

DANIEL M. PETROCELLI (S.B. #97802)  
dpetrocelli@omm.com  
MOLLY M. LENS (S.B. #283867)  
mlens@omm.com  
DANIELLE FEUER (S.B. #324174)  
dfeuer@omm.com  
O'MELVENY & MYERS LLP  
1999 Avenue of the Stars, 8th Floor  
Los Angeles, California 90067-6035  
Telephone: (310) 553-6700  
Facsimile: (310) 246-6779

Attorneys for Twentieth Century Fox Film  
Corporation d/b/a 20th Century Studios

MARC TOBEROFF (S.B. #188547)  
mtoberoff@toberoffandassociates.com  
TOBEROFF & ASSOCIATES, P.C.  
23823 Malibu Road, Suite 50-363  
Malibu, CA 90265  
Telephone: (310) 246-3333  
Facsimile: (310) 246-3101

Attorneys for James E. Thomas and  
John C. Thomas

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

TWENTIETH CENTURY FOX FILM  
CORPORATION d/b/a 20th Century  
Studios, a Delaware corporation

Plaintiff,

v.

JAMES E. THOMAS and JOHN C.  
THOMAS

Defendants.

JAMES E. THOMAS and JOHN C.  
THOMAS

Counterclaimants,

v.

TWENTIETH CENTURY FOX FILM  
CORPORATION d/b/a 20th Century  
Studios, a Delaware corporation

Counter-Defendant.

Case No. 2:21-cv-03272-GW-JEM

**STIPULATION TO TAKE  
POST-MEDIATION STATUS  
CONFERENCE OFF  
CALENDAR**

Hon. George H. Wu  
Hon. John E. McDermott

**STIPULATION**

**WHEREAS**, Plaintiff and Counter-Defendant Twentieth Century Fox Film Corporation d/b/a 20th Century Studios (“Plaintiff”) and Defendants and Counterclaimants James E. Thomas and John C. Thomas (“Defendants”) have entered into a settlement agreement (the “Settlement”) for an amicable resolution of this matter;

**WHEREAS**, consistent with the terms of the Settlement, the parties anticipate filing a stipulated dismissal of the Complaint and Counterclaim within the next forty-five (45) days, disposing of this action in its entirety;

**WHEREAS**, the Court previously set a Post-Mediation Status Conference in this matter for December 20, 2021, at 8:30 a.m., with mediation to be completed by December 16, 2021;

**WHEREAS**, Defendants’ counsel will be on a family vacation out of state on December 20, 2021;

**WHEREAS**, the parties agree such conference is unnecessary in light of the Settlement;

**IT IS HEREBY STIPULATED AND AGREED**, by and between Plaintiff and Defendants, through their respective counsel of record, that there is good cause to take the December 20 Post-Mediation Status Conference off calendar.

1 Dated: December 16, 2021 O'MELVENY & MYERS LLP

2  
3 By: /s/ Daniel M. Petrocelli  
4 Daniel M. Petrocelli

5 Attorneys for Twentieth Century Fox  
6 Film Corporation d/b/a 20th Century  
7 Studios

8  
9 TOBEROFF & ASSOCIATES, P.C.

10  
11 By: /s/ Marc Toberoff  
12 Marc Toberoff

13 Attorneys for James E. Thomas and John  
14 C. Thomas

1 Pursuant to Local Rule 5-4.3.4(a)(2)(i), the filer attests that all other  
2 signatories listed, and on whose behalf the filing is submitted, concur in the  
3 filing's content and have authorized the filing.

4  
5 Dated: December 16, 2021 O'MELVENY & MYERS LLP

6  
7 By: /s/ Daniel M. Petrocelli  
8 Daniel M. Petrocelli

9 Attorneys for Twentieth Century Fox  
10 Film Corporation d/b/a 20th Century  
11 Studios  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28