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Attorneys for Plaintiffs and Counterclaim Defendants
 9 REALNETWORKS, INC. and REALNETWORKS
 HOME ENTERTAINMENT, INC.
 10

11 UNITED STATES DISTRICT COURT
 12 NORTHERN DISTRICT OF CALIFORNIA
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14 REALNETWORKS, INC., a Washington
 Corporation; and REALNETWORKS HOME
 15 ENTERTAINMENT, INC., a Delaware corporation,

Case Nos. C08 04548 MHP;
 C08 04719 MHP

16 Plaintiffs,

17 v.

**STIPULATION AND
 [PROPOSED] ORDER TO
 CONTINUE HEARING ON
 PLAINTIFFS' MOTION TO
 DISMISS DVD CCA'S SECOND
 COUNTERCLAIM**

18 DVD COPY CONTROL ASSOCIATION, INC., a
 Delaware nonprofit corporation, DISNEY
 19 ENTERPRISES, INC., a Delaware corporation;
 PARAMOUNT PICTURES CORP., a Delaware
 20 corporation; SONY PICTURES ENTER., INC., a
 Delaware corporation; TWENTIETH CENTURY
 21 FOX FILM CORP., a Delaware corporation; NBC
 UNIVERSAL, INC., a Delaware corporation;
 22 WARNER BROS. ENTER. INC., a Delaware
 corporation; and VIACOM, Inc., a Delaware
 23 Corporation,

AS AMENDED BY COURT

24 Defendants.

25 AND RELATED CASES
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 STIPULATION AND [PROPOSED] ORDER TO
 POSTPONE HEARING
 Case Nos. C08 04548 MHP & C08 04719 MHP

1 WHEREAS, Plaintiffs RealNetworks, Inc. and RealNetworks Home Entertainment, Inc.
2 (collectively "Plaintiffs") commenced this action on September 30, 2008 seeking a Declaratory
3 Judgment that certain DVD products do not violate the DMCA or constitute a breach of contract;

4 WHEREAS, Defendants DVD Copy Control Association ("DVD CCA") filed an
5 amended answer and counterclaims for breach of contract and breach of the implied covenant of
6 good faith and fair dealing on November 11, 2008;

7 WHEREAS, Plaintiffs filed a motion to dismiss the DVD CCA's Second Counterclaim
8 on December 4, 2008 and noticed the hearing for February 23, 2009 at 2:00 p.m., however, this
9 hearing date is not acknowledged or confirmed on the Court's website or in other publications;

10 WHEREAS, a conflict has arisen for Plaintiffs' lead counsel on February 23, 2009 and
11 counsel for the DVD CCA has agreed to continue the hearing to a mutually agreeable date,
12 namely March 2, March 9 or March 16;

13
14 NOW THEREFORE, the parties, by and through their counsel of record, hereby agree
15 and stipulate to the following alternative dates for the hearing on Plaintiffs' Motion to Dismiss
16 the DVD CCA's Second Counterclaim in the above named action, which is currently scheduled
17 for February 23, 2009 at 2:00 p.m., and request the Court enter this Stipulation as an Order of the
18 Court:

19 1. The Hearing on Plaintiffs' Motion to Dismiss the DVD CCA's Second
20 Counterclaim shall be moved to March 2, 2009, March 9, 2009, or March 16, 2009, at 2:00 p.m.,
21 at the Court's discretion.

22
23 Dated: February 20, 2009

WILSON SONSINI GOODRICH & ROSATI
Professional Corporation

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25 By: Tracy Tosh Lane by Amn
26 Tracy Tosh Lane

27 Attorneys for Plaintiffs
28 REALNETWORKS, INC. and REALNETWORKS
HOME ENTERTAINMENT, INC.

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Dated: February 20, 2009

AKIN GUMP STRAUSS HAUER & FELD LLP

By: Reginald D. Steer
Reginald Steer

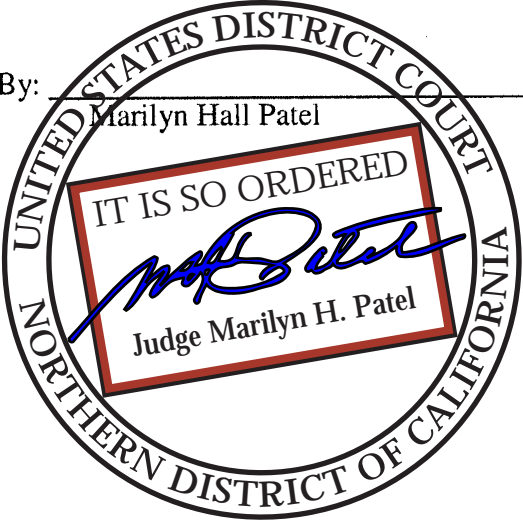
Attorneys for Defendant
DVD COPY CONTROL ASSOCIATION

ALL MOTIONS SHALL BE RESET TO 3/16/2009 AT 2:00 P.M.

IT IS SO ORDERED.

UNITED STATES DISTRICT COURT JUDGE

2/26/2009

By: Marilyn Hall Patel


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I, Tracy Tosh Lane, am the ECF User whose identification and password are being used to file this STIPULATION AND [PROPOSED] ORDER TO CONTINUE HEARING ON PLAINTIFFS' MOTION TO DISMISS DVD CCA'S SECOND COUNTERCLAIM. In compliance with General Order 45.X.B, I hereby attest that REGINALD STEER has concurred in this filing.

Dated: February 20, 2009

WILSON SONSINI GOODRICH & ROSATI
Professional Corporation

By: /s/ Tracy Tosh Lane
Tracy Tosh Lane

Attorneys for Plaintiffs
REALNETWORKS, INC. AND
REALNETWORKS HOME
ENTERTAINMENT, INC.