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Attorneys for Plaintiff,
Software Freedom Conservancy, Inc.

SUPERIOR COURT OF THE STATE OF CALIFORNIA

COUNTY OF ORANGE – CENTRAL JUSTICE CENTER

SOFTWARE FREEDOM
CONSERVANCY, INC., a New York Non-
Profit Corporation,

Plaintiff,

v.

VIZIO, INC., a California Corporation; and
DOES 1 through 50, Inclusive,

Defendant.

CASE NO: 30-2021-01226723-CU-BC-CJC

**STIPULATION AND [PROPOSED] ORDER
CONTINUING NOVEMBER 14, 2024
STATUS CONFERENCE**

The Hon. Sandy Leal

Dept. C33

Action Filed: October 19, 2021

Trial Date: TBD

1 Plaintiff Software Freedom Conservancy Inc. (“SFC”) and Defendant VIZIO, Inc.
2 (“VIZIO”) (collectively the “Parties”) hereby submit this Joint Stipulation and [Proposed] Order
3 requesting that the Court continue the current Status Conference and hearing on pending discovery
4 motions scheduled for November 14, 2024 based on the following:

5 WHEREAS, the Court set a Status Conference on November 14, 2024 for the pending
6 discovery motions and for setting a trial schedule. *See* Register of Actions (“ROA”) #438 (Minute
7 Order).

8 WHEREAS, lead trial counsel for Defendant VIZIO, Inc. (“VIZIO”), Michael Williams,
9 will be out of the country on November 14, 2024 and unavailable to attend on that date.

10 WHEREAS, counsel for VIZIO and Plaintiff SFC could be available on November 21, 2024
11 or December 5, 2024 for the Status Conference.

12 WHEREAS, with respect to the pending discovery motions, the Parties, having met and
13 conferred through their respective counsel, resolved two of the pending motions: (1) VIZIO’s
14 Motion to Compel Answers to Form Interrogatories (ROA #290); and (2) SFC’s Motion to Compel
15 Further Responses to Special Interrogatories (ROA #301).

16 WHEREAS, the Parties are continuing to meet and confer in an effort to resolve the third
17 discovery motion related to SFC’s inspection of VIZIO’s firmware (*i.e.*, SFC’s Motion to Compel
18 Further Responses to Requests for Production, Set One (ROA #305)) and request additional time to
19 permit the parties to complete the inspection and report back any outstanding issues, as contemplated
20 by the Court’s tentative ruling on June 6, 2024.

21 NOW, THEREFORE, VIZIO and SFC jointly stipulate the following:

22 (1) the November 14, 2024 Status Conference be continued to November 21, 2024, or
23 December 5, 2024, or on such a date and time thereafter that is convenient for the Court and counsel
24 for the Parties; and

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1 (2) the November 14, 2024 Hearing on the pending discovery motions be continued to the
2 week of December 16, 2024 or on such a date and time thereafter that is convenient for the Court
3 and counsel for the Parties, to allow the Parties sufficient time to conduct the inspection of the
4 firmware and identify any remaining issues for which the Court's guidance is needed.

5 **IT IS SO STIPULATED.**
6

7 DATED: October 29, 2024

QUINN EMANUEL URQUHART & SULLIVAN, LLP

9 By: /s/ *Michael E. Williams*

10 Michael E. Williams, Esq.
11 Attorneys for Defendant,
12 VIZIO, Inc.

13 DATED: October 29, 2024

VAKILI & LEUS, LLP

14 By: /s/ *Sa'id Vakili*

15 Sa'id Vakili, Esq.
16 Attorneys for Plaintiff,
17 Software Freedom Conservancy, Inc.
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[PROPOSED] ORDER

Based on the parties' Stipulation and finding good cause, the Court hereby GRANTS the requested relief. The Status Conference will be continued to _____, 2024 at ____ A.M. The Hearing on SFC's Motion to Compel Further Responses to Requests for Production, Set One (ROA #305) will be continued to _____, 2025 at ____ A.M.

IT IS SO ORDERED.

DATED: _____

JUDGE OF THE SUPERIOR COURT
Hon. Sandy N. Leal

1 **PROOF OF SERVICE**

2 *Software Freedom Conservancy, Inc. v. VIZIO, Inc., et al.*
3 *OCSC Case No.: 30-2021-01226723-CU-BC-CJC*

4 I am employed in the County of Los Angeles, State of California. I am over the age of 18 and not a party to the within action. My business address is 3701 Wilshire Boulevard, Suite 1135, Los Angeles, California 90010.

5 On October 29, 2024, I served the foregoing document described as **STIPULATION AND [PROPOSED] ORDER CONTINUING NOVEMBER 14, 2024 STATUS CONFERENCE** on all interested parties in this action at the addresses listed below, as follows:

6
7 **QUINN EMANUEL URQUHART & SULLIVAN, LLP**

8 Michael E. Williams, Esq. (michaelwilliams@quinnemanuel.com)

9 Daniel C. Posner, Esq. (danposner@quinnemanuel.com)

10 John Z. Yin, Esq. (johnyin@quinnemanuel.com)

11 Arian J. Koochesfahani, Esq. (ariankoochesfahani@quinnemanuel.com)

12 865 South Figueroa Street, 10th Floor

13 Los Angeles, California 90017

14 **213/443-3000** | Fax: 213/443-3100

15 *Counsel for Defendant VIZIO, Inc.*

16 () **FOR COLLECTION.** By placing true copies thereof enclosed in sealed envelopes, addressed as above, and by placing said sealed envelopes for collection and mailing on that date following ordinary business practices. I am “readily familiar” with the business’ practice for collection and processing of correspondence for mailing the U.S. Postal Service. Under that practice, the sealed envelopes would be deposited with the U.S. Postal Service on that same day with postage thereon fully prepaid at Los Angeles, California, in the ordinary course of business.

17 () **OVERNIGHT DELIVERY (DROP-OFF) (CCP §1013(c)).** By placing a true copy thereof enclosed in a sealed envelope or package as designated by an overnight mail courier, addressed as above, and depositing said envelope or package, with delivery fees provided for, in a box regularly maintained by the overnight mail courier at 3701 Wilshire Boulevard, Los Angeles, California 90010.

18 (✓) **VIA ELECTRONIC TRANSMISSION.** I caused to be transmitted a true copy thereof to the designated counsel listed above to his respective e-mail address, pursuant to California *Code of Civil Procedure* § 1010.6. I did not receive, within a reasonable time after the transmission, any electronic message or other indication that the transmission was unsuccessful.

19 () **PERSONAL DELIVERY.** I caused to be served by messenger for personal delivery that same day the foregoing documents in a sealed envelope to the above persons at the address(es) listed in the attached Service List.

20 I declare under penalty under the laws of the State of California that the above is true and correct. Executed on October 29, 2024, at Los Angeles, California.

21
22 Malou de la Paz
23 (Printed Name)

24 /s/ Malou de la Paz
25 (Signature)