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**UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA**

DISNEY ENTERPRISES, INC.,
UNIVERSAL CITY STUDIOS
PRODUCTIONS LLLP, et al.,

Plaintiffs,

v.
MIDJOURNEY, INC.,

Defendant.

WARNER BROS. ENTERTAINMENT
INC., et al.,

Plaintiffs,

v.
MIDJOURNEY, INC.,

Defendant.

Case No. 2:25-cv-05275-JAK-AJR

**JOINT STIPULATION TO
CONSOLIDATE CASES**

Case No. 2:25-cv-08376-JAK-E

1 The parties, Disney Enterprises, Inc., Marvel Characters, Inc., MVL Film Finance
2 LLC, Lucasfilm Ltd. LLC, and Twentieth Century Fox Film Corporation (collectively,
3 “Disney”), and Universal City Studios Productions LLLP and DreamWorks Animation
4 L.L.C. (“collectively, “Universal”), plaintiffs in the action *Disney Enterprises Inc.,*
5 *Universal City Studios Productions LLLP, et. al. v. Midjourney, Inc.*, Case No. 2:25-cv-
6 05275-JAK-AJR; Warner Entertainment Inc., DC Comics, Turner Entertainment Co.,
7 Hanna-Barbera Productions, Inc., and The Cartoon Network, Inc. (collectively, “Warner
8 Bros. Discovery”), plaintiffs in the action *Warner Bros. Entertainment Inc., et. al. v.*
9 *Midjourney, Inc.*, Case No. 2:25-cv-08376-JAK-E; and Midjourney, Inc. (“Midjourney”),
10 defendant in both actions (collectively, the “Parties”), by and through their respective
11 counsel of record, have conferred and hereby stipulate to consolidate the actions *Disney*
12 *Enterprises, Inc., Universal City Studios Productions LLLP, et. al. v. Midjourney Inc.*,
13 Case No. 2:25-cv-05275-JAK-AJR and *Warner Bros. Entertainment Inc., et. al. v.*
14 *Midjourney Inc.*, Case No. 2:25-cv-08376-JAK-E pursuant to Federal Rule of Civil
15 Procedure 42(a) as follows:¹

16 WHEREAS, presently pending in this Court are two related actions identified
17 below:

18 1. *Disney Enterprises, Inc., Universal City Studios Productions LLLP et. al.*
19 *v. Midjourney, Inc.*, United States District Court, Central District of California,
20 Case No. 2:25-cv-05275-JAK-AJR (the “Disney/Universal Action”); and

21 2. *Warner Bros. Entertainment Inc. et. al. v. Midjourney, Inc.*, United States
22 District Court, Central District of California, Case No. 2:25-cv-08376-JAK-E (the
23 “Warner Bros. Discovery Action”);

24 WHEREAS, on June 11, 2025, Disney and Universal filed their complaint
25 asserting copyright infringement claims against Midjourney;

26
27 ¹ A substantially identical Joint Stipulation to Consolidate Cases and associated
28 [Proposed] Order is being filed in *Warner Bros. Entertainment Inc., et. al. v. Midjourney,*
Inc., Case No. 2:25-cv-08376-JAK-E.

1 WHEREAS, on September 4, 2025, Warner Bros. Discovery filed its complaint
2 asserting copyright infringement claims against Midjourney;

3 WHEREAS, the Disney/Universal Action and the Warner Bros. Discovery Action
4 are both pending before Judge John A. Kronstadt;

5 WHEREAS, Rule 42(a) of the Federal Rules of Civil Procedure permits a court to
6 consolidate actions pending before it if those actions involve a “common question of law
7 or fact” and a court may consider several factors that would affect the litigation including
8 the burden on parties, witnesses, judicial resources, the risk of inconsistent adjudications,
9 the potential for prejudice, and the risk of delaying trial;

10 WHEREAS, the Parties seek to consolidate the Disney/Universal Action and the
11 Warner Bros. Discovery Action pursuant to Rule 42(a), although there is a dispute
12 regarding the appropriate case schedule that the Court should enter upon consolidation, as
13 explained below;

14 WHEREAS, the Disney/Universal Action and the Warner Bros. Discovery Action
15 involve similar facts and circumstances, share similar causes of action, would require the
16 Court to make similar determinations of law and fact, and as such, satisfy the requirement
17 for consolidation under Rule 42(a);

18 WHEREAS, subject to the dispute below over the case schedule, the Parties agree
19 that consolidating the Disney/Universal Action and the Warner Bros. Discovery Action
20 would serve the interests of justice. The consolidation increases judicial efficiency,
21 avoids duplicative evidence, procedures, and inconsistent adjudications, precludes waste,
22 and alleviates potential burdens to the Court and all parties involved;

23 WHEREAS, this Court entered its Order Setting Scheduling Conference in the
24 Disney/Universal Action on August 7, 2025 (ECF No. 21), the Parties in the
25 Disney/Universal Action had their initial conference of counsel on October 1, 2025 and
26 propounded written discovery on each other in early October;

1 WHEREAS, the Court entered its Order Setting Scheduling Conference in the
2 Warner Bros. Discovery Action on October 14, 2025 (ECF No. 20);

3 WHEREAS, the Parties in the Warner Bros. Discovery Action agreed to begin
4 discovery on October 22, 2025 and exchanged initial disclosures on October 31, 2025;

5 WHEREAS, a Scheduling Order has not yet been entered in either case;

6 WHEREAS, the Parties in the Disney/Universal Action filed their Joint Rule 26(f)
7 Report on October 22, 2025 (ECF No. 27) in which the Parties set forth their respective
8 positions on the case schedule and discovery limits for the proposed consolidation action
9 as the Parties have not reached an agreement on these issues. The Parties refer the Court
10 to Sections G(1) (pages 7-12); J(1) (pages 13-14) (scope of discovery topics); and J(5)
11 (pages 14-17) of the Joint Report for their positions on the schedule and discovery
12 limitations, respectively. A copy of that report is attached hereto as Exhibit A for the
13 Court's ease of reference; and

14 WHEREAS, the Parties agree that the scheduling order that the Court will enter in
15 response to the Joint Rule 26(f) Report filed in the Disney/Universal Action shall govern
16 this consolidated action.

17 **NOW, THEREFORE**, the Parties hereby do stipulate, agree, and request the
18 Court order as follows:

19 1. The Disney/Universal Action and Warner Bros. Discovery Action cases shall be
20 consolidated for all purposes including trial, pursuant to Federal Rule of Civil Procedure
21 42(a);

22 2. All subsequent pleadings, motions, and other documents shall be filed in the
23 earliest filed case, the Disney/Universal Action, Case No. 2:25-cv-05275-JAK-AJR,
24 which shall serve as the lead case.

25 3. The case shall proceed as *Disney Enterprises, Inc., Universal City Studios*
26 *Productions LLLP, Warner Entertainment Inc., et. al. v. Midjourney, Inc.* under the
27 following case caption:
28

