

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLORADO**

Civil Action No.: 1:11-cv-00223-JLK

RIGHTHAVEN LLC, a Nevada limited-liability company,

Plaintiff,

v.

ANDY HWANG, an individual;
JAY DANIELS, an individual; and
THE FAT BRAT, an entity of unknown origin and nature,

Defendants.

PROPOSED PLAN

Righthaven LLC (“Righthaven”) responds to this Court’s Minute Order (“Order”), dated February 14, 2011, by stating that it has not yet effectuated service of the Summons and Complaint upon Defendant(s), accordingly Defendant(s) have not yet appeared in the above captioned matter, and therefore Righthaven was unable to meet and confer with Defendant(s) per the Order. As of today’s date, neither Defendant(s), nor counsel of record for Defendant(s), have formally appeared in the action, or partaken in a meet and confer with Righthaven.

Righthaven submits as follows its Proposed Plan, in response to the Order:

1. A Magistrate Judge be reassigned to this matter, before whom a mandatory confidential settlement conference (“Conference”) be held telephonically, or alternatively in person, between Righthaven and Defendant(s), and/or their counsel of record; and

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2. In the event that a mutually agreeable resolution of the matter is not reached during the above Conference, the parties shall hold at that time the pre-scheduling conference as required pursuant to Fed. R. Civ. P. 26(f) and/or a scheduling/planning conference pursuant to Fed. R. Civ. P. 16(b).

Dated this twenty-eighth day of February, 2011.

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