

FILED

UNITED STATES COURT OF APPEALS

DEC 28 2010

FOR THE NINTH CIRCUIT

MOLLY C. DWYER, CLERK
U.S. COURT OF APPEALS

THREE SEVEN ENTERTAINMENT,
INC., a Nevada corporation and ADRIEN
BRODY, an individual,

Plaintiffs - Appellees,

v.

GIALLO PRODUCTIONS, LTD., a
United Kingdom limited company; et al.,

Defendants - Appellants.

No. 10-56942

D.C. No. 2:10-cv-07705-DSF
Central District of California,
Los Angeles

ORDER

Before: GOODWIN, RYMER, and McKEOWN, Circuit Judges.

This is a preliminary injunction appeal.

Appellants' emergency motion to stay the district court's November 22, 2010 order pending appeal is denied. *See Winter v. Natural Res. Def. Council, Inc.*, – U.S. –, 129 S. Ct. 365, 375-76 (2008).

Appellants' emergency motion to expedite the briefing schedule in this preliminary injunction appeal is denied. The briefing schedule established previously shall remain in effect. The opening brief and excerpts of record are due not later than January 7, 2011; the answering brief is due February 4, 2011 or 28

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days after service of the opening brief, whichever is earlier; and the optional reply brief is due within 14 days after service of the answering brief. *See* 9th Cir. R. 3-3(b).

If appellant fails to file timely the opening brief, this appeal will be dismissed automatically by the Clerk for failure to prosecute. *See* 9th Cir. R. 42-1.