

**IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF ILLINOIS  
EASTERN DIVISION**

GAMES WORKSHOP LIMITED,	)	
	)	
Plaintiff,	)	
	)	Case No. 1:10-cv-08103
v.	)	
	)	
CHAPTERHOUSE STUDIOS LLC and	)	
JON PAULSON d/b/a PAULSON GAMES,	)	Judge Matthew F. Kennelly
	)	Hon. Jeffrey T. Gilbert
Defendants.	)	

**DEFENDANT CHAPTERHOUSE STUDIOS LLC’S OPPOSITION TO PLAINTIFF’S  
THIRD MOTION FOR EXTENSION OF TIME TO AMEND PLEADINGS**

Chapterhouse opposes this, Plaintiff’s third motion to extend the deadline to amend the pleadings.<sup>1</sup>

Plaintiff’s stated justification for the further extension is that it has received limited responses to Plaintiff’s discovery requests and, therefore, it is not yet able to determine whether to name new products or new parties in the case. Yet Plaintiff fails to identify any outstanding discovery that justifies the delay.

With respect to whether to amend to add new products, it is unclear what discovery Plaintiff is waiting for, and Plaintiff identifies none. Its claim that “Chapterhouse’s [sic] admits access and copying” (Mot. ¶ 3) is of course false. Chapterhouse has repeatedly denied copying Plaintiff’s alleged works. Plaintiff also falsely implies that Chapterhouse has failed to produce documents and respond to interrogatories that were the subject of the Court’s July 6, 2011 Order. Mot. ¶ 2. Chapterhouse fully complied with that Order. In contrast, Plaintiff has still failed to produce *any* of the 30 tangible things, and many of the printed works, that it claims

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<sup>1</sup> See Dkt. No. 74 (July 29, 2011) (seeking an additional 30 days); Dkt. No. 95 (Aug 30, 2011) (seeking an extension until November 1, 2011).

Chapterhouse has infringed, and that the Court ordered it to produce by July 29, 2011.<sup>2</sup>

With respect to whether to amend to add new parties, Plaintiff claims that Chapterhouse has withheld information Plaintiff needs to make this decision because Chapterhouse designated its interrogatory response (served three months ago) identifying designers and manufacturers as Highly Confidential. Mot. ¶ 4. The Court has already considered, and rejected, Plaintiff's challenge to Chapterhouse's confidentiality designation. *See* Aug. 23, 2011 Minute Order, at 2 (Dkt. No. 94) ("Plaintiff has not articulated any reason that it needs to know the information that has been designated as Highly Confidential other than that it may need this information to identify third parties it may want to add as named defendants in this case. But, assuredly, that is not a proper reason for discovery").

Plaintiff offers no appropriate reason for the Court to further extend the deadline to amend the pleadings. And nothing prevents Plaintiff from seeking leave to amend its Complaint in the future, provided it can show good cause. This motion is simply an effort by Plaintiff to avoid having to make such a showing.<sup>3</sup> It should be denied.

Dated: November 1, 2011

Respectfully submitted,

CHAPTERHOUSE STUDIOS LLC

By: /s/Thomas J. Kearney

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<sup>2</sup> July 6, 2011 Minute Order (Dkt. No. 69).

<sup>3</sup> *See* Dkt. No. 77 (Aug. 8, 2011) (opposing Plaintiff's first motion for extension).

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**CERTIFICATE OF SERVICE**

I certify that on November 1, 2011, I electronically filed DEFENDANT CHAPTERHOUSE STUDIOS LLC'S OPPOSITION TO PLAINTIFF'S THIRD MOTION FOR EXTENSION OF TIME TO AMEND PLEADINGS with the clerk of the court by using the CM/ECF system, which will send a notice of electronic filing to the following and constitutes service under Federal Rule of Civil Procedure 5(b)(2)(D), pursuant to Local Rule 5.9:

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Date: November 1, 2011

/s/ Thomas J. Kearney  
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