

The Honorable Thomas S. Zilly

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UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF WASHINGTON  
AT SEATTLE

HARMONY GOLD U.S.A., INC.,

Plaintiff,

v.

HAREBRAINED SCHEMES LLC,  
HAREBRAINED HOLDINGS, INC., JORDAN  
WEISMAN, PIRANHA GAMES INC., and  
DOES 1-10,

Defendants.

No. 2:17-cv-00327-TSZ

STIPULATED MOTION AND  
[PROPOSED] ORDER TO  
EXTEND HAREBRAINED  
HOLDINGS, INC.'S DEADLINE  
TO RESPOND TO COMPLAINT

NOTE ON MOTION CALENDAR:  
MARCH 23, 2017

**I. STIPULATION**

Pursuant to Fed. R. Civ. P. 6(b), Defendant Harebrained Holdings, Inc. (“HHI”) and Plaintiff Harmony Gold U.S.A., Inc. (“Harmony Gold”), by and through undersigned counsel, hereby stipulate to extend the deadline for HHI to respond to Harmony Gold’s complaint to April 24, 2017.<sup>1</sup> Because good cause exists for the requested, unopposed extension of time, the parties respectfully request that the Court grant this stipulated motion.

On March 1, 2017, Harmony Gold filed its complaint. (Dkt. # 1) HHI was served with the summons and complaint on March 6, 2017. (Dkt. # 19) Accordingly, HHI’s response to the complaint is due on March 27, 2017. *See* Fed. R. Civ. P. 12(a)(1)(A)(i).

<sup>1</sup> By filing this motion, HHI does not waive any defense to the complaint, including without limitation the defenses listed in Fed. R. Civ. P. 12(b).

1 HHI requests a four-week extension of time to respond to the complaint so HHI has  
2 additional time to investigate the complaint's allegations before responding. If a request for an  
3 extension of time is made before the original deadline, courts "may, for good cause, extend the  
4 time." Fed. R. Civ. P. 6(b)(1). "[R]equests for extensions of time made before the applicable  
5 deadline has passed should normally...be granted in the absence of bad faith or prejudice to the  
6 adverse party." *Ahanchian v. Xenon Pictures, Inc.*, 624 F.3d 1253, 1259-60 (9th Cir. 2010)  
7 ("good cause" exists when no evidence of bad faith by moving party or prejudice to nonmoving  
8 party is found). Counsel for HHI conferred telephonically with counsel for Harmony Gold,  
9 and both parties stipulate that the requested extension of time is made in good faith, not for  
10 purposes of delay, and will not prejudice any party or the Court.

11 For the reasons state above, HHI respectfully requests that the Court grant this  
12 stipulated motion to extend the deadline for HHI to respond to the complaint to April 24, 2017.  
13 A proposed order granting the stipulated motion is attached.

14 DATED this 23rd day of March, 2017.

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27 By \*filing authorized by telephone on 3/22/17\*  
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**II. ORDER**

IT IS SO ORDERED.

DATED this \_\_\_\_ day of \_\_\_\_\_, 2017.

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The Honorable Thomas S. Zilly  
UNITED STATES DISTRICT JUDGE

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**CERTIFICATE OF SERVICE**

I hereby certify that on the date stated below, I caused the foregoing to be electronically filed with the Clerk of the Court using the CM/ECF system, which will send notification of such filing to all counsel of record.

DATED this 23rd day of March, 2017.

*s/ James Harlan Corning*  
James Harlan Corning

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