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and Third-Party Defendant Michael Donnelly

**UNITED STATES DISTRICT COURT
DISTRICT OF ARIZONA**

MDY INDUSTRIES, LLC,
Plaintiff and Counterdefendant,

vs.

**BLIZZARD ENTERTAINMENT, INC.,
and VIVENDI GAMES, INC.,**
Defendants and Counterclaimants,

**BLIZZARD ENTERTAINMENT, INC.,
and VIVENDI GAMES, INC.,**
Third-Party Plaintiffs,

vs.

MICHAEL DONNELLY, an individual
Third-Party Defendant.

Case No.: CV06-02555-PHX-DGC

Stipulation as to Damages

The Honorable David G. Campbell

The parties have stipulated to the issue of damages and submit an Order and Stipulated Judgment to be signed by the Court attached as Exhibit A.

Dated this 25th day of September, 2008

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And Vivendi Games, Inc.*

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CERTIFICATE OF SERVICE

I hereby certify that on September 25, 2008, I electronically transmitted the attached document to the Clerk’s Office using the CM/ECF System for filing and transmittal of a Notice of Electronic Filing to the following CM/ECF registrants:

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I hereby certify that on _____, I served the attached document by FIRST CLASS MAIL on the following, who are not registered participants of the CM/ECF System:

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s/ Lance C. Venable