 12, 2018, I requested an extension to respond/ oppose to the above referenced motions. The reason for the extension is that due to my existing commitments related to other matters, responding to the above referenced motions within the current timeframe would be impracticable without imposing an undue financial hardship on me.

5. On February 13, 2018, the parties conferred regarding a schedule and have agreed to the above stipulated schedule, which extends deadlines for Plaintiffs and Plaintiffs' counsel to oppose and/or respond to the motions as well as Defendant's reply thereof, as stipulated.

6. The parties' proposals are for the convenience of the parties and the Court.

I declare under penalty of perjury under the laws of the United States that the foregoing is true and correct, and that this declaration was executed this 14th day of February, 2018 in Mountain View, California.

ROHIT CHHABRA

/s/ Rohit Chhabra

Rohit Chhabra
Attorney for Plaintiffs Open Source
Security, Inc. and Bradley
Spengler