

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  
**STIPULATION AND [PROPOSED] ORDER  
 EXTENDING TIME FOR DEFENDANTS  
 TO FILE AN APPLICATION FOR  
 MONETARY SANCTIONS FOR  
 SPOILIATION OF EVIDENCE**

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 WHEREAS, Defendants/Counterclaim Plaintiffs/Plaintiffs Paramount Pictures  
2 Corporation, Twentieth Century Fox Film Corporation, Universal City Studios Productions  
3 LLLP, Universal City Studios LLLP, Warner Bros. Entertainment Inc., Disney Enterprises, Inc.,  
4 Walt Disney Pictures, Sony Pictures Television Inc., Sony Pictures Entertainment Inc. and  
5 Columbia Pictures Industries, Inc. (collectively, "Studios") filed a Motion for Sanctions for  
6 Spoliation of Evidence against RealNetworks, Inc. and RealNetworks Home Entertainment, Inc.  
7 (collectively "Real") on February 25, 2009, and Defendants/Counter-Complainants DVD Copy  
8 Control Association, Inc. ("DVD CCA") joined in that motion on March 2, 2009.

9 WHEREAS, the Court entered an order on May 5, 2009, granting in part those Motions  
10 and granting the Defendants leave to file an application and declaration(s) for monetary sanctions,  
11 attorneys' fees and costs (the "Application for Monetary Sanctions") for Real's failure to preserve  
12 the notebooks of Ms. Nicole Hamilton;

13 WHEREAS, the Defendants' Application for Monetary Sanctions is due on June 4, 2009;

14 WHEREAS, Real by this stipulation is agreeing to move the date of the Application for  
15 Monetary Sanctions from June 4, 2009 to June 11, 2009, with a corresponding extension of the  
16 date for Real's response (if any) to that request;

17 WHEREAS, pursuant to Civil Local Rule 6-2(a)(3), the parties state that the only effect  
18 the requested time modifications herein would have on the schedule for the case would be to  
19 move the respective response dates as set forth herein;

20 NOW THEREFORE, the parties, by and through their counsel or record, hereby agree and  
21 stipulate to extend the period of time in which the Defendants may file an Application for  
22 Monetary Sanctions to and including June 11, 2009 and to extend the period of time in which  
23 Real may respond to the Defendants' Application to and including July 13, 2009.

24  
25  
26  
27  
28

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28

Dated: June 2, 2009

AKIN GUMP STRAUSS HAUER & FELD LLP  
WHITE & CASE LLP

By \_\_\_\_\_ /s/  
Reginald Steer  
Attorneys for DVD CCA

Dated: June 2, 2009

MUNGER TOLLES & OLSON, LLP

By \_\_\_\_\_ /s/  
L. Ashley Aull  
Attorneys for Studios

Dated: June 2, 2009

WILSON SONSINI GOODRICH & ROSATI  
Professional Corporation

By \_\_\_\_\_ /s/  
Tracy Tosh Lane  
Attorneys for Real

PURSUANT TO STIPULATION, IT IS SO ORDERED:

- 1. The Defendants' Application and Declaration(s) for a Monetary Sanctions shall be due on or before June 11, 2009;
- 2. Real's Response to the Defendants' Application and Declaration(s) for a Monetary Award shall be due on or before July 13, 2009.

UNITED STATES DISTRICT COURT JUDGE

By \_\_\_\_\_  
Hon. Marilyn Hall Patel

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28

I, L. Ashley Aull, am the ECF user whose identification and password are being used to file the STIPULATION AND [PROPOSED] ORDER EXTENDING TIME FOR DEFENDANTS TO FILE AN APPLICATION FOR MONETARY SANCTIONS FOR SPOILIATION OF EVIDENCE. In compliance with General Order 45.X.B., I hereby attest that Reginald Steer and Tracy Tosh Lane have concurred in this filing.

Dated: June 2, 2009

MUNGER TOLLES & OLSON, LLP

By \_\_\_\_\_ /s/  
L. Ashley Aull  
Attorneys for Studios