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 Relief Claim Defendants  
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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.  
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CASE NO. C 08-4548-MHP  
**SECOND 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 was initially due on  
14 June 4, 2009;

15 WHEREAS, the Court entered an order pursuant to stipulation on June 4, 2009, extending  
16 the due-date of Defendants’ Application for Monetary Sanctions to June 11, 2009;

17 WHEREAS, Real by this stipulation is agreeing to move the date of the Application for  
18 Monetary Sanctions from June 11, 2009 to June 15, 2009, with a corresponding extension of the  
19 date for Real’s response (if any) to that request, in order for the Parties to attempt to negotiate a  
20 stipulation regarding monetary sanctions, attorneys’ fees and costs;

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

24 NOW THEREFORE, the parties, by and through their counsel or record, hereby agree and  
25 stipulate to extend the period of time in which the Defendants may file an Application for  
26 Monetary Sanctions to and including June 15, 2009 and to extend the period of time in which  
27 Real may respond to the Defendants’ Application to and including July 15, 2009.  
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Dated: June 10, 2009

AKIN GUMP STRAUSS HAUER & FELD LLP  
WHITE & CASE LLP

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

Dated: June 10, 2009

MUNGER TOLLES & OLSON, LLP

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

Dated: June 10, 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 15, 2009;
2. Real's Response to the Defendants' Application and Declaration(s) for a Monetary Award shall be due on or before July 15, 2009.

UNITED STATES DISTRICT COURT JUDGE

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

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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 10, 2009

MUNGER TOLLES & OLSON, LLP

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