

1 BERTRAM FIELDS (SBN 024199)  
BFields@ggfirm.com  
2 AARON J. MOSS (SBN 190625)  
AMoss@GreenbergGlusker.com  
3 GREENBERG GLUSKER FIELDS CLAMAN & MACHTINGER LLP  
1900 Avenue of the Stars, 21st Floor  
4 Los Angeles, California 90067-4590  
Telephone: (310) 553-3610/Fax: (310)553-0687

5 Attorneys for Plaintiff

6  
7 DAVIS WRIGHT TREMAINE LLP  
ALONZO WICKERS IV (State Bar No. 169454)  
8 alonzowickers@dwt.com  
865 South Figueroa Street, 24th Floor  
9 Los Angeles, California 90017-2566  
Telephone: (213) 633-6800/Fax: (213) 633-6899

10 DAVIS WRIGHT TREMAINE LLP  
11 ELIZABETH A. McNAMARA (*Of Counsel*)  
lizmcnamara@dwt.com  
12 DEBORAH A. ADLER (*Of Counsel*)  
deborahadler@dwt.com  
13 1633 Broadway, 27th Floor  
New York, New York 10019  
14 Telephone: (212) 489-8230/Fax: (212) 489-8340

15 Attorneys for Defendants

16  
17 UNITED STATES DISTRICT COURT  
18 CENTRAL DISTRICT OF CALIFORNIA  
19

20 TOM CRUISE,  
21 Plaintiff,  
22 vs.  
23 BAUER PUBLISHING COMPANY,  
L.P. BAUER MAGAZINE L.P.,  
24 BAUER MEDIA GROUP, INC.,  
BAUER, INC., HEINRICH BAUER  
25 NORTH AMERICA, INC., and DOES  
1-10, inclusive,  
26 Defendants.

) Case No. CV 12-09124 (DDP) (JCX)

) **JOINT STIPULATION TO  
CONTINUE DISCOVERY CUT OFF  
AND TRIAL; DECLARATION OF  
BERTRAM FIELDS**

) Action Filed: October 24, 2012

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28

**RECITALS**

WHEREAS, on or about October 24, 2012, plaintiff Tom Cruise (“Plaintiff”) filed his complaint in the above-entitled action against defendants Bauer Publishing Company, L.P., Bauer Magazine, L.P., Bauer Media Group, Inc., Bauer, Inc., and Heinrich Bauer North America, Inc., (collectively, the “Bauer Defendants”);

WHEREAS, on March 8, 2013, the Court issued a Scheduling Order providing that

- Fact Discovery Cut-Off : 10-13-13
- Expert Discovery Cut-Off: 12-13-13
- Last Day to File Motions: 01-27-14
- Final Pre Trial Conference: 04-21-14 and
- 5 Day Jury Trial: 04-29-14

WHEREAS, the parties have worked diligently to meet their discovery obligations and move the action forward in a timely manner;

WHEREAS, the parties have engaged in extensive document discovery and have scheduled a large number of party and third-party depositions to take place in several states, and believe they require a short extension of time to complete fact discovery;

WHEREAS, the parties have agreed to continue the discovery cut-off and trial date.

WHEREAS, lead trial counsel for Plaintiff has teaching commitments at Stanford Law School that are inconsistent with the present trial date, *see* Declaration of Bertram Fields in Support of Joint Stipulation to Continue Trial; and

**STIPULATION**

NOW, THEREFORE, Plaintiff and the Bauer Defendants agree and stipulate to the following schedule or such other schedule as the Court desires:

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28

Fact Discovery Cut-Off : 12-09-13

Expert Discovery Cut-Off: 01-24-14

Last Day to File Motions: 03-10-14

Final Pre-Trial Conference: 06-02-14 and

5 Day Jury Trial: 06-10-14

DATED: July 31, 2013

GREENBERG GLUSKER FIELDS  
CLAMAN & MACHTINGER LLP  
BERTRAM FIELDS  
AARON J. MOSS

By:           /s/ Bertram Fields            
Bertram Fields

Attorney for Plaintiff  
TOM CRUISE

DATED: July 31, 2013

DAVIS WRIGHT TREMAINE LLP  
ALONZO WICKERS IV  
ELIZABETH A. McNAMARA (*Of Counsel*)  
DEBORAH A. ADLER (*Of Counsel*)

By:           /s/ Elizabeth A. McNamara            
Elizabeth A. McNamara

Attorneys for Defendants  
BAUER PUBLISHING COMPANY, L.P.,  
BAUER MAGAZINE L.P., BAUER MEDIA  
GROUP, INC., BAUER, INC., and  
HEINRICH BAUER NORTH AMERICA,  
INC.

**DECLARATION OF BERTRAM FIELDS**  
**IN SUPPORT OF JOINT STIPULATION TO CONTINUE TRIAL**

I, Bertram Fields, state as follows:

1. I am lead counsel for plaintiff Tom Cruise in this matter. Each year I teach one quarter at Stanford Law School. When this matter was set for trial on April 29, 2014, I erroneously believed that the timing of my quarter of teaching would be consistent with that trial date.

2. It now appears that my teaching quarter will begin in April and continue to the end of May. My teaching commitments to Stanford would thus be inconsistent with the present trial date.

3. I understand that defendants' counsel are agreeable to a continuance to June 10, 2013. If that is acceptable to the Court, I request that such a continuance be granted.

4. If called as a witness, I can and will testify to the foregoing facts.

Executed at Los Angeles, California, under penalty of perjury under the laws of the United States of America, this 30th day of July, 2013.

  
BERTRAM FIELDS

GREENBERG GLUSKER FIELDS CLAMAN  
& MACTINGER LLP  
1900 Avenue of the Stars, 21st Floor  
Los Angeles, California 90067-4590

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28