

1 SCOTT A. EDELMAN, SBN 116927
SEdelman@gibsondunn.com
 2 MICHAEL W. SEITZ, SBN 271136
MSeitz@gibsondunn.com
 3 GIBSON, DUNN & CRUTCHER LLP
 2029 Century Park East
 4 Los Angeles, CA 90067-3026
 Telephone: 310.552.8500
 5 Facsimile: 310.551.8741

6 THEANE EVANGELIS KAPUR, SBN 243570
TKapur@gibsondunn.com
 7 BLAINE H. EVANSON, SBN 254338
BEvanson@gibsondunn.com
 8 GIBSON, DUNN & CRUTCHER LLP
 333 South Grand Avenue
 9 Los Angeles, CA 90071-3197
 Telephone: 213.229.7000
 10 Facsimile: 213.229.7520

11 Attorneys for Plaintiff,
 CBS BROADCASTING INC.

12 UNITED STATES DISTRICT COURT
 13 CENTRAL DISTRICT OF CALIFORNIA
 14 WESTERN DIVISION

15 CBS Broadcasting Inc.,

16 Plaintiff,

17 v.

18 American Broadcasting Companies Inc.,
 19 et al.,

20 Defendants.

CASE NO. 2:12-CV-04073 GAF (JEMx)

DECLARATION OF MICHAEL SEITZ IN SUPPORT OF CBS'S REPLY IN SUPPORT OF ITS *EX PARTE* APPLICATION FOR A TEMPORARY RESTRAINING ORDER AND AN ORDER TO SHOW CAUSE WHY A PRELIMINARY INJUNCTION SHOULD NOT ISSUE PURSUANT TO FEDERAL RULE OF CIVIL PROCEDURE 65

[Reply Brief filed concurrently]

21
 22
 23
 24 **DECLARATION OF MICHAEL SEITZ**

25 I, Michael Seitz, declare as follows:

26 1. I am an associate in the law firm of Gibson, Dunn & Crutcher LLP,
 27 counsel to Plaintiff CBS Broadcasting Inc. ("CBS") in this action. I submit this
 28 declaration In Support Of CBS's Reply In Support Of Its *Ex Parte* Application For A

1 Temporary Restraining Order And An Order To Show Cause Why A Preliminary
2 Injunction Should Not Issue Pursuant To Federal Rule Of Civil Procedure 65. If called
3 as a witness in this action, I could and would testify competently to the matters set
4 forth herein.

5 1. Attached hereto as **Exhibit A** is a true and correct copy of the Rebuttal
6 Report of CBS's expert Jeff Rovin, executed by him on June 12, 2012.

7 I declare under penalty of perjury under the laws of the United States and the
8 State of California that the foregoing is true and correct, and that this Declaration was
9 executed on this 12th day of June 2012, at Culver City, California.

10
11
12 /s/ Michael Seitz

13 MICHAEL SEITZ
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28