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Attorneys for Defendant Apple Inc.

**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
OAKLAND DIVISION**

EPIC GAMES, INC.,
Plaintiff, Counter-defendant,
v.
APPLE INC.,
Defendant, Counterclaimant.

Case No. 4:20-cv-05640-YGR-TSH

**JOINT STIPULATION AND [PROPOSED]
ORDER REGARDING CONTINUANCE OF
REMAND DEADLINES AND MOTION TO
STAY BRIEFING SCHEDULE**

Courtroom: 1, 4th Floor

Judge: Hon. Yvonne Gonzalez Rogers

WHEREAS, Apple appealed (among other things) the portion of the Court’s injunction “banning Apple from charging any commission for external link purchases” (App. Dkt. 59.1 at 6);

WHEREAS, on May 6, 2026, the Ninth Circuit issued its mandate;

WHEREAS, on May 21, 2026, Apple filed a petition for writ of certiorari with the United States Supreme Court. Pet. for Cert. at 14, *Epic v. Apple*, No. 25-1311 (U.S. May 21, 2026);

1 WHEREAS, on June 30, 2026, the United States Supreme Court granted Apple's petition
 2 for writ of certiorari limited to the first question presented: "Whether a court may hold a party in
 3 civil contempt based on a violation of an injunction's 'spirit' where the injunction is silent as to
 4 the conduct upon which contempt is based, as the Ninth Circuit holds; or, instead, whether a court
 5 must ground a finding of civil contempt on the violation of an order that clearly and unambiguously
 6 proscribes the precise conduct at issue, as other circuits hold." See Orders List, June 30, 2026, at
 7 3;

8 WHEREAS, Apple intends to move to stay further remand proceedings in this action until
 9 the Supreme Court issues a ruling on its appeal;

10 WHEREAS, the parties have reached agreement, subject to the Court's approval, on a short
 11 continuance of the remand deadlines previously entered by the Court while the parties brief
 12 Apple's motion to stay the remand on the schedule below.

13 **THEREFORE, IT IS STIPULATED AND AGREED, SUBJECT TO THE**
 14 **COURT'S APPROVAL, THAT:**

- 15 1. Apple shall file its motion to stay by July 6, 2026.
- 16 2. Epic shall file its opposition to Apple's motion to stay by July 10, 2026.
- 17 3. Apple shall file a reply in support of its motion to stay by July 13, 2026.
- 18 4. The remand deadlines entered by the Court, Dkt. 1687, shall be continued pending
 19 resolution by this Court of Apple's motion to stay.
- 20 5. In the event this Court denies Apple's motion to stay, Apple shall file its proffer
 21 within 24 hours of this Court's denial order.

22
 23
 24
 25 Dated: July 1, 2026

Respectfully submitted,

26 By: /s/ Gary A. Bornstein

27 **FAEGRE DRINKER BIDDLE & REATH**
 28 **LLP**

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Dated: July 1, 2026

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1 **PURSUANT TO THE FOREGOING STIPULATION AND GOOD CAUSE APPEARING,**
2 **IT IS SO ORDERED.**

3 Dated: _____

4 HON. YVONNE GONZALEZ ROGERS
5 United States District Judge

E-FILING ATTESTATION

I, Sarah M. Ray, am the ECF User whose ID and password are being used to file this document. In compliance with Civil Local Rule 5-1(i)(3), I hereby attest that each of the signatories identified above has concurred in this filing.

/s/ Sarah M. Ray

Sarah M. Ray