

No. 18-1171

IN THE

Supreme Court of the United States

COMCAST CORPORATION,

Petitioner,

v.

NATIONAL ASSOCIATION OF AFRICAN AMERICAN-
OWNED MEDIA AND ENTERTAINMENT
STUDIOS NETWORKS, INC.,

Respondents.

**On Writ Of Certiorari
To The United States Court Of Appeals
For The Ninth Circuit**

JOINT APPENDIX

Miguel A. Estrada
Counsel of Record

GIBSON, DUNN & CRUTCHER LLP
1050 Connecticut Avenue, N.W.
Washington, D.C. 20036
(202) 955-8500
mestrada@gibsondunn.com

Counsel for Petitioner

Erwin Chemerinsky
Counsel of Record

215 Bancroft Way
Berkeley, CA 94720
(510) 642-6483
echemerinsky@berkeley.edu

Counsel for Respondents

[Additional counsel listed on inside cover]

PETITION FOR WRIT OF CERTIORARI FILED MARCH 8, 2019
CERTIORARI GRANTED JUNE 10, 2019

Thomas G. Hungar
GIBSON, DUNN & CRUTCHER LLP
1050 Connecticut Avenue, N.W.
Washington, D.C. 20036
(202) 955-8500

Douglas Fuchs
Jesse A. Cripps
Bradley J. Hamburger
Samuel Eckman
GIBSON, DUNN & CRUTCHER LLP
333 South Grand Avenue
Los Angeles, CA 90071
(213) 229-7000

Counsel for Petitioner

Louis R. Miller
J. Mira Hashmall
David W. Schechter
MILLER BARONDESS, LLP
1999 Avenue of the Stars
Los Angeles, CA 90067
(310) 552-4400

Counsel for Respondents

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The following opinions, orders, and pleadings have been omitted in printing this joint appendix because they appear on the following pages in the appendix to the petition for a writ of certiorari:

Opinion of the United States Court of Appeals for the Ninth Circuit (Nov. 19, 2018)	1a
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Order of the United States Court of Appeals for the Ninth Circuit Denying Petition for Rehearing or Rehearing En Banc (Feb. 4, 2019)	32a
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Order of the United States District Court for the Central District of California Dismissing the First Amended Complaint (May 10, 2016)	74a
First Amended Complaint (Sept. 21, 2015).....	78a
Order of the United States District Court for the Central District of California Dismissing the Complaint (Aug. 5, 2015)	109a
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General Docket
United States Court of Appeals
for the Ninth Circuit

Court of Appeals Docket #: 16-56479	
Docketed: 10/07/2016	
Nature of Suit: 3440 Other Civil Rights NAAAOM, et al v. Comcast Corporation	Termed: 11/19/2018
Appeal From: U.S. District Court for Central California, Los Angeles	
Fee Status: Paid	
Case Type Information: 1) civil 2) private 3) null	
Originating Court Information: District: 0973-2 : 2:15-cv-01239-TJH-MAN Trial Judge: Terry J. Hatter, Junior, Senior District Judge Date Filed: 02/20/2015 Date Order/Judgment: 10/05/2016 Date Order/Judgment EOD: 10/05/2016 Date NOA Filed: 10/07/2016 Date Rec'd COA: 10/07/2016	
Prior Cases: 15-56244	Date Filed: 08/14/2015
Date Disposed: 09/09/2015 FRAP 42b Dismissal - Clerk Order	Disposition:
Current Cases: None	

10/07/16	1. 28 pg, 458.62 KB	DOCKETED CAUSE AND ENTERED APPEARANCES OF COUNSEL. SEND MQ: No. The schedule is set as follows: Appellants Entertainment Studios Networks, Inc. and National Association of African- American Owned Media opening brief due 03/16/2017. Appellee Comcast Corporation answering brief due 04/17/2017. Appellant's optional reply brief is due 14 days after service of the answering brief. [10153916] (Witt, Dusty) [Entered: 10/07/2016 04:16 PM]
10/14/2016	2. 5 pg, 127.48 KB	Filed (ECF) Appellants National Association of African-American Owned Media and Entertainment Studios Networks, Inc. Mediation Questionnaire. Date of service: 10/14/2016. [10160699] [16-56479] (Hashmall, Jennifer) [Entered: 10/14/2016 04:02 PM]
10/14/2016	3. 2 pg, 77.95 KB	Filed (ECF) notice of appearance of Jennifer Mira Hashmall for Appellants Entertainment Studios Networks, Inc. and National Association of African-American Owned Media. Date of ser-

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		vice: 10/14/2016. [10160703] [16-56479] (Hashmall, Jennifer) [Entered: 10/14/2016 04:04 PM]
10/14/2016	4.	Added attorney Jennifer Mira Hashmall for National Association of African-American Owned Media Entertainment Studios Networks, Inc., in case 16-56479. [10160841] (JFF) [Entered: 10/14/2016 04:51 PM]
10/17/2016	5. 1 pg, 98.31 KB	Filed (ECF) Appellants Entertainment Studios Networks, Inc. and National Association of African-American Owned Media Correspondence: Certificate that no transcript will be ordered.. Date of service: 10/17/2016 [10162211] [16-56479] (Hashmall, Jennifer) [Entered: 10/17/2016 02:39 PM]
10/20/2016	6. 2 pg, 77.76 KB	Filed (ECF) notice of appearance of David W. Schechter for Appellants Entertainment Studios Networks, Inc. and National Association of African-American Owned Media. Date of service: 10/20/2016. [10167126] [16-56479] (Schechter, David) [Entered: 10/20/2016 10:38 AM]
10/20/2016	7.	Added attorney David W.

		Schechter for National Association of African-American Owned Media Entertainment Studios Networks, Inc.. [10168086] (RL) [Entered: 10/20/2016 03:37 PM]
10/21/2016	8. 2 pg, 79.68 KB	Filed (ECF) notice of appearance of Brian A. Procel for Appellants Entertainment Studios Networks, Inc. and National Association of African-American Owned Media. Date of service: 10/21/2016. [10169481] [16- 56479] (Procel, Brian) [Entered: 10/21/2016 02:08 PM]
10/21/2016	9. 2 pg, 77.15 KB	Filed (ECF) notice of appearance of Louis R. Miller for Appellants Entertainment Studios Networks, Inc. and National Association of African-American Owned Media. Date of service: 10/21/2016. [10169514] [16- 56479] (Miller, Louis) [Entered: 10/21/2016 02:18 PM]
10/21/2016	10.	Added attorney Brian A. Procel, Louis R. Miller for National Association of African-American Owned Media Entertainment Studios Networks, Inc.. [10169543] (RL) [Entered: 10/21/2016 02:27 PM]

10/24/2016	11. 2 pg, 201.57 KB	Filed Mediation order: This case is under consideration for inclusion in the Mediation Program. By 11/08/2016 , counsel for all parties intending to file briefs in this matter are requested to inform the Circuit Mediator by email of their clients' views on whether the issues on appeal or the underlying dispute might be amenable to settlement presently or in the foreseeable future. This communication will be kept confidential, if requested... This communication should not be filed with the court... The existing briefing schedule remains in effect... [10170490] (VS) [Entered: 10/24/2016 10:09 AM]
10/27/2016	12.	Terminated David W. Schecter for National Association of African-American Owned Media and Entertainment Studios Networks, Inc. in 16-56479 (Due to incorrect ECF account information). [10175998] (SLM) [Entered: 10/27/2016 11:10 AM]
10/27/2016	13. 2 pg, 77.49	Filed (ECF) notice of appearance of David W. Schecter for Appellants Entertainment Studios Networks, Inc. and

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	KB	National Association of African-American Owned Media. Date of service: 10/27/2016. [10176465] [16-56479] (Schecter, David) [Entered: 10/27/2016 01:47 PM]
10/27/2016	14.	Added attorney David W. Schecter for National Association of African-American Owned Media Entertainment Studios Networks, Inc. [10176476] (RL) [Entered: 10/27/2016 01:52 PM]
11/10/2016	15. 1 pg, 180.68 KB	Filed Mediation order: This case is not selected for inclusion in the Mediation Program. [10192850] (VS) [Entered: 11/10/2016 09:08 AM]
03/03/2017	16.	Filed (ECF) Streamlined request for extension of time to file Opening Brief by Appellants Entertainment Studios Networks, Inc. and National Association of African-American Owned Media. New requested due date is 04/14/2017. [10343152] [16-56479] (Hashmall, Jennifer) [Entered: 03/03/2017 04:48 PM]
03/06/2017	17.	Streamlined request [16] by Appellants Entertainment Studios Networks, Inc. and National Associa-

		<p>tion of African-American Owned Media to extend time to file the brief is approved. Amended briefing schedule: Appellants Entertainment Studios Networks, Inc. and National Association of African-American Owned Media opening brief due 04/14/2017. Appellee Comcast Corporation answering brief due 05/15/2017. The optional reply brief is due 14 days from the date of service of the answering brief. [10345341] (Witt, Dusty) [Entered: 03/06/2017 04:50 PM]</p>
04/14/2017	18. 90 pg, 8.08 MB	<p>Submitted (ECF) Opening Brief for review. Submitted by Appellants Entertainment Studios Networks, Inc. and National Association of African-American Owned Media. Date of service: 04/14/2017. [10397328] [16-56479] (Hashmall, Jennifer) [Entered: 04/14/2017 04:15 PM]</p>
4/14/2017	19. 588 pg, 22.35 MB	<p>Submitted (ECF) Opening Brief for review. Submitted by Appellants Entertainment Studios Networks, Inc. and National Association of African-American Owned Media.</p>

JAS

		Date of service: 04/14/2017. [10397328] [16-56479] (Hashmall, Jennifer) [En- tered: 04/14/2017 04:15 PM]
4/17/2017	20. 2 pg, 186.25 KB	Filed clerk order: The open- ing brief [18] submitted by Entertainment Studios Net- works, Inc. and National As- sociation of African-American Owned Media is filed. Within 7 days of the filing of this or- der, filer is ordered to file 7 copies of the brief in paper format, accompanied by certi- fication, attached to the end of each copy of the brief, that the brief is identical to the version submitted electroni- cally. Cover color: blue. The paper copies shall be printed from the PDF version of the brief created from the word processing application, not from PACER or Appellate CM/ECF. The Court has re- viewed the excerpts of record [19] submitted by Entertain- ment Studios Networks, Inc. and National Association of African-American Owned Media. Within 7 days of this order, filer is ordered to file 4 copies of the excerpts in pa- per format, with a white cov- er. The paper copies must be

		in the format described in 9th Circuit Rule 30-1.6. [10398286] (SML) [Entered: 04/17/2017 11:41 AM]
04/20/2017	21.	Received 7 paper copies of Opening Brief [18] filed by Entertainment Studios Networks, Inc. and National Association of African-American Owned Media. [10404015] (RG) [Entered: 04/20/2017 10:21 AM]
04/25/2017	22.	Filed six paper copies of excerpts of record [19] in 3 volume(s) filed by Appellants Entertainment Studios Networks, Inc. and National Association of African-American Owned Media. [10410777] (GV) [Entered: 04/25/2017 03:33 PM]
05/01/2017	23.	Filed (ECF) Streamlined request for extension of time to file Answering Brief by Appellee Comcast Corporation. New requested due date is 06/14/2017. [10417153] [16-56479] (Estrada, Miguel) [Entered: 05/01/2017 01:40 PM]
05/01/2017	24.	Streamlined request [23] by Appellee Comcast Corporation to extend time to file the brief is approved. Amended

		briefing schedule: Appellee Comcast Corporation answering brief due 06/14/2017. The optional reply brief is due 14 days from the date of service of the answering brief. [10417487] (JN) [Entered: 05/01/2017 03:22 PM]
06/14/2017	25. 73 pg, 496.88 KB	Submitted (ECF) Answering Brief for review. Submitted by Appellee Comcast Corporation. Date of service: 06/14/2017. [10473894] [16-56479] (Estrada, Miguel) [Entered: 06/14/2017 03:28 PM]
06/14/2017	26. 196 pg, 16.57 MB	Submitted (ECF) supplemental excerpts of record. Submitted by Appellee Comcast Corporation. Date of service: 06/14/2017. [10473900] [16-56479] (Estrada, Miguel) [Entered: 06/14/2017 03:30 PM]
06/14/2017	27. 2 pg, 187.07 KB	Filed clerk order: The answering brief [25] submitted by Comcast Corporation is filed. Within 7 days of the filing of this order, filer is ordered to file 7 copies of the brief in paper format, accompanied by certification, attached to the end of each copy of the brief, that the brief is identical to the version sub-

mitted electronically. Cover color: red. The paper copies shall be printed from the PDF version of the brief created from the word processing application, not from PACER or Appellate CM/ECF. The Court has reviewed the supplemental excerpts of record [26] submitted by Comcast Corporation. Within 7 days of this order, filer is ordered to file 4 copies of the excerpts in paper format, with a white cover. The paper copies must be in the format described in 9th Circuit Rule 30-1.6. [10474123] (GV) [Entered: 06/14/2017 04:25 PM]

06/15/2017 28. Filed (ECF) Streamlined request for extension of time to file Reply Brief by Appellants Entertainment Studios Networks, Inc. and National Association of African-American Owned Media. New requested due date is 07/28/2017. [10475848] [16-56479] (Hashmall, Jennifer) [Entered: 06/15/2017 05:36 PM]

06/15/2017 30. Received 7 paper copies of Answering Brief [25] filed by Comcast Corporation. [10476073] (DB) [Entered:

		06/16/2017 09:05 AM]
06/15/2017	31.	Filed four paper copies of supplemental excerpts of record [26] in 1 volume(s) filed by Appellee Comcast Corporation. [10478654] (GV) [Entered: 06/19/2017 11:29 AM]
06/16/2017	29.	Streamlined request [28] by Appellants Entertainment Studios Networks, Inc. and National Association of African-American Owned Media to extend time to file the brief is approved. Amended briefing schedule: the optional reply brief is due 07/28/2017. [10475989] (JN) [Entered: 06/16/2017 08:23 AM]
07/28/2017	32. 32 pg, 86.71 KB	Submitted (ECF) Reply Brief for review. Submitted by Appellants Entertainment Studios Networks, Inc. and National Association of African-American Owned Media. Date of service: 07/28/2017. [10525609] [16-56479]-- [COURT UPDATE: Attached corrected PDF of brief (includes certificate of service) 07/31/2017 by RY] (Hashmall, Jennifer) [Entered: 07/28/2017 01:35 PM]
07/28/2017	33. 143 pg,	Filed (ECF) Appellants Entertainment Studios Net-

	4.46 MB	works, Inc. and National Association of African-American Owned Media Motion to take judicial notice of. Date of service: 07/28/2017. [10525639] [16-56479] (Hashmall, Jennifer) [Entered: 07/28/2017 01:43 PM]
07/31/2017	34. 2 pg, 187.18 KB	Filed clerk order: The reply brief [32] submitted by Entertainment Studios Networks, Inc. and National Association of African-American Owned Media is filed. Within 7 days of the filing of this order, filer is ordered to file 7 copies of the brief in paper format, accompanied by certification, attached to the end of each copy of the brief, that the brief is identical to the version submitted electronically. Cover color: gray. The paper copies shall be printed from the PDF version of the brief created from the word processing application, not from PACER or Appellate CM/ECF. [10528068] (GV) [Entered: 07/31/2017 07:22 PM]
08/02/2017	35.	Received 7 paper copies of Reply Brief [32] filed by Entertainment Studios Networks, Inc. and National As-

		sociation of African-American Owned Media. [10530136] (RG) [Entered: 08/02/2017 10:21 AM]
09/12/2017	36. 2 pg, 182.16 KB	Filed (ECF) Appellee Comcast Corporation Correspondence: Notice of Withdrawal for Michael R. Huston as counsel to Defendant-Appellee Comcast Corporation.. Date of service: 09/12/2017 [10577601] [16-56479] (Huston, Michael) [Entered: 09/12/2017 11:12 AM]
09/12/2017	37.	Terminated Michael Robert Huston for Comcast Corporation. [10577617] (RL) [Entered: 09/12/2017 11:15 AM]
02/16/2018	38.	This case is being considered for an upcoming oral argument calendar in Pasadena Please review the Pasadena sitting dates for June 2018 and the two subsequent sitting months in that location at http://www.ca9.uscourts.gov/court_sessions . If you have an unavoidable conflict on any of the dates, please inform the court <i>within 3 days of this notice</i> , using CM/ECF (Type of Document: File Corre-

spondence to Court; **Subject:** regarding availability for oral argument).

When setting your argument date, the court will try to work around unavoidable conflicts; the court is not able to accommodate mere scheduling preferences. You will receive notice that your case has been assigned to a calendar approximately 10 weeks before the scheduled oral argument date.

If the parties wish to discuss settlement before an argument date is set, they should jointly request referral to the mediation unit by filing a letter *within 3 days of this notice*, using CM/ECF (**Type of Document:** File Correspondence to Court; **Subject:** request for mediation).[10767187] (AW) [Entered: 02/16/2018 11:41 AM]

02/20/2018 39.
2 pg,
166.36
KB

Filed (ECF) Appellee Comcast Corporation Correspondence: regarding availability for oral argument. Date of service: 02/20/2018 [10769719] [16-56479] (Estrada, Miguel) [Entered: 02/20/2018 01:53 PM]

02/20/2018	40.	<p>Filed (ECF) Appellants Entertainment Studios Networks, Inc. and National Association of African-American Owned Media Correspondence: Appellants' Availability for Oral Argument.. Date of service: 02/20/2017 [10770541] [16-56479] (Hashmall, Jennifer) [Entered: 02/20/2018 06:27 PM]</p>
	2 pg, 62.85 KB	
03/23/2018	41.	<p>This case is being considered for an upcoming oral argument calendar in Pasadena</p> <p>Please review the Pasadena sitting dates for July 2018 and the two subsequent sitting months in that location at http://www.ca9.uscourts.gov/court_sessions. If you have an unavoidable conflict on any of the dates, please inform the court <i>within 3 days of this notice</i>, using CM/ECF (Type of Document: File Correspondence to Court; Subject: regarding availability for oral argument).</p> <p>When setting your argument date, the court will try to work around unavoidable conflicts; the court is not able to accommodate mere scheduling preferences. You will</p>

		<p>receive notice that your case has been assigned to a calendar approximately 10 weeks before the scheduled oral argument date.</p> <p>If the parties wish to discuss settlement before an argument date is set, they should jointly request referral to the mediation unit by filing a letter <i>within 3 days of this notice</i>, using CM/ECF (Type of Document: File Correspondence to Court; Subject: request for mediation).[10810323] (AW) [Entered: 03/23/2018 11:11 AM]</p>
03/23/2018	42. 2 pg, 169.84 KB	<p>Filed (ECF) Appellee Comcast Corporation Correspondence: regarding availability for oral argument. Date of service: 03/23/2018 [10810759] [16-56479] (Estrada, Miguel) [Entered: 03/23/2018 01:44 PM]</p>
03/26/2018	43. 2 pg, 52.16 KB	<p>Filed (ECF) Appellants National Association of African-American Owned Media and Entertainment Studios Networks, Inc. Correspondence: Correspondence to Court re Availability for Oral Argument. Date of service: 03/26/2018 [10813288] [16-56479] (Schecter, David) [En-</p>

06/13/2018 44.

tered: 03/26/2018 04:51 PM]

This case is being considered for an upcoming oral argument calendar in Pasadena

Please review the Pasadena sitting dates for October 2018 and the two subsequent sitting months in that location at

http://www.ca9.uscourts.gov/court_sessions. If you have an unavoidable conflict on any of the dates, please inform the court *within 3 days of this notice*, using CM/ECF (**Type of Document:** File Correspondence to Court; **Subject:** regarding availability for oral argument).

When setting your argument date, the court will try to work around unavoidable conflicts; the court is not able to accommodate mere scheduling preferences. You will receive notice that your case has been assigned to a calendar approximately 10 weeks before the scheduled oral argument date.

If the parties wish to discuss settlement before an argument date is set, they should jointly request referral to the

		mediation unit by filing a letter <i>within 3 days of this notice</i> , using CM/ECF (Type of Document : File Correspondence to Court; Subject : request for mediation).[10907064] (AW) [Entered: 06/13/2018 11:41 AM]
06/15/2018	45. 2 pg, 53.73 KB	Filed (ECF) Appellants Entertainment Studios Networks, Inc. and National Association of African-American Owned Media Correspondence: regarding availability for oral argument. Date of service: 06/15/2018 [10911374] [16-56479] (Schecter, David) [Entered: 06/15/2018 04:57 PM]
06/18/2018	46. 2 pg, 170.63 KB	Filed (ECF) Appellee Comcast Corporation Correspondence: regarding availability for oral argument. Date of service: 06/18/2018 [10911487] [16-56479] (Estrada, Miguel) [Entered: 06/18/2018 07:06 AM]
07/30/2018	47.	Notice of Oral Argument on Tuesday, October 09, 2018 - 9:00 am - Courtroom 1 - Pasadena CA. View the Oral Argument Calendar for your case here. Be sure to review the

		<p>GUIDELINES for important information about your hearing, including when to arrive (30 minutes before the hearing time) and when and how to submit additional citations (filing electronically as far in advance of the hearing as possible).</p> <p>When you have reviewed the calendar, download the ACKNOWLEDGMENT OF HEARING NOTICE form and within 21 days of Tuesday, October 09, 2018, file the completed form via Appellate CM/ECF. [10959330] (AW) [Entered: 07/30/2018 01:40 PM]</p>
08/21/2018	48. 2 pg, 211.28 KB	<p>Filed (ECF) notice of appearance of Erwin Stuart Chemerinsky for Appellants Entertainment Studios Networks, Inc. and National Association of African-American Owned Media. Date of service: 08/21/2018. [10984203] [16-56479] (Chemerinsky, Erwin) [Entered: 08/21/2018 02:06 PM]</p>
08/21/2018	49.	<p>Added attorney Erwin Chemerinsky for National Association of African-American Owned Media Entertainment Studios Net-</p>

		works, Inc.. [10984243] (RL) [Entered: 08/21/2018 02:17 PM]
09/14/2018	50. 1 pg, 73 KB	Filed (ECF) Acknowledgment of hearing notice. Location: Pasadena. Filed by Attorney Erwin Chemerinsky for Appellants Entertainment Studios Networks, Inc. and National Association of African-American Owned Media. [11011696] [16-56479] (Chemerinsky, Erwin) [Entered: 09/14/2018 10:00 AM]
09/17/2018	51. 1 pg, 461.32 KB	Filed (ECF) Acknowledgment of hearing notice. Location: Pasadena. Filed by Attorney Mr. Miguel A. Estrada for Appellee Comcast Corporation. [11013894] [16-56479] (Estrada, Miguel) [Entered: 09/17/2018 01:26 PM]
10/09/2018	52.	ARGUED AND SUBMITTED TO MARY M. SCHROEDER, MILAN D. SMITH, JR. and JACQUELINE H. NGUYEN. [11038534] (BG) [Entered: 10/09/2018 10:04 AM]
10/10/2018	53. 1 pg, 8.44 MB	Filed Audio recording of oral argument. Note: Video recordings of public argument calendars are available on the Court's website, at

		<p>http://www.ca9.uscourts.gov/media/</p> <p>[11041557] (BG) [Entered: 10/10/2018 02:01 PM]</p>
11/19/2018	54. 9 pg, 447.26 KB	<p>FILED MEMORANDUM DISPOSITION (MARY M. SCHROEDER, MILAN D. SMITH, JR. and JACQUELINE H. NGUYEN) We deny Plaintiffs' motion to take judicial notice. REVERSED AND REMANDED. FILED AND ENTERED JUDGMENT. [11091982] (RMM) [Entered: 11/19/2018 08:55 AM]</p>
12/03/2018	55. 59 pg, 659.66 KB	<p>Filed (ECF) Appellee Comcast Corporation petition for panel rehearing and petition for rehearing en banc (from 11/19/2018 memorandum). Date of service: 12/03/2018. [11107310] [16-56479] (Estrada, Miguel) [Entered: 12/03/2018 02:12 PM]</p>
12/03/2018	56. 2 pg, 101.35 KB	<p>Filed (ECF) Appellants Entertainment Studios Networks, Inc. and National Association of African-American Owned Media bill of costs (Form 10) in the amount of \$257.30 USD. Date of service: 12/03/2018 [11108080] [16-56479] (Hashmall, Jennifer)</p>

		[Entered: 12/03/2018 05:25 PM]
12/11/2018	57. 1 pg, 262.83 KB	Filed order (MARY M. SCHROEDER, MILAN D. SMITH, JR. and JACQUELINE H. NGUYEN) Plaintiffs- Appellants National Association of African American-Owned Media and Entertainment Studios Networks, Inc. are directed to file a response to Defendant-Appellee Comcast Corporation's petition for rehearing or rehearing en banc, filed with this court on December 3, 2018. The response shall not exceed 18 pages or 4,200 words, and shall be filed within 21 days of the date of this order. Parties who are registered for Appellate ECF must file the response electronically without submission of paper copies. Parties who are not registered Appellate ECF filers must file the original response. SO ORDERED. [11117535] (OC) [Entered: 12/11/2018 03:03 PM]
12/13/2018	58. 21 pg, 152.01	Submitted (ECF) Amicus brief for review (by government or with consent per FRAP 29(a)). Submitted by

	KB	Chamber of Commerce of the United States of America. Date of service: 12/13/2018. [11119784] [16- 56479] (Garre, Gregory) [Entered: 12/13/2018 02:14 PM]
12/13/2018	59.	Entered appearance of Amicus Curiae Chamber of Commerce of the United States of America. [11119841] (KWG) [Entered: 12/13/2018 02:32 PM]
12/13/2018	60. 1 pg, 183.12 KB	Filed clerk order: The amicus brief [58] submitted by Chamber of Commerce of the United States of America is filed. No paper copies are required at this time. [11119855] (KWG) [Entered: 12/13/2018 02:37 PM]
12/28/2018	61. 29 pg, 262.56 KB	Filed (ECF) Appellants Entertainment Studios Networks, Inc. and National Association of African-American Owned Media response to Combo PFR Panel and En Banc (ECF Filing), Combo PFR Panel and En Banc (ECF Filing) for panel and en banc rehearing, for panel and en banc rehearing (statistical entry). Date of service: 12/28/2018. [11136078]. [16-56479] (Schecter, David) [En-

		tered: 12/28/2018 01:47 PM]
02/04/2019	62. 2 pg, 11.22 KB	Filed Order for PUBLICATION (MARY M. SCHROEDER, MILAN D. SMITH, JR. and JACQUELINE H. NGUYEN) The panel unanimously votes to deny the petition for panel rehearing. Judge M. Smith and Judge Nguyen vote to deny the petition for rehearing en banc, and Judge Schroeder so recommends. The full court has been advised of the petition for rehearing en banc, and no judge of the court has requested a vote on it. Fed. R. App. P. 35. The petition for panel rehearing and the petition for rehearing en banc are DENIED. [11177137] (MM) [Entered: 02/04/2019 08:33 AM]
02/12/2019	63. 1 pg, 190.75 KB	MANDATE ISSUED.(MMS, MDS and JHN) Costs taxed against Appellee in the amount of \$257.30. [11186682] (QDL) [Entered: 02/12/2019 08:31 AM]
03/13/2019	64. 1 pg, 52.61 KB	Supreme Court Case Info Case number: 18-1171 Filed on: 03/08/2019 Cert Petition Action 1: Pending

JA26

		[11225869] (RR) [Entered: 03/13/2019 11:13 AM]
6/10/2019	65.	Supreme Court Case Info
	1 pg, 62.85 KB	Case number: 18-1171 Filed on: 03/08/2019 Cert Petition Action 1: Granted, 06/10/2019 [11325651] (JFF) [Entered: 06/10/2019 03:57 PM]

JA27

**UNITED STATES DISTRICT COURT
DISTRICT OF CALIFORNIA
(Western Division - Los Angeles)
CIVIL DOCKET FOR CASE #:
2:15-cv-01239-TJH-FFM**

National Association of African-American Owned Media et al v. Comcast Corporation et al	Date Filed: 02/20/2015
Assigned to: Judge Terry J. Hatter, Jr	Jury Demand: Plaintiff
Referred to: Magistrate Judge Frederick F. Mumm	Nature of Suit: 440 Civil Rights: Other
Demand: \$9,999,000	Jurisdiction: Federal Question
Case in other court: 9th Circuit, 16-56479	
Cause: 42:1981 Civil Rights	

Date Filed	#	Docket Text
02/20/2015	<u>1</u>	COMPLAINT Receipt No: 0973-15248626 - Fee: \$400. (Attorney Amnon Z Siegel added to party Entertainment Studios Networks, Inc.(pty:pla), Attorney Amnon Z Siegel added to party National Association of African-American Owned Media(pty:pla))(Siegel, Amnon) (Entered: 02/20/2015)
02/20/2015	<u>2</u>	Request for Clerk to Issue Summons on Complaint (Attor-

Date Filed	#	Docket Text
		ney Civil Case Opening), 1 Entertainment Studios Networks, Inc., National Association of African-American Owned Media. (Siegel, Amnon) (Entered: 02/20/2015)
02/20/2015	<u>3</u>	CIVIL COVER SHEET filed by Plaintiffs Entertainment Studios Networks, Inc., National Association of African-American Owned Media. (Siegel, Amnon) (Entered: 02/20/2015)
02/20/2015	<u>4</u>	CERTIFICATE of Interested Parties filed by Plaintiffs Entertainment Studios Networks, Inc., National Association of African-American Owned Media, identifying Byron Allen. (Siegel, Amnon) (Entered: 02/20/2015)
02/20/2015	<u>5</u>	Request for Clerk to Issue Summons on Summons Request 2 filed by Plaintiffs Entertainment Studios Networks, Inc., National Association of African-American Owned Media. (Siegel, Amnon) (Entered: 02/20/2015)
02/20/2015	<u>6</u>	NOTICE OF ASSIGNMENT to District Judge Percy Anderson and Magistrate Judge Margaret A. Nagle. (et) (Entered: 02/20/2015)

Date Filed	#	Docket Text
02/20/2015	<u>7</u>	NOTICE TO PARTIES OF COURT-DIRECTED ADR PROGRAM filed. (et) (Entered: 02/20/2015)
02/20/2015	<u>8</u>	NOTICE OF DEFICIENCIES in Request to Issue Summons RE: Summons Request 5 , Summons Request 2 . The following error(s) was found: The caption of the summons must match the caption of the complaint verbatim. If the caption is too large to fit in the space provided, enter the name of the first party and then write see attached.Next, attach a face page of the complaint or a second page addendum to the Summons. The summons cannot be issued until this defect has been corrected. Please correct the defect and re-file your request. (et) (Entered: 02/20/2015)
02/20/2015	<u>9</u>	Request for Clerk to Issue Summons on Summons Request 5 Entertainment Studios Networks, Inc., National Association of African-American Owned Media. (Siegel, Amnon) (Entered: 02/20/2015)
02/23/2015	<u>10</u>	ORDER TO REASSIGN CASE

Date Filed	#	Docket Text
		due to self-recusal pursuant to General Order 14-03 by Judge Percy Anderson. Case transferred from Judge Percy Anderson to the calendar of Judge Terry J. Hatter, Jr for all further proceedings. Case number now reads as CV15-1239 TJH (MANx). (mg) (Entered: 02/23/2015)
02/23/2015	<u>11</u>	21-Day Summons Issued re Complaint 1 as to Defendants Comcast Corporation, Time Warner Cable Inc., National Association for The Advancement of Colored People, National Urban League, Inc., Al Shaprton, National Action Network, Inc., Meredith Attwell Baker, and Does 1 through 10, inclusive. (gk) (Entered: 02/23/2015)
02/24/2015	<u>12</u>	MINUTE ORDER (IN CHAMBERS) by Judge Terry J. Hatter, Jr. NEW CASE BEFORE JUDGE HATTER. Additional information about Judge Hatter's procedures and schedules can be found on the court's website. (Read carefully) (ys) (Entered: 02/24/2015)
03/31/2015	<u>13</u>	Joint STIPULATION for Order

Date Filed	#	Docket Text
		<p>REGARDING MOTION TO DISMISS BRIEFING SCHEDULE AND PAGE LIMIT EXTENSIONS filed by Defendants Meredith Attwell Baker, Comcast Corporation, National Action Network, Inc., National Association for The Advancement of Colored People (NAACP), National Urban League, Inc., Al Shaprton. (Attachments: # 1 Proposed Order)(Attorney Bradley Joseph Hamburger added to party Meredith Attwell Baker(pty:dft), Attorney Bradley Joseph Hamburger added to party Comcast Corporation(pty:dft), Attorney Bradley Joseph Hamburger added to party National Action Network, Inc.(pty:dft), Attorney Bradley Joseph Hamburger added to party National Association for The Advancement of Colored People (NAACP)(pty:dft), Attorney Bradley Joseph Hamburger added to party National Urban League, Inc.(pty:dft), Attorney Bradley Joseph Hamburger added to party Al Shaprton(pty:dft))(Hamburger, Bradley) (Entered: 03/31/2015)</p>

Date Filed	#	Docket Text
03/31/2015	<u>14</u>	PROOF OF SERVICE Executed by Plaintiff Entertainment Studios Networks, Inc., National Association of African-American Owned Media, upon Defendant National Action Network, Inc. served on 3/13/2015, answer due 4/3/2015. in compliance with Federal Rules of Civil Procedure by personal service. Original Summons returned. (Siegel, Amnon) (Entered: 03/31/2015)
03/31/2015	<u>15</u>	PROOF OF SERVICE Executed by Plaintiff Entertainment Studios Networks, Inc., National Association of African-American Owned Media, upon Defendant Comcast Corporation served on 3/13/2015, answer due 4/3/2015. in compliance with Federal Rules of Civil Procedure by personal service. Original Summons returned. (Siegel, Amnon) (Entered: 03/31/2015)
03/31/2015	<u>16</u>	PROOF OF SERVICE Executed by Plaintiff Entertainment Studios Networks, Inc., National Association of African-American Owned Media, upon Defendant National Association for The Advancement of Colored People

Date Filed	#	Docket Text
		(NAACP) served on 3/13/2015, answer due 4/3/2015. in compliance with Federal Rules of Civil Procedure by personal service. Original Summons returned. (Siegel, Amnon) (Entered: 03/31/2015)
03/31/2015	<u>17</u>	PROOF OF SERVICE Executed by Plaintiff Entertainment Studios Networks, Inc., National Association of African-American Owned Media, upon Defendant Time Warner Cable Inc. served on 3/17/2015, answer due 4/7/2015. in compliance with Federal Rules of Civil Procedure by personal service. Original Summons returned. (Siegel, Amnon) (Entered: 03/31/2015)
03/31/2015	<u>18</u>	PROOF OF SERVICE Executed by Plaintiff Entertainment Studios Networks, Inc., National Association of African-American Owned Media, upon Defendant Meredith Attwell Baker served on 3/24/2015, answer due 4/14/2015. in compliance with Federal Rules of Civil Procedure by substituted service at business address and by also mailing a copy. Original Summons re-

Date Filed	#	Docket Text
		turned. (Siegel, Amnon) (Entered: 03/31/2015)
03/31/2015	<u>19</u>	PROOF OF SERVICE Executed by Plaintiff Entertainment Studios Networks, Inc., National Association of African-American Owned Media, upon Defendant National Urban League, Inc. served on 3/23/2015, answer due 4/13/2015. in compliance with Federal Rules of Civil Procedure by personal service. Original Summons returned. (Siegel, Amnon) (Entered: 03/31/2015)
03/31/2015	<u>20</u>	WAIVER OF SERVICE Returned Executed Entertainment Studios Networks, Inc., National Association of African-American Owned Media. upon Al Shaprton waiver sent by Plaintiff on 3/24/2015, answer due 5/23/2015. (Siegel, Amnon) (Entered: 03/31/2015)
04/01/2015	<u>21</u>	ORDER GRANTING Joint Stipulation Regarding Motion to Dismiss Briefing Schedule and Page Limit Extensions 13 by Judge Terry J. Hatter, Jr., that Defendants shall have until 4/24/2015 to move to dismiss Plaintiffs' Complaint; Plaintiffs

Date Filed	#	Docket Text
		shall have until 5/8/2015 to file a response to Defendants' motions to dismiss; Defendants shall have until 5/22/2015 to file a reply in support of their motions to dismiss; The hearing on Defendants' motions to dismiss will be calendared for 6/8/2015. (See attachment Order for further details). (jp) (Entered: 04/01/2015)
04/06/2015	<u>22</u>	(Attorney Jesse A Cripps, Jr added to party Meredith Attwell Baker(pty:dft), Attorney Jesse A Cripps, Jr added to party Comcast Corporation(pty:dft), Attorney Jesse A Cripps, Jr added to party National Action Network, Inc.(pty:dft), Attorney Jesse A Cripps, Jr added to party National Association for The Advancement of Colored People (NAACP) (pty:dft), Attorney Jesse A Cripps, Jr added to party National Urban League, Inc.(pty:dft), Attorney Jesse A Cripps, Jr added to party Al Shaprton(pty:dft))(Cripps, Jesse) (Entered: 04/06/2015)
04/06/2015	<u>23</u>	NOTICE OF MOTION AND MOTION for attorney Miguel A. Estrada to Appear Pro Hac

Date Filed	#	Docket Text
		Vice(PHV Fee of \$325 receipt number 0973-15496307 paid.) filed by Defendants Meredith Attwell Baker, Comcast Corporation, National Action Network, Inc., National Association for The Advancement of Colored People (NAACP), National Urban League, Inc., Al Shaprton. (Attachments: # 1 Proposed Order Proposed Order Granting Pro Hac Vice Admission to Miguel Estrada)(Cripps, Jesse) (Entered: 04/06/2015)
04/06/2015	<u>24</u>	(Attorney Michael Robert Huston added to party Meredith Attwell Baker(pty:dft), Attorney Michael Robert Huston added to party Comcast Corporation(pty:dft), Attorney Michael Robert Huston added to party National Action Network, Inc.(pty:dft), Attorney Michael Robert Huston added to party National Association for The Advancement of Colored People (NAACP)(pty:dft), Attorney Michael Robert Huston added to party National Urban League, Inc.(pty:dft), Attorney Michael Robert Huston added to party Al Shaprton(pty:dft))(Huston, Mi-

Date Filed	#	Docket Text
		chael) (Entered: 04/06/2015)
04/08/2015	<u>25</u>	NOTICE TO FILER OF DEFICIENCIES in Electronically Filed Documents RE: MOTION for attorney Miguel A. Estrada to Appear Pro Hac Vice(PHV Fee of \$325 receipt number 0973-15496307 paid.) 23 . The following error(s) was found: Incorrect event selected. The correct event is: Motions and Related Filings >> Applications >> Appear Pro Hac Vice. Note: Wrong event does not provide relief or changes sought.. In response to this notice the court may order (1) an amended or correct document to be filed (2) the document stricken or (3) take other action as the court deems appropriate. You need not take any action in response to this notice unless and until the court directs you to do so. (lt) (Entered: 04/08/2015)
04/10/2015	<u>26</u>	ORDER by Judge Terry J. Hatter, Jr: granting 23 Motion to Appear Pro Hac Vice by Attorney Miguel A. Estrada on behalf of Defendants Meredith Attwell Baker, Comcast Corporation,

Date Filed	#	Docket Text
		National Action Network, Inc., National Association for The Advancement of Colored People (NAACP), National Urban League, Inc. and Al Shaprton, designating Jesse A. Cripps as local counsel. (lt) (Entered: 04/13/2015)
04/22/2015	<u>27</u>	APPLICATION for attorney Peter C. Harvey to Appear Pro Hac Vice(PHV Fee of \$325 receipt number 0973-15592236 paid.) filed by Defendant National Urban League, Inc.. (Attachments: # 1 Proposed Order)(Hamburger, Bradley) (Entered: 04/22/2015)
04/24/2015	<u>28</u>	NOTICE OF MOTION AND MOTION to Dismiss Case <i>Complaint Pursuant to Rule 12(B)(6)</i> filed by Defendant Time Warner Cable Inc.. Motion set for hearing on 6/8/2015 at 08:00 AM before Judge Terry J. Hatter Jr. (Attachments: # 1 Proposed Order Proposed Order Granting TWCs Motion to Dismiss Complaint)(Attorney Bryan A Merryman added to party Time Warner Cable Inc.(pty:dft))(Merryman, Bryan) (Entered: 04/24/2015)

Date Filed	#	Docket Text
04/24/2015	<u>29</u>	NOTICE OF MOTION AND MOTION to Dismiss Plaintiffs' Complaint filed by Defendants Meredith Attwell Baker, Comcast Corporation, National Action Network, Inc., National Association for The Advancement of Colored People (NAACP), National Urban League, Inc., Al Shaprton. Motion set for hearing on 6/8/2015 at 08:00 AM before Judge Terry J. Hatter Jr. (Attachments: # 1 Memorandum, # 2 Request for Judicial Notice, # 3 Declaration of Douglas Fuchs, # 4 Declaration of Marc Morial, # 5 Declaration of Cornell William Brooks, # 6 Declaration of Janaye Ingram, # 7 Declaration of Meredith Attwell Baker, # 8 Proposed Order)(Estrada, Miguel) (Entered: 04/24/2015)
04/24/2015	<u>30</u>	CERTIFICATE of Interested Parties filed by Defendant Time Warner Cable Inc., (Merryman, Bryan) (Entered: 04/24/2015)
04/24/2015	<u>31</u>	CORPORATE DISCLOSURE STATEMENT <i>and</i> CERTIFICATE OF INTERESTED PARTIES filed by Defendants Meredith Attwell

Date Filed	#	Docket Text
		Baker, Comcast Corporation, National Action Network, Inc., National Association for The Advancement of Colored People (NAACP), National Urban League, Inc., Al Shaprton (Estrada, Miguel) (Entered: 04/24/2015)
05/08/2015	<u>32</u>	Plaintiffs' Opposition re: MOTION to Dismiss Plaintiffs' Complaint 29 filed by Plaintiffs Entertainment Studios Networks, Inc., National Association of African-American Owned Media. (Siegel, Amnon) (Entered: 05/08/2015)
05/08/2015	<u>33</u>	REQUEST FOR JUDICIAL NOTICE <i>ISO Opposition to Motion to Dismiss Plaintiffs' Complaint</i> filed by Plaintiffs Entertainment Studios Networks, Inc., National Association of African-American Owned Media. (Attachments: # 1 Exhibit Exhibit A, # 2 Exhibit Exhibit B, # 3 Exhibit Exhibit C, # 4 Exhibit Exhibit D)(Siegel, Amnon) (Entered: 05/08/2015)
05/08/2015	<u>34</u>	Plaintiffs' Opposition re: MOTION to Dismiss Case <i>Complaint Pursuant to Rule 12(B)(6)</i>

Date Filed	#	Docket Text
		28 filed by Plaintiffs Entertainment Studios Networks, Inc., National Association of African-American Owned Media. (Siegel, Amnon) (Entered: 05/08/2015)
05/08/2015	<u>35</u>	REQUEST FOR JUDICIAL NOTICE <i>in support of opposition to TWC's motion to dismiss complaint pursuant to Rule 12(b)(6)</i> filed by Plaintiffs Entertainment Studios Networks, Inc., National Association of African-American Owned Media. (Attachments: # 1 Exhibit Exhibit A, # 2 Exhibit Exhibit B, # 3 Exhibit Exhibit C)(Siegel, Amnon) (Entered: 05/08/2015)
05/08/2015	<u>36</u>	DECLARATION of Mark DeVitre in support of opposition to MOTION to Dismiss Case <i>Complaint Pursuant to Rule 12(B)(6)</i> 28 filed by Plaintiffs Entertainment Studios Networks, Inc., National Association of African-American Owned Media. (Attachments: # 1 Exhibit Exhibit A)(Siegel, Amnon) (Entered: 05/08/2015)
05/12/2015	<u>37</u>	ORDER ON APPLICATION OF NON-RESIDENT ATTORNEY TO APPEAR IN A SPECIFIC

Date Filed	#	Docket Text
		CASE PRO HAC VICE by Judge Terry J. Hatter, Jr: granting 27 Application to Appear Pro Hac Vice by Attorney Peter C. Harvey on behalf of Defendant National Urban League, Inc., designating Bradley J.Hamburger as local counsel. (lt) (Entered: 05/13/2015)
05/13/2015	<u>38</u>	NOTICE TO FILER OF DEFICIENCIES in Electronically Filed Documents RE: Plaintiffs' Opposition to Motion to Dismiss Plaintiff Complaint filed 5/8/2015 32 . The following error(s) was found: Local Rule 11-6 Memorandum/brief exceeds 25 pages. In response to this notice the court may order (1) an amended or correct document to be filed (2) the document stricken or (3) take other action as the court deems appropriate. You need not take any action in response to this notice unless and until the court directs you to do so. (gk) (Entered: 05/13/2015)
05/22/2015	<u>39</u>	REPLY Time Warner Cable Inc.'s Reply in Support of its Motion to Dismiss Complaint MOTION to Dismiss Case <i>Com-</i>

Date Filed	#	Docket Text
		<i>plaint Pursuant to Rule 12(B)(6)</i> 28 filed by Defendant Time Warner Cable Inc.. (Merryman, Bryan) (Entered: 05/22/2015)
05/22/2015	<u>40</u>	REPLY in Support of MOTION to Dismiss Plaintiffs' Complaint 29 filed by Defendants Meredith Attwell Baker, Comcast Corporation, National Action Network, Inc., National Association for The Advancement of Colored People (NAACP), National Urban League, Inc., Al Shaprton. (Estrada, Miguel) (Entered: 05/22/2015)
05/28/2015	<u>41</u>	NOTICE OF CLERICAL ERROR Re: Notice to Filer of Deficiencies in Electronically Filed Documents (G-112A) filed 5/13/2015 38 . The deficiency was issued in error as to Plaintiffs' Opposition to Motion to Dismiss Plaintiffs' Complaint, document number 32. The Order of 4/1/2015, document number 21, granted leave to exceed the page limit. (gk) (Entered: 05/28/2015)
08/05/2015	<u>42</u>	ORDER by Judge Terry J. Hatter, Jr., that the plaintiffs have failed to allege any plausible

Date Filed	#	Docket Text
		claim for relief. It is Ordered, that the motions to dismiss 28 , 29 be, and hereby are, Granted. (MD JS-6. Case Terminated.) (jp) (Entered: 08/07/2015)
08/14/2015	<u>43</u>	NOTICE OF APPEAL to the 9th CCA filed by Plaintiffs Entertainment Studios Networks, Inc., National Association of African-American Owned Media. Appeal of Order on Motion to Dismiss Case, 42 (Appeal fee of \$505 receipt number 0973-16271213 paid.) (Siegel, Amnon) (Entered: 08/14/2015)
08/14/2015	<u>44</u>	MINUTE IN CHAMBERS-ORDER AND NOTICE TO ALL PARTIES by Judge Terry J. Hatter, Jr: Counsel are hereby notified that the Order 42 , filed on August 5, 2015 in the above matter granted the motions to dismiss the case without prejudice. IT IS SO ORDERED. (jp) (Entered: 08/17/2015)
08/19/2015	<u>45</u>	MINUTE IN CHAMBERS-ORDER AND NOTICE TO ALL PARTIES by Judge Terry J. Hatter, Jr: Counsel are hereby notified that this case is reopened and the Plaintiff will be

Date Filed	#	Docket Text
		given until September 21, 2015 in which to file an amended complaint. (Case reopened. MD JS-5.) (jp) (Entered: 08/19/2015)
08/28/2015	<u>46</u>	Joint STIPULATION for Order REGARDING FIRST AMENDED COMPLAINT filed by Defendant Comcast Corporation. (Attachments: # 1 Proposed Order)(Estrada, Miguel) (Entered: 08/28/2015)
09/03/2015	<u>47</u>	ORDER GRANTING JOINT STIPULATION REGARDING FIRST AMENDED COMPLAINT by Judge Terry J. Hatter, Jr.: Upon Stipulation 46 , the Court hereby ORDERS: Defendants shall have until 10/21/2015 to move to dismiss Plaintiffs' First Amended Complaint; Plaintiffs shall have until 11/20/2015 to file a response to Defendants' motions to dismiss; Defendants shall have until 12/11/2015 to file a reply in support of their motions to dismiss; and the hearing on Defendants' motions to dismiss will be calendared for 12/28/2015. (gk) (Entered: 09/03/2015)
09/09/2015	<u>48</u>	ORDER from Ninth Circuit

Date Filed	#	Docket Text
		Court of Appeals filed re: Notice of Appeal to 9th Circuit Court of Appeals, 43 filed by National Association of African-American Owned Media, Entertainment Studios Networks, Inc.. CCA # 15-56244. Pursuant to the stipulation of the parties, this appeal is voluntarily dismissed.Fed. R. App. P. 42(b). The parties shall bear their own costs and attorneys fees on appeal.A copy of this order shall serve as and for the mandate of this court.(mat) (Entered: 09/14/2015)
09/21/2015	<u>49</u>	First AMENDED COMPLAINT against Defendants Comcast Corporation, Time Warner Cable Inc. amending Complaint (Attorney Civil Case Opening), 1 , filed by Plaintiffs Entertainment Studios Networks, Inc., National Association of African-American Owned Media (Attachments: # 1 Exhibit A)(Siegel, Amnon) (Entered: 09/21/2015)
10/01/2015	<u>50</u>	NOTICE of Change of Attorney Business or Contact Information: for attorney Bryan A Merryman counsel for Defendant Time Warner Cable Inc..

Date Filed	#	Docket Text
		Changing Address to 555 South Flower Street, Suite 2700 Los Angeles, CA 90071-2433. Filed by Defendant Time Warner Cable Inc.. (Merryman, Bryan) (Entered: 10/01/2015)
10/01/2015	<u>51</u>	NOTICE of Change of Attorney Business or Contact Information: for attorney Julian A Lamm counsel for Defendant Time Warner Cable Inc.. Changing Address to 555 South Flower Street, Suite 2700, Los Angeles, CA 90071-2433. Filed by Defendant Time Warner Cable Inc.. (Lamm, Julian) (Entered: 10/01/2015)
10/01/2015	<u>52</u>	NOTICE of Change of Attorney Business or Contact Information: for attorney Scott Eisen counsel for Defendant Time Warner Cable Inc.. Changing Address to 555 South Flower Street, Suite 2700, Los Angeles, CA 90071-2433. Filed by Defendant Time Warner Cable Inc.. (Eisen, Scott) (Entered: 10/01/2015)
10/06/2015	<u>53</u>	NOTICE of Change of Attorney Business or Contact Information: for attorney Rachel

Date Filed	#	Docket Text
		Feldman counsel for Defendant Time Warner Cable Inc.. Changing Address to 555 South Flower Street, Suite 2700, Los Angeles CA 90071-2433. Filed by Defendant Time Warner Cable Inc.. (Feldman, Rachel) (Entered: 10/06/2015)
10/07/2015	<u>54</u>	Joint STIPULATION to Amend Briefing Schedule Only for TWC's Motion to Dismiss filed by Defendant Time Warner Cable Inc.. (Attachments: # 1 Proposed Order) (Merryman, Bryan) (Entered: 10/07/2015)
10/13/2015	<u>55</u>	ORDER GRANTING Stipulation Amending Briefing Schedule only TWC's Motion to Dismiss 54 by Judge Terry J. Hatter, Jr., that (1) The Court's Order dated 9/3/2015 [Docket No. 47], as to TWC's motion to dismiss only, is vacated; (2) TWC shall have until 10/21/2015, to file its motion to dismiss plaintiffs' first amended complaint; (3) Plaintiffs shall have until 11/3/2015, to file a response to TWC's motion to dismiss; (4) TWC shall have until 11/9/2015, to file a reply in support of its motion to

Date Filed	#	Docket Text
		dismiss; and (5) The hearing on TWC's motion to dismiss will be calendared for 11/23/2015. (jp) (Entered: 10/13/2015)
10/19/2015	<u>56</u>	NOTICE OF DISMISSAL filed by Plaintiffs Entertainment Studios Networks, Inc., National Association of African-American Owned Media pursuant to FRCP 41a(1) (a) as to Time Warner Cable Inc.. (Siegel, Amnon) (Entered: 10/19/2015)
10/21/2015	<u>57</u>	NOTICE OF MOTION AND MOTION to Dismiss Plaintiffs' First Amended Complaint filed by Defendant Comcast Corporation. Motion set for hearing on 12/28/2015 at 08:00 AM before Judge Terry J. Hatter Jr. (Attachments: # 1 Memorandum, # 2 Request for Judicial Notice, # 3 Declaration of Douglas Fuchs, # 4 Proposed Order) (Estrada, Miguel) (Entered: 10/21/2015)
11/20/2015	<u>58</u>	OPPOSITION re: NOTICE OF MOTION AND MOTION to Dismiss Plaintiffs' First Amended Complaint <i>57 by Defendant Comcast Corporation</i> filed by Plaintiffs Entertainment Studios Networks, Inc., National Associ-

Date Filed	#	Docket Text
		ation of African-American Owned Media. (Wright, Lauren) (Entered: 11/20/2015)
11/20/2015	<u>59</u>	REQUEST FOR JUDICIAL NOTICE <i>in Support of Opposition to Defendant Comcast Corporation's Motion to Dismiss First Amended Complaint</i> filed by Plaintiffs Entertainment Studios Networks, Inc., National Association of African-American Owned Media. (Attachments: # 1 Exhibit A, # 2 Exhibit B, # 3 Exhibit C)(Wright, Lauren) (Entered: 11/20/2015)
11/23/2015	<u>60</u>	Notice of Appearance or Withdrawal of Counsel: for attorney Bryan A Merryman counsel for Defendant Time Warner Cable Inc.. Bryan A. Merryman will no longer receive service of documents from the Clerks Office for the reason indicated in the G-123 Notice. Filed by defendant Time Warner Cable Inc.. (Merryman, Bryan) (Entered: 11/23/2015)
11/23/2015	<u>61</u>	Notice of Appearance or Withdrawal of Counsel: for attorney Rachel Feldman counsel for Defendant Time Warner Cable Inc..

Date Filed	#	Docket Text
		Rachel J. Feldman will no longer receive service of documents from the Clerks Office for the reason indicated in the G-123 Notice. Filed by defendant Time Warner Cable Inc.. (Feldman, Rachel) (Entered: 11/23/2015)
11/23/2015	<u>62</u>	Notice of Appearance or Withdrawal of Counsel: for attorney Julian A Lamm counsel for Defendant Time Warner Cable Inc.. Julian A. Lamm will no longer receive service of documents from the Clerks Office for the reason indicated in the G-123 Notice. Filed by defendant Time Warner Cable Inc.. (Lamm, Julian) (Entered: 11/23/2015)
11/23/2015	<u>63</u>	Notice of Appearance or Withdrawal of Counsel: for attorney Scott Eisen counsel for Defendant Time Warner Cable Inc.. Scott T. Eisen will no longer receive service of documents from the Clerks Office for the reason indicated in the G-123 Notice. Filed by defendant Time Warner Cable Inc.. (Eisen, Scott) (Entered: 11/23/2015)
12/11/2015	<u>64</u>	REPLY IN SUPPORT OF NOTICE OF MOTION AND

Date Filed	#	Docket Text
		MOTION to Dismiss Plaintiffs' First Amended Complaint 57 filed by Defendant Comcast Corporation. (Estrada, Miguel) (Entered: 12/11/2015)
04/25/2016	<u>65</u>	REQUEST FOR JUDICIAL NOTICE re NOTICE OF MOTION AND MOTION to Dismiss Plaintiffs' First Amended Complaint 57 filed by Defendant Comcast Corporation. (Attachments: # 1 Declaration of Douglas Fuchs)(Estrada, Miguel) (Entered: 04/25/2016)
04/27/2016	<u>66</u>	OBJECTIONS to Request for Judicial Notice 65 AND <i>REQUEST TO STRIKE</i> filed by Plaintiffs Entertainment Studios Networks, Inc., National Association of African- American Owned Media. (Wright, Lauren) (Entered: 04/27/2016)
04/29/2016	<u>67</u>	REPLY to <i>Plaintiffs' Objection and Request to Strike Request for Judicial Notice</i> filed by Defendant Comcast Corporation. (Estrada, Miguel) (Entered: 04/29/2016)
05/10/2016	<u>68</u>	ORDER by Judge Terry J. Hatter, Jr. It is Ordered that the requests for judicial notice be, and

Date Filed	#	Docket Text
		hereby are, Granted. It is further Ordered that the motion to dismiss 57 be, and hereby is, Granted with leave to file a second amended complaint within thirty days of this order. (lom) (Entered: 05/10/2016)
06/08/2016	<u>69</u>	Joint STIPULATION for Order SETTING BRIEFING SCHEDULE FOR COMCAST CORPORATION'S MOTION TO DISMISS PLAINTIFFS' SECOND AMENDED COMPLAINT filed by Defendant Comcast Corporation. (Attachments: # 1 Proposed Order)(Estrada, Miguel) (Entered: 06/08/2016)
06/09/2016	<u>70</u>	SECOND AMENDED COMPLAINT against Defendants Comcast Corporation, Does amending Amended Complaint/Petition, 49 , filed by Plaintiffs Entertainment Studios Networks, Inc., National Association of African-American Owned Media (Attachments: # 1 Exhibit A, # 2 Exhibit B, # 3 Exhibit C, # 4 Exhibit D, # 5 Exhibit E)(Attorney Brian Procel added to party Entertainment Stu-

Date Filed	#	Docket Text
		dios Networks, Inc.(pty:pla), Attorney Brian Procel added to party National Association of African-American Owned Media(pty:pla) (Procel, Brian) (Entered: 06/09/2016)
06/14/2016	<u>71</u>	ORDER GRANTING JOINT STIPULATION REGARDING BRIEFING SCHEDULE FOR COMCAST CORPORATION'S MOTION TO DISMISS PLAINTIFFS' SECOND AMENDED COMPLAINT 69 by Judge Terry J. Hatter, Jr. The Court hereby ORDERS: 1. Comcast shall have until Monday, July 11, 2016 to move to dismiss Plaintiffs' Second Amended Complaint. 2. Plaintiffs shall have until Monday, August 8, 2016 to file a response to Comcasts motion to dismiss. 3. Comcast shall have until Monday, August 22, 2016 to file a reply in support of its motion to dismiss. 4. The hearing on Comcast's motion to dismiss will be calendared for September 12, 2016. (lom) (Entered: 06/15/2016)
06/21/2016	<u>72</u>	(Siegel, Amnon) (Entered: 06/21/2016)

Date Filed	#	Docket Text
06/22/2016	<u>73</u>	NOTICE TO FILER OF DEFICIENCIES in Electronically Filed Documents RE: Notice of Appearance or Withdrawal of Counsel (G-123) 72 . The following error(s) was found: Other error(s) with document(s) are specified below In response to this notice the court may order (1) an amended or correct document to be filed (2) the document stricken or (3) take other action as the court deems appropriate. You need not take any action in response to this notice unless and until the court directs you to do so. (ak) (Entered: 06/22/2016)
06/27/2016	<u>74</u>	Notice of Appearance or Withdrawal of Counsel: for attorney David W Schecter counsel for Plaintiffs Entertainment Studios Networks, Inc., National Association of African- American Owned Media. Adding David W. Schecter as counsel of record for Plaintiffs National Association of African American-Owned Media and Entertainment Studios Networks, Inc. for the reason indicated in the G-123 Notice. Filed by Plaintiffs National As-

Date Filed	#	Docket Text
		society of African American-Owned Media and Entertainment Studios Networks, Inc.. (Attorney David W Schecter added to party Entertainment Studios Networks, Inc. (pty:pla), Attorney David W Schecter added to party National Association of African- American Owned Media(pty:pla))(Schecter, David) (Entered: 06/27/2016)
07/05/2016	<u>75</u>	APPLICATION of Non-Resident Attorney Harry F. Cole to Appear Pro Hac Vice on behalf of Plaintiffs Entertainment Studios Networks, Inc., National Association of African- American Owned Media (Pro Hac Vice Fee - Fee Paid, Receipt No. 0973-1813328 8) filed by Plaintiffs Entertainment Studios Networks, Inc., National Association of African- American Owned Media. (Attachments: # 1 Proposed Order Granting Application of Harry F. Cole to Appear Pro Hac Vice) (Procel, Brian) (Entered: 07/05/2016)
07/08/2016	<u>76</u>	ORDER by Judge Terry J. Hatter, Jr. Granting Application of Non-Resident Attorney Harry F.

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		Cole to Appear Pro Hac Vice on behalf of Plaintiffs National Association of African-American Owned Media, LLC, and Entertainment Studios Networks, Inc., designating Brian A. Procel as local counsel 75 . (gk) (Entered: 07/08/2016)
07/11/2016	<u>77</u>	NOTICE OF MOTION AND MOTION to Dismiss Plaintiffs' Second Amended Complaint filed by Defendant Comcast Corporation. Motion set for hearing on 9/12/2016 at 08:00 AM before Judge Terry J. Hatter Jr. (Attachments: # 1 Memorandum, # 2 Request for Judicial Notice, # 3 Declaration of Douglas Fuchs, # 4 Proposed Order) (Estrada, Miguel) (Entered: 07/11/2016)
08/08/2016	<u>78</u>	OPPOSITION re: NOTICE OF MOTION AND MOTION to Dismiss Plaintiffs' Second Amended Complaint 77 filed by Plaintiffs Entertainment Studios Networks, Inc., National Association of African-American Owned Media. (Procel, Brian) (Entered: 08/08/2016)
08/22/2016	<u>79</u>	REPLY in Support of NOTICE

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		OF MOTION AND MOTION to Dismiss Plaintiffs' Second Amended Complaint 77 filed by Defendant Comcast Corporation. (Estrada, Miguel) (Entered: 08/22/2016)
10/05/2016	<u>80</u>	ORDER by Judge Terry J. Hatter, Jr: granting 77 MOTION to Dismiss the Second Amended Complaint. It is Ordered that Comcasts motion to dismiss be, and hereby is, Granted with prejudice. (MD JS-6. Case Terminated) (shb) (Entered: 10/05/2016)
10/07/2016	<u>81</u>	NOTICE OF APPEAL to the 9th Circuit Court of Appeals Entertainment Studios Networks, Inc., National Association of African-American Owned Media. Appeal of Order on Motion to Dismiss 80 . (Appeal Fee - \$505 Fee Paid, Receipt No. 0973-18684998.) (Schecter, David) (Entered: 10/07/2016)
10/07/2016	<u>82</u>	NOTIFICATION by Circuit Court of Appellate Docket Number 16-56479, 9th Circuit regarding Notice of Appeal to 9th Circuit Court of Appeals, 81 as to Plaintiffs Entertainment Stu-

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		dios Networks, Inc., National Association of African- American Owned Media. (mat) (Entered: 10/11/2016)
11/19/2018	<u>83</u>	MEMORANDUM from Ninth Circuit Court of Appeals filed re: Notice of Appeal to 9th Circuit Court of Appeals, 81 filed by National Association of African-American Owned Media, Entertainment Studios Networks, Inc. CCA # 16-56479. We conclude that the district court improperly dismissed Plaintiffs SAC. We can infer from the allegations in the SAC that discriminatory intent played at least some role in Comcasts refusal to contract with Entertainment Studios, thus denying the latter the same right to contract as a white-owned company. Accordingly, Plaintiffs stated a plausible claim pursuant to Section 1981, and their SAC should not have been dismissed under Rule 12(b)(6). Because we reverse the district courts dismissal of Plaintiffs SAC, we need not consider whether the court abused its discretion when it denied Plaintiffs further leave to

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		amend. We deny Plaintiffs motion to take judicial notice. REVERSED AND REMANDED.(shb) (Entered: 11/20/2018)
12/05/2018	<u>84</u>	Notice of Appearance or Withdrawal of Counsel: for attorney David W Schecter counsel for Plaintiffs Entertainment Studios Networks, Inc., National Association of African- American Owned Media. Lauren R. Wright is no longer counsel of record for the aforementioned party in this case for the reason indicated in the G-123 Notice. Filed by Plaintiffs NAAAOM, et al. (Schecter, David) (Entered: 12/05/2018)
12/14/2018	<u>85</u>	Notice of Electronic Filing re Notice of Appearance or Withdrawal of Counsel (G-123), 84 emailed to Michael Robert Huston at MHuston@gibsondunn.com bounced due to 5.1.0 - Unknown address error 550-#5.1.0 Address rejected. The primary e-mail address associated with the attorney record has been deleted. Pursuant to Local Rules it is the attorneys obligation to maintain all per-

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		sonal contact information including e-mail address in the CM/ECF system. THERE IS NO PDF DOCUMENT ASSOCIATED WITH THIS ENTRY. (ir) TEXT ONLY ENTRY (Entered: 12/14/2018)
02/12/2019	<u>87</u>	MANDATE of Ninth Circuit Court of Appeals filed re: Notice of Appeal to 9th Circuit Court of Appeals, 81 CCA # 16-56479. The judgment of this Court, entered November 19, 2018, takes effect this date. This constitutes the formal mandate of this Court issued pursuant to Rule 41(a) of the Federal Rules of Appellate Procedure. Costs are taxed against the appellee in the amount of \$257.30. [See USCA Memorandum 83 , Because we reverse the district court's dismissal of Plaintiffs' SAC, we need not consider whether the court abused its discretion when it denied Plaintiffs further leave to amend. We deny Plaintiffs' motion to take judicial notice. REVERSED AND REMANDED.](mat) (Entered: 02/14/2019)
02/13/2019	<u>86</u>	MINUTE IN CHAMBERS-

Date Filed	#	Docket Text
		ORDER AND NOTICE TO ALL PARTIES by Judge Terry J. Hatter, Jr: Counsel are hereby notified that pursuant to the Judge's directive, this matter is set on the Court's calendar for Status Conference re the reversed and remanded Appeal No. 16-56479 on March 18, 2019 at 10:00 a.m. Counsel for the parties are ordered to appear in person. (shb) (Entered: 02/13/2019)
03/18/2019	<u>88</u>	MINUTES OF STATUS CONFERENCE RE APPEAL NO. 16-56479 REVERSED AND REMANDED held before Judge Terry J. Hatter, Jr: The case is called and counsel state their appearance. The Court and counsel confer re the status of the case. Status conference is held. Following discussions with the parties, the Court will allow defendant to file an answer no later than April 8, 2019. Court Reporter: Lisa Gonzalez. (shb) (Entered: 03/28/2019)
04/08/2019	<u>89</u>	ANSWER to Amended Complaint/Petition,, 70 with JURY DEMAND filed by Defendant

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		Comcast Corporation.(Estrada, Miguel) (Entered: 04/08/2019)
04/12/2019	<u>90</u>	Notice of Appearance or Withdrawal of Counsel: for attorney Cynthia Curley Mullen counsel for Defendant Comcast Corporation. Michael Robert Huston is no longer counsel of record for the aforementioned party in this case for the reason indicated in the G-123 Notice. Filed by Defendant Comcast Corporation. (Mullen, Cynthia) (Entered: 04/12/2019)
04/12/2019	<u>91</u>	ORDER SETTING FINAL PRE-TRIAL CONFERENCE AND REFERRING DISCOVERY by Judge Terry J. Hatter, Jr. It is Ordered, pursuant to Rule 16 of the Federal Rules of Civil Procedures and Local Rule 16, that the Final Pre-Trial Conference is placed on the Courts calendar for JUNE 3, 2019 at 10:00 a.m. in Courtroom No. 9B in the U. S. Courthouse on First Street. See order for further details. (shb) (Entered: 04/12/2019)
04/15/2019	<u>92</u>	MINUTE ORDER IN CHAMBERS by Judge Terry J. Hatter, Jr: Counsel are hereby

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		notified that this case is hereby reopened as a Final Pretrial Conference has been set for June 3, 2019 at 10am. Counsel are further notified that a new Magistrate Judge will be assigned to this case. (Case reopened. MD JS-5.) (shb) (Entered: 04/15/2019)
04/15/2019	<u>93</u>	NOTICE OF REASSIGNMENT OF CASE due to Unavailability of Judicial Officer filed. The previously assigned Magistrate Judge is no longer available. Pursuant to directive of the Chief Magistrate Judge and in accordance with the rules of this Court, the case has been returned to the Clerk for reassignment. This case has been reassigned to Magistrate Judge Frederick F. Mumm for any discovery and/or post-judgment matters that may be referred. Case number will now read as 2:15-cv-01239 TJH(FFMx). (rn) (Entered: 04/15/2019)
05/07/2019	<u>94</u>	Joint STIPULATION to Continue Final Pre-Trial Conference from June 3, 2019 to February 3, 2020 Re: Order,, Set/Reset Hear-

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		ing, 91 filed by Defendant Comcast Corporation. (Attachments: # 1 Proposed Order Granting Joint Stipulation and Application to Continue Final Pre-Trial Conference)(Fuchs, Douglas) (Entered: 05/07/2019)
05/17/2019	<u>95</u>	JOINT REPORT Rule 26(f) Discovery Plan ; estimated length of trial Pl. 1-2 weeks; Def. 2-3 weeks, filed by Defendant Comcast Corporation.. (Fuchs, Douglas) (Entered: 05/17/2019)
05/20/2019	<u>96</u>	ORDER by Judge Terry J. Hatter, Jr, GRANTING Stipulation to Continue Final Pre-Trial Conference, 94 . IT IS HEREBY ORDERED that the Final Pre-Trial Conference scheduled for June 3, 2019 shall be continued to February 10, 2020 at 10:00 a.m. in Courtroom 9B in the U.S. Courthouse on First Street. (shb) (Entered: 05/21/2019)