

1 GLENN D. POMERANTZ (SBN 112503)  
 Glenn.Pomerantz@mto.com  
 2 BART H. WILLIAMS (SBN 134009)  
 Bart.Williams@mto.com  
 3 KELLY M. KLAUS (SBN 161091)  
 Kelly.Klaus@mto.com  
 4 MUNGER, TOLLES & OLSON LLP  
 355 South Grand Avenue, 35th Floor  
 5 Los Angeles, CA 90071-1560  
 Tel: (213) 683-9100; Fax: (213) 687-3702  
 6

ROBERT H. ROTSTEIN (SBN 72452)  
 rxr@msk.com  
 ERIC J. GERMAN (SBN 224557)  
 ejg@msk.com  
 MITCHELL SILBERBERG & KNUPP LLP  
 11377 West Olympic Boulevard  
 Los Angeles, California 90064-1683  
 Tel: (310) 312-2000; Fax: (310) 312-3100

7 GREGORY P. GOECKNER (SBN 103693)  
 gregory\_goeckner@mpaa.org  
 8 DANIEL E. ROBBINS (SBN 156934)  
 dan\_robbins@mpaa.org  
 9 15301 Ventura Boulevard, Building E  
 Sherman Oaks, California 91403-3102  
 10 Tel: (818) 995-6600; Fax: (818) 285-4403

11 Attorneys for Motion Picture Studio Plaintiffs/Declaratory  
 Relief Claim Defendants  
 12  
 13

14 UNITED STATES DISTRICT COURT  
 15 NORTHERN DISTRICT OF CALIFORNIA

16 REALNETWORKS, INC., et al.,  
 17 Plaintiffs,  
 18 vs.  
 19 DVD COPY CONTROL ASSOCIATION,  
 INC., et al.  
 20 Defendants.  
 21

CASE NO. C 08-4548-MHP  
**[PROPOSED] ORDER GRANTING  
 MOTION OF MOTION PICTURE STUDIO  
 PLAINTIFFS FOR PRELIMINARY  
 INJUNCTION**

Date: April 1, 2009  
 Time: 9:00 a.m.  
 Ctrm: 15 (Hon. Marilyn Hall Patel)

22 UNIVERSAL CITY STUDIOS  
 23 PRODUCTIONS LLLP, et al.,  
 24 Plaintiffs,  
 25 vs.  
 26 REALNETWORKS, INC., et al.  
 27 Defendants.  
 28

CASE NO. C 08-4719-MHP

1           Upon reviewing the papers filed by Motion Picture Studio Plaintiffs and Declaratory  
 2 Relief Claim Defendants Paramount Pictures Corporation, Twentieth Century Fox Film  
 3 Corporation, Universal City Studios Productions LLLP, Warner Bros. Entertainment Inc., Disney  
 4 Enterprises, Inc., Sony Pictures Television Inc. and Columbia Pictures Industries, Inc.  
 5 (collectively, “the Studios”) in support of their Motion for a Preliminary Injunction (“Motion” );  
 6 and having reviewed the opposition papers filed by Real; and having considered the factors  
 7 relating to (i) the Studios’ probability of success on the merits, (ii) the risks of irreparable injury  
 8 to the Studios if preliminary relief is denied, (iii) the existence of serious questions going to the  
 9 merits of the Studios’ claim, (iv) the balance of hardships and (v) the public interest, the Court  
 10 HEREBY FINDS and ORDERS as follows:

11           The Studios are likely to prevail on the merits of their claim pursuant to the Digital  
 12 Millennium Copyright Act, 17 U.S.C. §§ 1201, *et. seq.* against Real, and the Studios are likely to  
 13 suffer irreparable injury without intervention of this Court; [and/or]

14           There exist serious questions going to the merits of the Studios’ claim pursuant to the  
 15 Digital Millennium Copyright Act, 17 U.S.C. §§ 1201, *et. seq.*, and the balance of hardships tips  
 16 in the Studios’ favor.

17  
 18  
 19  
 20  
 21  
 22  
 23  
 24  
 25  
 26  
 27  
 28

