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12 Attorneys for Defendant and Counterclaimant  
 DVD COPY CONTROL ASSOCIATION, INC.

14 UNITED STATES DISTRICT COURT  
 15 NORTHERN DISTRICT OF CALIFORNIA

16 REALNETWORKS, INC., a Washington  
 Corporation; and REALNETWORKS HOME  
 17 ENTERTAINMENT, INC., a Delaware  
 corporation,  
 18  
 Plaintiffs,  
 19  
 v.  
 20 DVD COPY CONTROL ASSOCIATION, INC.,  
 21 a Delaware nonprofit corporation, et al.  
 22 Defendants.  
 23 And Related Counterclaims.

Case No. C08 04548 MHP;  
 C08 04719 MHP

**STIPULATED FINDINGS OF FACT AND  
 CONCLUSIONS OF LAW OF DVD COPY  
 CONTROL ASSOCIATION, INC.,  
 STUDIO PLAINTIFFS AND  
 REALNETWORKS, INC.**

Date: May 21, 2009  
 Time: 9:30 a.m.  
 Dept.: 15 (Hon. Marilyn Hall Patel)

24  
 25 AND RELATED CASES  
 26  
 27  
 28

1 Defendant and Counterclaimant DVD Copy Control Association, Inc. ("DVD CCA"), Plaintiffs  
2 and Declaratory Relief Defendants Columbia Pictures Industries, Inc., Disney Enterprises, Inc.,  
3 Paramount Pictures Corp., Sony Pictures Entertainment, Inc., Sony Pictures Television Inc., Twentieth  
4 Century Fox Film Corp., NBC Universal, Inc., Walt Disney Pictures, Warner Bros. Entertainment, Inc.,  
5 Universal City Studios Productions LLP, Universal City Studios LLP, and Viacom, Inc. (collectively,  
6 the "Studios"), and Declaratory Relief Plaintiff and Counterclaim Defendant RealNetworks, Inc.  
7 ("Real") stipulate to the following proposed findings of fact and conclusions of law:

8 DVD CCA and the Studios stipulate to paragraph 8 of Real's proposed findings of fact and  
9 paragraph 26 of Real's proposed conclusions of law. The Studios further stipulate to paragraphs 98,  
10 101, 102, 103, 106, 109, 137, 138 and 140 of Real's proposed findings of fact.<sup>1</sup>

11 Real stipulates to paragraphs 3, 4 and 45 of DVD CCA's proposed findings of fact and  
12 paragraphs 17, 34 and 161 of the Studios proposed findings of fact.

13  
14 Dated: May 20, 2009

AKIN GUMP STRAUSS HAUER & FELD LLP  
WHITE & CASE LLP

15  
16  
17 By \_\_\_\_\_ /s/  
18 Maria Ellinikos  
19 Attorneys for Defendant and Counterclaimant  
20 DVD Copy Control Association, Inc.  
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27 <sup>1</sup> DVD CCA and the Studios notified Real that they were prepared to stipulate to additional proposed findings of  
28 fact and/or conclusions of law submitted by Real if Real agreed to minor edits to such findings and requested that the  
parties meet and confer. Real's counsel failed to respond to DVD CCA's and the Studios' request to meet and confer about  
such findings.

1 Dated: May 20, 2009

MUNGER TOLLES & OLSON, LLP

2  
3 By \_\_\_\_\_ /s/ Jonathan Blavin  
Jonathan Blavin

4 Attorneys for Plaintiffs and Declaratory Relief  
5 Defendants Columbia Pictures Industries, Inc., Disney  
6 Enterprises, Inc., Paramount Pictures Corp., Sony  
7 Pictures Entertainment, Inc., Sony Pictures Television  
8 Inc., Twentieth Century Fox Film Corp., NBC  
Universal, Inc., Walt Disney Pictures, Warner Bros.  
Entertainment, Inc., Universal City Studios  
Productions LLP, Universal City Studios LLP, and  
Viacom, Inc.

9 Dated: May 20, 2009

10 WILSON SONSINI GOODRICH & ROSATI  
Professional Corporation

11 By \_\_\_\_\_ /s/ Christopher Nelson  
Christopher Nelson

12 Attorneys for Declaratory Relief Plaintiff and  
13 Counterclaim Defendant RealNetworks, Inc.

1 I, Maria Ellinikos, am the ECF User whose identification and password are being used to file  
2 the STIPULATED FINDINGS OF FACT AND CONCLUSIONS OF LAW. In compliance with  
3 General Order 45.X.B., I hereby attest that Jonathan Blavin and Christopher Nelson have concurred in  
4 this filing.

5 Dated: May 20, 2009

6 AKIN GUMP STRAUSS HAUER & FELD LLP  
7 WHITE & CASE LLP

8 By \_\_\_\_\_ /s/  
9 Maria Ellinikos  
10 Attorneys for Defendant and Counterclaimant  
11 DVD Copy Control Association, Inc.  
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