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UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA
3470 Twelfth Street, Riverside, CA 92501
CIVIL MINUTES -- GENERAL

Case No. CV 04-08776-SGL (RZx)

Date: March 31, 2008

Title: JOANNE SIEGEL, an individual; and LAURA SIEGEL LARSON; an individual -v-
TIME WARNER INC., a corporation; WARNER COMMUNICATIONS INC., a
corporation; WARNER BROS. ENTERTAINMENT INC, a corporation; WARNER
BROTHERS TELEVISION PRODUCTION INC., a corporation; DC COMICS, a
general partnership; DOES 1-10

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PRESENT: HONORABLE STEPHEN G. LARSON, UNITED STATES DISTRICT JUDGE

Jim Holmes
Courtroom Deputy Clerk

None Present
Court Reporter

ATTORNEYS PRESENT FOR PLAINTIFFS:

ATTORNEYS PRESENT FOR DEFENDANTS:

None present

None present

PROCEEDINGS: ORDER DENYING AS MOOT PARTIES CROSS-MOTIONS FOR PARTIAL
SUMMARY JUDGMENT IN CV-04-8776 CASE; ORDER REQUIRING
PARTIES TO ENGAGE IN MEANINGFUL SETTLEMENT NEGOTIATIONS;
ORDER SETTING PRE-TRIAL AND TRIAL DATES; ORDER STAYING
RULING ON OUTSTANDING ISSUES CONTAINED IN JULY 27, 2007,
ORDER PENDING SETTLEMENT DISCUSSIONS (IN CHAMBERS)

As the Court stated during the September 17, 2007, hearing on the parties' cross-motions for partial summary judgment in these cases, the issues raised by the parties in the Superboy action, Case No. CV-04-8776-SGL, were, in light of the Court's earlier ruling on July 27, 2007, and with a forthcoming ruling in the companion Superman action, Case No. CV-04-8400-SGL, would be rendered moot. With the Court's issuance of its Order on March 26, 2008, the Court finds that the issues raised in the parties' cross-motions for partial summary judgment in the Superboy case are, in fact, moot.

In light of the Court's rulings to date in these companion cases, which have narrowed the areas of dispute between the parties, the Court believes that it would be prudent at this juncture for the parties to engage in meaningful settlement talks before their jointly chosen mediator, JAMS

Mediator Hon. Daniel Weinstein (Ret.), something which they apparently have not done since the inception of this litigation in 2004.

Accordingly, the Court hereby **ORDERS** the parties to devote the next sixty (60) days to engaging in a good faith effort to settle their dispute in the Superman and Superboy litigation before the JAMS Mediator. At the conclusion of this period, on June 1, 2008, the parties are to file a joint report, outlining the efforts that they have taken in furtherance of settlement and the results of those efforts.

Thereafter, the Court will, if the parties have not settled these cases, set out a briefing schedule and a hearing date on the five issues identified in the parties' February 21, 2008, Stipulation Requesting Status Conference and Briefing Schedule Regarding Certain Trial and Pre-Trial Matters, as well as the following issues left unresolved in this Court's March 26, 2008, Order in the Superman case: Whether and to what extent do the following fall within the scope of what plaintiffs regained through their termination notices: 1) Post-termination alterations to pre-termination derivative works; and 2) Mixed use of trademarks and copyright.

The Court also finds that there is a need for the placement of firm pre-trial and trial dates to both assist the Court in case management and to give predictability to counsel as to when the litigation in this case will come to an end. The Court therefore sets the following pre-trial and trial dates:

1. The Court will conduct a pre-trial conference in the Superman case on October 6, 2008, at 11:00 a.m. in Courtroom One.
2. Thereafter, the court will hold a hearing on any motions in limine in the Superman on October 20, 2008, at 11:00 a.m. in Courtroom One.
3. Trial in the Superman case is set for November 4, 2008, at 9:30 a.m. in Courtroom One.

As a final matter, the Court reserves issuing an order on the remaining issues brought up in the Court's July 27, 2007, Order in the Superboy case (and to which the parties have provided both supplemental briefing and oral argument), and setting the pre-trial and trial dates in the Superboy matter, if needed, until after the conclusion of the trial in the Superman case.

IT IS SO ORDERED.