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 9 REALNETWORKS, INC. and  
 REALNETWORKS HOME  
 10 ENTERTAINMENT, INC.

11 UNITED STATES DISTRICT COURT  
 12 NORTHERN DISTRICT OF CALIFORNIA

13 REALNETWORKS, INC., a Washington  
 Corporation; and REALNETWORKS HOME  
 14 ENTERTAINMENT, INC., a Delaware  
 corporation,  
 15  
 16 Plaintiffs,

17 v.

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

Case Nos. C08 04548 MHP;  
 C08 04719 MHP

**DECLARATION OF ELIZABETH  
 COPPINGER IN SUPPORT OF  
 PLAINTIFFS AND COUNTERCLAIM  
 DEFENDANTS REALNETWORKS,  
 INC. AND REALNETWORKS HOME  
 ENTERTAINMENT, INC.'S  
 OPPOSITION TO MOTION FOR  
 SANCTIONS AND SPOILIATION**

Date: March 16, 2009  
 Time: 2:00 p.m.  
 Courtroom: 15

25  
 26 AND RELATED CASES  
 27  
 28

1 I, Elizabeth Coppinger, declare:

2 1. I am a Vice President of Video Services for plaintiff and counterclaim defendant  
3 RealNetworks, Inc. ("Real"). I have personal knowledge of the facts set forth herein, and if  
4 called to testify, could and would testify competently thereto.

5 2. I have been employed by Real since 2005. I became involved with Real's Windows-  
6 based software product known as Vegas in or about March 2008 when I was tasked with  
7 overseeing sales of Vegas. I have interacted with Real employees Jeff Chasen, Rob Glaser,  
8 Jackie Lang, Eric Fox, and John Giamatteo with regard to Vegas. I report directly to John  
9 Giamatteo, who is the Chief Operating Officer for Real.

10 3. Between September 3 and 5, 2008, I met with representatives from NBC, CBS,  
11 Lionsgate, Warner Brothers, Sony Pictures, and Universal Studios in New York City and Los  
12 Angeles to discuss the concept of Vegas or RealDVD. In each of these meetings, I discussed  
13 Real's planned announcement of RealDVD, which was scheduled for the following week in  
14 September. None of the representatives from the studios threatened litigation during these  
15 meetings.

16 4. On or about October 6, 2008 I received an email from Real's legal department  
17 regarding the preservation of documents for this litigation. Since receiving these litigation hold  
18 instructions, to the best of my ability I have not deleted any emails or destroyed any other  
19 documents related to Vegas. Further, an image of my hard drive was taken in October 2008.

20 5. I have never been told by anyone to delete any email, whether with respect to this  
21 litigation or with respect to anything else on the Facet (the code name for a yet-to-be released  
22 integrated hardware product) or Vegas projects. Although I occasionally corrected Real  
23 employees who had used words like "ripping" in correspondence that "save" is a more accurate  
24 description of Vegas' functionality, I have never told anyone to delete emails that contained the  
25 words "rip," "ripper," or "ripping." Nor has anyone told me to delete emails that contain such  
26 words. To my knowledge, Phil Barrett has never instructed or otherwise requested any employee  
27 to delete any emails related to Vegas or Facet. Nor have I have heard of any other Real  
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COPPINGER DECL. IN SUPPORT OF OPP. TO  
MOTION FOR SANCTIONS AND SPOILIATION,  
CASE NOS.: C08 04548 MHP; C08 04719 MHP

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1 employee instruct anyone working on the Vegas or Facet projects to delete emails or destroy  
2 documents.

3 I declare under penalty of perjury under the laws of New York and the United States of  
4 America that the foregoing is true and correct of my own personal knowledge, and that this  
5 declaration is executed this 10th day of March, 2009 at New York, New York.

6   
7 Elizabeth Coppinger

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MOTION FOR SANCTIONS AND SPOLLATION,  
CASE NOS.: C08 04548 MHP; C08 04719 MHP