

1 Michael J. Niborski (State Bar No. 192111)
PRYOR CASHMAN LLP
2 1801 Century Park East, 24th Floor
Los Angeles, CA 90067
3 Telephone: (310) 556-9608
Facsimile: (310) 556-9670
4 mniborski@pryorcashman.com

5 Robert J. deBrauwere (*Pro Hac Vice Pending*)
PRYOR CASHMAN LLP
6 7 Times Square
New York, NY 10036
7 Telephone: (212) 326-0418
Facsimile: (212) 710-6086
8 rdebrauwere@pryorcashman.com

9 *Attorneys for Defendants*

10 **UNITED STATES DISTRICT COURT**
11 **NORTHERN DISTRICT OF CALIFORNIA**
12 **SAN FRANCISCO DIVISION**

13
14 10 GROUP, INC., a California corporation;
CHANNEL ONE RELEASING, INC., a
15 California corporation; and LIBERTY
MEDIA HOLDINGS, LLC, a California
16 corporation,

17 Plaintiffs,

18 vs.

19 GLBT, Ltd, a British limited company;
MASH and NEW, Ltd, a British limited
20 company; PORT 80, Ltd., a company of
unknown origin or structure, STEVEN JOHN
21 COMPTON, an individual living in the
United Kingdom, and DAVID GRAHAM
22 COMPTON, an individual living in the
United Kingdom,

23 Defendants.
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Case No. CV-10-1282 MMC

**STIPULATION RE TELEPHONIC
APPEARANCE OF COUNSEL AT
SCHEDULING CONFERENCE;**

**DECLARATION OF MICHAEL J.
NIBORSKI IN SUPPORT THEREOF**

Date: July 16, 2010
Time: 10:30 a.m.
Place: Courtroom 7

[Proposed Order filed concurrently
herewith]

1 Plaintiffs 10 GROUP, INC., CHANNEL ONE RELEASING, INC., and LIBERTY MEDIA
2 HOLDINGS, LLC, (“Plaintiff”) and Defendants GLBT, Ltd., MASH and NEW, Ltd, PORT 80,
3 Ltd., STEVEN JOHN COMPTON, and DAVID GRAHAM COMPTON (“Defendants”), by and
4 through their undersigned counsel of record, hereby agree and stipulate as follows:

5 1. Pursuant to the Court’s Order dated April 12, 2010, a Scheduling Conference has
6 been set in this matter for Friday, July 16, 2010.

7 2. California counsel for Defendants in this action has a pre-arranged, pre-paid trip
8 scheduled for the week including July 16, 2010. This trip was planned and paid for in advance of
9 the Court’s April 12, 2010 Order. Co-counsel for Defendants in this action, Robert J. deBrauwere
10 is located in New York and is currently applying to this Court for admission *pro hac vice* as a non-
11 resident attorney.

12 3. In order to accommodate the schedules and locations of counsel, counsel for
13 Plaintiffs and Defendants have conferred and agreed to appear at the July 16, 2010 Scheduling
14 Conference by telephone pending this Court’s approval.

15 4. Counsel will be available by telephone in accordance with the policies and
16 procedures of this Court.

17 5. This Stipulation is submitted in good faith and in order to most effectively and
18 efficiently facilitate the schedules of counsel of this matter.

19 IT IS SO STIPULATED.

20
21 **PRYOR CASHMAN LLP**

22 Dated: July 12, 2010

23 Bv: /s/ Michael J. Niborski

24 Michael J. Niborski (State Bar No. 192111)
25 1801 Century Park East, 24th Floor
26 Los Angeles, CA 90067-2302
27 Tel: 310/556-9608
28 Fax: 310/556-9670
mniborski@pryorcashman.com

Attorneys for Defendants

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**THE LAW OFFICE OF D. GILL
SPERLEIN**

Dated: July 12, 2010

By: /s/ D. Gill Sperlein
D. Gill Sperlein (State Bar No. 172887)
584 Castro Street, Suite 879
San Francisco, CA 94114
Tel: 415/404-6615
Fax: 415/404-6616
gill@sperleinlaw.com

Attorneys for Plaintiffs

MARC JOHN RANDAZZA

Dated: July 12, 2010

By: /s/ Marc John Randazza
Marc John Randazza (269535)
General Counsel
Liberty Media Holdings, LLC
302 Washington Street, Suite 321
San Diego, CA 92103
Tel: 415/404-6615
Fax: 415/404-6616
marc@corbinfisher.com

Attorneys for Plaintiffs

DECLARATION OF MICHAEL J. NIBORSKI

I, Michael J. Niborski, hereby declare as follows:

1. I am of counsel to the law firm Pryor Cashman LLP, attorneys of record in this action for Defendants. I submit this declaration in support of the Parties' Stipulation Re Telephonic Appearance of Counsel at Scheduling Conference. I have personal knowledge of the facts set forth in this Declaration, except for those matters stated to be based upon my information and belief, and if called upon to do so I could and would competently testify thereto.

2. Pursuant to the Court's Order dated April 12, 2010, a Scheduling Conference has been set in this matter for Friday, July 16, 2010.

3. I am California counsel for Defendants in this action and have a pre-arranged, pre-paid trip scheduled for the week including July 16, 2010. This trip was planned and paid for in advance of the Court's April 12, 2010 Order. Co-counsel for Defendants in this action, Robert J. deBrauwere is located in our firm's New York office and is currently applying to this Court for admission as a non-resident attorney.

4. In order to accommodate the schedules and locations of counsel, counsel for Plaintiffs and Defendants have conferred and agreed to appear at the July 16, 2010 Scheduling Conference by telephone pending this Court's approval.

5. Counsel will be available by telephone in accordance with the policies and procedures of this Court.

6. This Stipulation is submitted in good faith and in order to most effectively and efficiently facilitate the schedules of counsel of this matter.

I declare under penalty of perjury that the foregoing is true and correct. This declaration is executed on July 12, 2010, at Los Angeles, California.

/s/ Michael J. Niborski
Michael J. Niborski