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**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF ARIZONA**

MDY INDUSTRIES, LLC,)

Plaintiff/Counterdefendant)

vs.)

BLIZZARD ENTERTAINMENT, INC.,)
and VIVENDI GAMES, INC.)

Defendants/Counterclaimants)

BLIZZARD ENTERTAINMENT, INC.,)
and VIVENDI GAMES, INC.)

Third-Party Plaintiffs,)

vs.)

MICHAEL DONNELLY,)

Third-Party Defendant.)

Case No.: CV06-02555-PHX-DGC

[PROPOSED] ORDER

On March 10, 2009, the Court entered an Order directing MDY Industries LLC and Michael Donnelly to place all present and future profits from Glider sales into an escrow account to secure a stay of Blizzard’s judgment. Blizzard has requested an Order from the Court directing MDY and Donnelly to move certain disputed funds into escrow in accordance with the March 10, 2009 Order. Based on Blizzard’s submission, and for good cause, the Court orders as follows:

MDY must provide Blizzard with an accounting of unpaid, but presently owed expenses, and deposit into escrow the balance of the MDY accounts at Chase Bank and PayPal after subtracting those expenses. Michael Donnelly shall transfer the balance of

1 his DSFCU checking, savings, money market accounts and half of the balance in his
2 E*trade financial account into the escrow account previously established by the parties,
3 and shall sign over the title to his automobile to that same escrow agent. All such funds
4 and interest shall remain subject to escrow pending resolution of the appeal in this matter.
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8 DATED this _____ day of _____, 2009.
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13 The Honorable David G. Campbell
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