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20 Attorneys for Defendant and Counterclaimant,
 21 BLOCKBUSTER INC.

22 UNITED STATES DISTRICT COURT
 23 NORTHERN DISTRICT OF CALIFORNIA

24 NETFLIX, INC, a Delaware corporation

25 Plaintiff,

26 v.

27 BLOCKBUSTER INC., a Delaware corporation,
 28 DOES 1-50,

Defendant.

Case No. C 06 2361 WHA (JCS)

**NOTICE OF ERRATA TO NOTICE OF
 MOTION AND MEMORANDUM OF
 POINTS AND AUTHORITIES IN
 SUPPORT OF BLOCKBUSTER'S
 MOTION FOR SUMMARY JUDGMENT
 OF INVALIDITY AND NON-
 INFRINGEMENT**

Hearing Date: August 2, 2007
 Time: 8:00 a.m.
 Courtroom: 9, 19th Floor
 Judge: Hon. William H. Alsup

Complaint Filed: April 4, 2006
 Trial Date: September 17, 2007

AND RELATED COUNTERCLAIMS

1 **TO ALL PARTIES AND TO THEIR ATTORNEYS OF RECORD:**

2 **PLEASE TAKE NOTICE THAT** Blockbuster inadvertently included an error in its
3 Motion for Summary Judgment filed June 14, 2007. Page 28 at lines 9-10 of the Motion states:
4 “All asserted claims of the ‘450 patent require that items be provided “in the desired order” or
5 “based upon the desired order.” It should read: Asserted claims 5 and 20 of the ‘450 patent
6 require that items be provided “based upon the desired order.” This error was not noticed until
7 after the Motion had been e-filed.

8 Additionally, the ‘450 and ‘381 patents are attached as Exhibits A and B respectively to
9 the Confidential Declaration of William O’Brien, and first cited to on page six of the Motion.
10 Certificates of correction were filed for the ‘450 patent, but because they did not alter the
11 arguments in the motion, those pages were not attached to the exhibit in consideration of the
12 Court's strict page limit requirements. Copies of the certificates of correction appear at the end
13 of Exhibit B to the First Amended Complaint.

14 Dated: June 15, 2007

BINGHAM MCCUTCHEN LLP

17 By: _____/s/_____

18 Sheila M. Pierce
19 Attorneys for Defendant and Counterclaimant,
20 BLOCKBUSTER INC.