[counsel on signature page]

UNITED STATES DISTRICT COURT

NORTHERN DISTRICT OF CALIFORNIA

SAN FRANCISCO DIVISION

RICHARD KADREY, et al., Plaintiffs, v. META PLATFORMS, INC., Defendant.	Case No. 3:23-cv-03417-VC **JOINT STIPULATION AND [PROPOSED] ORDER TO PERMIT DEPOSITION OF MICHAEL D. SMITH AND JAMES E. MALACKOWSKI AFTER THE CLOSE OF EXPERT DISCOVERY** Date Action Filed: July 7, 2023 Judge: Hon. Vince Chhabria
CHICKEN SOUP FOR THE SOUL, LLC, Plaintiff, v. META PLATFORMS, INC., Defendant.	Case No. 3:26-cv-02333-VC **JOINT STIPULATION AND [PROPOSED] ORDER TO PERMIT DEPOSITION OF MICHAEL D. SMITH AND JAMES E. MALACKOWSKI AFTER THE CLOSE OF EXPERT DISCOVERY** Date Action Filed: March 17, 2026 Judge: Hon. Vince Chhabria
CAMBRONNE, INC., et al., Plaintiffs, v. META PLATFORMS, INC., Defendant.	Case No. 3:26-cv-03725-VC **JOINT STIPULATION AND [PROPOSED] ORDER TO PERMIT DEPOSITION OF MICHAEL D. SMITH AND JAMES E. MALACKOWSKI AFTER THE CLOSE OF EXPERT DISCOVERY** Date Action Filed: December 22, 2025 Judge: Hon. Vince Chhabria

COGNELLA, INC.,

Plaintiff,

v.

META PLATFORMS, INC.,

Defendant.

Case No. 3:26-cv-04053-VC

JOINT STIPULATION AND [PROPOSED] ORDER TO PERMIT DEPOSITION OF MICHAEL D. SMITH AND JAMES E. MALACKOWSKI AFTER THE CLOSE OF EXPERT DISCOVERY

Date Action Filed: May 4, 2026

Judge: Hon. Vince Chhabria

Pursuant to Civil Local Rules 6-2 and 7-12 and the Court's Civil Standing Order, Plaintiffs Richard Kadrey, Sarah Silverman, Christopher Golden, Jacqueline Woodson, Andrew Sean Greer, Rachel Louise Snyder, David Henry Hwang, Ta-Nehisi Coates, Laura Lippman, Matthew Klam, Junot Díaz, Lysa TerKeurst and Christopher Farnsworth, Eleven Eleven O'Clock Corporation, BCP Literary, Inc., and Daring Greatly Corporation (collectively, "Kadrey Plaintiffs"), Chicken Soup for the Soul, LLC ("Chicken Soup"), Cambronne, Inc., Lisa Barretta, Jane Adams, and Matthew Sacks (collectively, "Cambronne"), and Cognella, Inc. ("Cognella") (collectively, "3C Plaintiffs") (together with the Kadrey Plaintiffs, "Plaintiffs"), and Defendant Meta Platforms, Inc. ("Meta") (together with Plaintiffs, the "Parties"), by and through their respective undersigned counsel, stipulate to the following:

RECITALS

WHEREAS, pursuant to the Court's scheduling orders in each of the above-captioned matters, expert discovery was originally set to close by November 20, 2026;

WHEREAS, on September 16, 2026, the Court granted the Parties' stipulation to extend the expert report deadlines and set the close of expert discovery for December 2, 2026 (Kadrey Dkt. 839; Chicken Soup Dkt. 144; Cambronne Dkt. 268; Cognella Dkt. 124);

WHEREAS, on October 2, 2026, the Kadrey Plaintiffs served the Opening Expert Report of Michael D. Smith;

WHEREAS, the Parties have agreed that the Kadrey Plaintiffs will serve the Reply Expert Report of Michael D. Smith on November 20, 2026;

WHEREAS, on October 30, 2026, the 3C Plaintiffs served the Rebuttal Expert Report of James E. Malackowski;

WHEREAS, the Parties have worked diligently to schedule expert depositions within the expert discovery period, and all other expert depositions in these actions are scheduled to be completed on or before the December 2, 2026, close of expert discovery;

WHEREAS, the schedules of Dr. Smith and Mr. Malackowski and counsel do not permit their depositions to go forward before the close of expert discovery, and the Parties have separately met and conferred and agreed that Dr. Smith's deposition will take place on December 4, 2026, and that Mr. Malackowski's deposition will take place on December 15, 2026;

WHEREAS, the Parties previously requested an extension of time to extend the expert discovery schedule originally set on March 26, 2026 (Kadrey Dkt. 836; Chicken Soup Dkt. 142; Cambronne Dkt. 266; Cognella Dkt. 121), which request was granted;

WHEREAS, the Parties seek to extend the close of expert discovery for the sole purpose of completing Dr. Smith's and Mr. Malackowski's depositions;

WHEREAS, permitting these depositions to take place after the close of expert discovery will not affect any other deadline or date in these actions;

NOW, THEREFORE, subject to the approval of the Court, the Parties stipulate and agree as follows:

STIPULATION

1. The deposition of Michael D. Smith shall take place on or before December 4, 2026.
2. The deposition of James E. Malackowski shall take place on or before December 15, 2026.
3. The close of expert discovery is extended solely for the purpose of completing Dr. Smith's deposition on or before December 4, 2026, and Mr. Malackowski's deposition on or before December 15, 2026. For all other purposes, expert discovery closes on December 2, 2026, as previously ordered.
4. This stipulation does not modify any other deadline or date in these actions. All other deadlines and dates previously set by the Court remain unchanged, including the following:

Event	Date	Effect of This Stipulation
Close of Expert Discovery (all other purposes)	12/2/2026	Unchanged
Deposition of Michael D. Smith	On or before 12/4/2026	Permitted after the close of expert discovery
Deposition of James E. Malackowski	On or before 12/15/2026	Permitted after the close of expert discovery
Deadline for Summary Judgment Brief 1 (Plaintiffs' Opening Brief)	12/16/2026	Unchanged
Deadline for Summary Judgment Brief 2 (Defendant's Opening Brief & Opposition)	1/12/2027	Unchanged
Deadline for Summary Judgment Brief 3 (Plaintiffs' Opposition & Reply)	1/29/2027	Unchanged
Deadline for Summary Judgment Brief 4 (Defendant's Reply)	2/12/2027	Unchanged
Hearing on Dispositive Motions	2/25/2027	Unchanged
All other deadlines and dates, including the pretrial conference and trial	As previously set by the Court	Unchanged

IT IS SO STIPULATED.

Dated: November 19, 2026

By: */s/ Jessica E. Phillips*

DUNN ISAACSON RHEE LLP
Karen L. Dunn (*pro hac vice*)
Jessica E. Phillips (*pro hac vice*)
Kyle N. Smith (*pro hac vice*)
Meryl C. Governski (*pro hac vice*)
401 9th Street NW
Washington, DC 20004
Telephone: (202) 240-2900
Email: kdunn@dirllp.com
jphillips@dirllp.com
ksmith@dirllp.com
mgovernski@dirllp.com

COOLEY LLP
Bobby A. Ghajar (SBN 198719)
1333 2nd Street, Suite 400
Santa Monica, CA 90401
Telephone: (310) 883-6400
Email: bghajar@cooley.com

Mark R. Weinstein (SBN 193043)
Elizabeth Lee Stameshkin (SBN 260865)
3175 Hanover Street
Palo Alto, CA 94304
Telephone: (650) 843-5000
Email: mweinstein@cooley.com
lstameshkin@cooley.com

Phillip E. Morton (*pro hac vice*)
1299 Pennsylvania Avenue NW, Suite 700
Washington, DC 20004
Telephone: (202) 842-7800
Email: pmorton@cooley.com

CLEARY GOTTLIEB STEEN & HAMILTON LLP
Angela L. Dunning (SBN 212047)
151 University Avenue
Palo Alto, CA 94301
Telephone: (650) 815-4131
Email: adunning@cgsh.com

Attorneys for Defendant Meta Platforms, Inc.

By: */s/ Kyle Roche*

FREEDMAN NORMAND FRIEDLAND LLP
Kyle Roche (*pro hac vice*)
155 E. 44th Street, Ste 915
New York, NY 10017
Telephone: (646) 494-2900
Email: kroche@fnf.law

Velvel (Devin) Freedman (*pro hac vice*)
1815 Purdy Ave.
Miami Beach, FL 33139
Telephone: (786) 924-2900
Email: vel@fnf.law

STRIS & MAHER LLP
Elizabeth Brannen (SBN 226234)
John Stokes (SBN 310847)
Lauren Martin (SBN 294367)
17785 Center Court Dr N, Ste 600
Cerritos, CA 90703
Telephone: (213) 995-6800
Facsimile: (213) 261-0299
Email: ebrannen@stris.com
jstokes@stris.com
lmartin@stris.com

Christopher M. Rigali (*pro hac vice*)
Jacqueline Sahlberg (*pro hac vice*)
Christopher Regan (*pro hac vice*)
1601 K St NW Ste 1050
Washington, DC 20006
Telephone: (202) 800-5749
Email: crigali@stris.com
jsahlberg@stris.com
cregan@stris.com

Attorneys for Plaintiffs Chicken Soup for the Soul, LLC, Cognella, Inc., and Cambronne, Inc., et al.

By: /s/ David L. Simons

BOIES SCHILLER FLEXNER LLP
David Boies (*pro hac vice*)
333 Main Street
Armonk, NY 10504
Telephone: (914) 749-8201
Email: dboies@bsfllp.com

Maxwell V. Pritt (SBN 253155)
Joshua M. Stein (SBN 298856)
Margaux Poueymirou (SBN 356000)
Joshua I. Schiller (SBN 330653)
44 Montgomery Street, 41st Floor
San Francisco, CA 94104
Telephone: (415) 293-6800
Email: mpritt@bsfllp.com
jstein@bsfllp.com
mpoueymirou@bsfllp.com
jischiller@bsfllp.com

Jesse Panuccio (*pro hac vice*)
Jay Schuffenhauer (*pro hac vice*)
1401 New York Avenue NW
Washington, DC 20005
Telephone: (202) 237-2727
Email: jpanuccio@bsfllp.com
jschuffenhauer@bsfllp.com

David L. Simons (*pro hac vice*)
55 Hudson Yards
New York, NY 10001
Telephone: (212) 446-2300
Email: dsimons@bsfllp.com

Attorneys for Plaintiffs Richard Kadrey, et al.

FILER'S ATTESTATION

I, Jessica E. Phillips, am the CM/ECF user whose ID and password are being used to file this Joint Stipulation and [Proposed] Order to Permit Deposition of Michael D. Smith and James E. Malackowski After the Close of Expert Discovery. Pursuant to Civil Local Rule 5-1(i)(3), I attest that concurrence in the filing of this document has been obtained from each of the other signatories.

Dated: November 19, 2026

/s/ Jessica E. Phillips

Jessica E. Phillips

[PROPOSED] ORDER

Pursuant to the stipulation of the Parties, and good cause appearing, the Court ORDERS as follows:

1. The deposition of Michael D. Smith shall take place on or before December 4, 2026.
2. The deposition of James E. Malackowski shall take place on or before December 15, 2026.
3. The close of expert discovery is extended solely for the purpose of completing Dr. Smith's deposition on or before December 4, 2026, and Mr. Malackowski's deposition on or before December 15, 2026. For all other purposes, expert discovery closes on December 2, 2026, as previously ordered.
4. This stipulation does not modify any other deadline or date in these actions. All other deadlines and dates previously set by the Court remain unchanged, including the following:

Event	Date	Effect of This Stipulation
Close of Expert Discovery (all other purposes)	12/2/2026	Unchanged
Deposition of Michael D. Smith	On or before 12/4/2026	Permitted after the close of expert discovery
Deposition of James E. Malackowski	On or before 12/15/2026	Permitted after the close of expert discovery
Deadline for Summary Judgment Brief 1 (Plaintiffs' Opening Brief)	12/16/2026	Unchanged
Deadline for Summary Judgment Brief 2 (Defendant's Opening Brief & Opposition)	1/12/2027	Unchanged
Deadline for Summary Judgment Brief 3 (Plaintiffs' Opposition & Reply)	1/29/2027	Unchanged
Deadline for Summary Judgment Brief 4 (Defendant's Reply)	2/12/2027	Unchanged
Hearing on Dispositive Motions	2/25/2027	Unchanged
All other deadlines and dates, including the pretrial conference and trial	As previously set by the Court	Unchanged

IT IS SO ORDERED.

Dated: _____

_____
HON. VINCE CHHABRIA
United States District Judge