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January 13, 2020

ELECTRONICALLY FILED ON ECF

Hon. Valerie E. Caproni
U.S. District Judge
U.S. District Court for the Southern District of New York
40 Foley Square, Room 240
New York, New York 10007

Re: *EMI April Music Inc. v. West*, Case No. 1:19-cv-02127-VEC

Dear Judge Caproni:

We represent plaintiffs EMI April Music Inc. and EMI Blackwood Music Inc. in the above-referenced action, and write on behalf of all Parties in this action in response to the Court's Order directing the Parties to report on the status of settlement negotiations and the U.S. District Court for the Central District of California action titled *Please Gimme My Publishing, et al. v. EMI April Music Inc., et al.*, C.D. Cal. Case No. 19-cv-1527 (the "California Action"). (Dkt. 57)

As the Court will recall, on September 23, 2019, the Parties filed a Notice of Settlement in the California Action. (Dkt. 50) On December 31, 2019, the Parties filed a Motion to Extend the Deadlines Set Forth in the Court's September 24, 2019 Order (Dkt. 39), or, In the Alternative, to Reopen Case (the "Motion"), in order to allow the Parties to finalize a settlement agreement. Attached hereto as **Exhibit A** is a copy of the Parties' Motion in the California Action. On January 2, 2020, the Court granted the Parties' Motion and extended all deadlines set forth in the Court's September 24, 2019 Order to February 15, 2020. Attached hereto as **Exhibit B** is a copy of the Court's January 2, 2020 Order.

The Parties are very close to finalizing a settlement agreement and expect to have a final settlement agreement by February 15, 2020.

Respectfully submitted,

/s/ Robert A. Jacobs

Robert A. Jacobs

cc: All counsel of record (via ECF)

EXHIBIT A

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 2 Grace W. Kang - State Bar No. 271260
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 3 BIRD, MARELLA, BOXER, WOLPERT,
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 4 RHOW, P.C.
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7 Attorneys for Plaintiffs Please Gimme My
 Publishing, Inc., West Brands, LLC,
 8 Kanye West, and Ye World Publishing,
 Inc.

10 **UNITED STATES DISTRICT COURT**
 11 **CENTRAL DISTRICT OF CALIFORNIA**

13 PLEASE GIMME MY PUBLISHING,
 14 INC., a New York corporation; WEST
 BRANDS, LLC, a Delaware limited
 15 liability corporation; KANYE WEST,
 an individual; and YE WORLD
 16 PUBLISHING, INC., a Delaware
 corporation, also doing business as YE
 17 WORLD MUSIC,

18 Plaintiffs,

19 vs.

20 EMI APRIL MUSIC, INC., a
 Connecticut corporation; EMI
 21 BLACKWOOD MUSIC, INC., a
 Connecticut corporation; and DOES 1-
 22 10,

23 Defendants.

Case No. 2:19-cv-01527 DMG (FFMx)

**MOTION TO EXTEND THE
 DEADLINES SET FORTH IN THE
 COURT’S SEPTEMBER 24, 2019
 ORDER (DKT. 39) BY 45 DAYS,
 OR, IN THE ALTERNATIVE, TO
 REOPEN CASE**

1 Plaintiffs Please Gimme My Publishing, Inc., West Brands, LLC, Kanye
2 West, and Ye World Publishing, Inc. (the “Plaintiffs”) and Defendants EMI April
3 Music Inc. and EMI Blackwood Music Inc. (the “Defendants”) (collectively, the
4 “Parties”) respectfully move the Court to extend the deadlines set forth in the
5 Court’s September 24, 2019 Order (Dkt. 39), or, in the alternative, should the Court
6 decline to extend such deadlines, to reopen the case.

7 On September 23, 2019, the Parties filed a Notice of Settlement, notifying the
8 Court that the Parties had reached a settlement in principle to settle the action in its
9 entirety.

10 On September 24, 2019, the Court issued an order, stating: “By December
11 30, 2019, the parties shall file either (1) a stipulation and proposed order for
12 dismissal of the action or judgment, or (2) a motion to reopen if settlement has not
13 been consummated.” (Dkt. 39) (hereinafter, the “September 24th Order”).

14 Since the Notice of Settlement was filed, the Parties have been diligently
15 working to prepare a settlement agreement and to resolve issues related to the
16 settlement agreement.

17 The Parties are very close to finalizing a settlement agreement but require
18 additional time to reach agreement on final language and to execute the settlement
19 agreement. The Parties expect to have a final settlement agreement within forty-five
20 (45) days.

21 Therefore, the Parties respectfully request that all deadlines set forth in the
22 Court’s September 24th Order be extended by forty-five (45) days to allow the
23 Parties to finalize the settlement agreement, or, in the alternative, should the Court
24 decline to extend such deadlines, to reopen the case pursuant to the Court’s
25 September 24th Order.

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DATED: December 30, 2019

BIRD, MARELLA, BOXER, WOLPERT,
NESSIM, DROOKS, LINCENBERG &
RHOW, P.C.

By: /s/ Grace W. Kang
Ekwan E. Rhow
Grace W. Kang

Attorneys for Plaintiffs Please Gimme My
Publishing, Inc., West Brands, LLC, Kanye
West, and Ye World Publishing, Inc.

DATED: December 30, 2019

MANATT, PHELPS & PHILLIPS, LLP

By: /s/ Robert A. Jacobs
Robert A. Jacobs
Maura K. Gierl
Molly K. Wyler

Attorneys for Defendants EMI April Music
Inc. and EMI Blackwood Music Inc.

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ECF ATTESTATION

I, Grace W. Kang, attest that all other signatories listed, and on whose behalf the filing is submitted, concur in the filing’s content and have authorized the filing in accordance with Civil Local Rule 5-4.3.4(a)(2)(i).

/s/ Grace W. Kang
Grace W. Kang

EXHIBIT B

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**UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA**

PLEASE GIMME MY PUBLISHING, INC., a New York corporation; WEST BRANDS, LLC, a Delaware limited liability corporation; KANYE WEST, an individual; and YE WORLD PUBLISHING, INC., a Delaware corporation, also doing business as YE WORLD MUSIC,

Plaintiffs,

vs.

EMI APRIL MUSIC, INC., a Connecticut corporation; EMI BLACKWOOD MUSIC, INC., a Connecticut corporation; and DOES 1-10,

Defendants.

Case No.: CV 19-1527-DMG (FFMx)

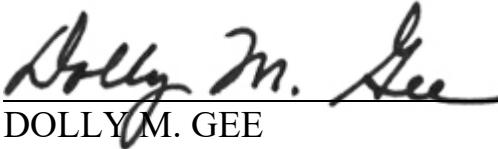
ORDER GRANTING MOTION TO EXTEND THE DEADLINES SET FORTH IN THE COURT'S SEPTEMBER 24, 2019 ORDER [Doc. # 39] [40]

1 The Court, having read and considered the parties' Motion to Extend the
2 Deadlines Set Forth in the Court's September 24, 2019 Order [Doc. # 39], and for
3 good cause shown, hereby ORDERS as follows:

- 4 1. The Motion is GRANTED; and
- 5 2. All deadlines set forth in the Court's September 24, 2019 Order are
6 extended to February 15, 2020. Failure to timely comply with the Court's Orders
7 shall result in the dismissal of this action as of February 16, 2020.

8 **IT IS SO ORDERED.**

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10 DATED: January 2, 2020

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13 DOLLY M. GEE
14 UNITED STATES DISTRICT JUDGE
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