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

13 UNITED STATES DISTRICT COURT
 14 NORTHERN DISTRICT OF CALIFORNIA

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

17 Plaintiffs,

18 v.

19 DVD COPY CONTROL ASSOCIATION, INC., a
 Delaware nonprofit corporation, et al.

20 Defendants.

Case No. C08 04548 MHP
 Related Case No. C08 CV 04719 MHP

**STIPULATION AND ~~[PROPOSED]~~
 ORDER TO SET HEARING ON
 MOTION OF DEFENDANT DVD COPY
 CONTROL ASSOCIATION, INC. TO
 DISMISS COUNTERCLAIMS FOR
 OCTOBER 26, 2009 AND EXTEND
 DEADLINE FOR DVD CCA'S REPLY
 TO OPPOSITION OF
 REALNETWORKS TO MOTION TO
 DISMISS TO SEPTEMBER 4, 2009**

22 AND RELATED CASES
 23

24 WHEREAS, Plaintiffs RealNetworks, Inc. and RealNetworks Home Entertainment, Inc.
 25 (collectively, "RealNetworks") filed counterclaims against Defendant and Counterclaimant DVD Copy
 26 Control Association ("DVD CCA") on May 13, 2009;

27 WHEREAS the DVD CCA filed a motion to dismiss the counterclaims of RealNetworks on
 28 July 14, 2009 and noticed the hearing on its motion to dismiss for September 14, 2009 at 2:00 p.m.;

1 WHEREAS counsel for the DVD CCA and RealNetworks have agreed to continue the hearing to
2 Monday, October 26, 2009, at 2:00 p.m.;

3 WHEREAS, the Reply of the DVD CCA to RealNetworks's Opposition to the Motion to Dismiss
4 was previously due on Monday, August 31, 2009, but counsel for the DVD CCA and RealNetworks
5 have agreed to continue the due date to Friday, September 4, 2009;

6 WHEREAS this modification in time will not have affect any deadlines currently set by the
7 court, as stated in the accompanying Declaration of Reginald D. Steer;

8 NOW THEREFORE, the parties, by and through their counsel of record, hereby agree to
9 stipulate to the following dates, and request the Court enter this Stipulation as an Order of the Court:

10 1. The Hearing on the DVD CCA's Motion to Dismiss RealNetworks's Counterclaims shall
11 be moved to Monday, October 26, 2009, at 2:00 pm.; and

12 2. The Reply of the DVD CCA to RealNetworks's Opposition to the Motion to Dismiss
13 shall be due on Friday, September 4, 2009.

14 Dated: August 31, 2009

AKIN GUMP STRAUSS HAUER & FELD LLP

WHITE & CASE LLP

16 By _____ /s/
17 REGINALD D. STEER
18 Attorneys for Defendant and Counterclaimant
DVD COPY CONTROL ASSOCIATION, INC.

19 Dated: August 31, 2009

WILSON SONSINI GOODRICH & ROSATI

Professional Corporation

22 By _____ /s/
23 TRACY TOSH LANE
24 Attorneys for Plaintiffs and Counterclaimants
REALNETWORKS, INC. and REALNETWORKS
HOME ENTERTAINMENT, INC.

25 IT IS SO ORDERED

UNITED STATES DISTRICT COURT JUDGE

27 By _____
MARILYN HALL PAT



1 I, Reginald D. Steer, am the ECF User whose identification and password are being used to file the
2 STIPULATION TO SET HEARING ON MOTION OF DEFENDANT DVD COPY CONTROL
3 ASSOCIATION, INC. TO DISMISS COUNTERCLAIMS FOR OCTOBER 26, 2009 AND EXTEND
4 DEADLINE FOR DVD CCA’S REPLY TO OPPOSITION OF REALNETWORKS TO MOTION TO
5 DISMISS TO SEPTEMBER 4, 2009. In compliance with General Order 45.X.B., I hereby attest that
6 Tracy Tosh Lane has concurred in this filing.

7 Dated: August 31, 2009

AKIN GUMP STRAUSS HAUER & FELD LLP

8
9 By _____ /s/
REGINALD D. STEER
10 Attorneys for Defendant and Counterclaimant
DVD COPY CONTROL ASSOCIATION, INC.

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13 UNITED STATES DISTRICT COURT

14 NORTHERN DISTRICT OF CALIFORNIA

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

17 Plaintiffs,

18 v.

19 DVD COPY CONTROL ASSOCIATION, INC., a
Delaware nonprofit corporation, et al.

20 Defendants.

22 AND RELATED CASES

Case No. C08 04548 MHP
Related Case No. C08 CV 04719 MHP

**DECLARATION OF REGINALD D.
STEER IN SUPPORT OF
STIPULATION AND [PROPOSED]
ORDER TO SET HEARING ON
MOTION OF DEFENDANT DVD COPY
CONTROL ASSOCIATION, INC. TO
DISMISS COUNTERCLAIMS FOR
OCTOBER 26, 2009 AND EXTEND
DEADLINE FOR DVD CCA'S REPLY
TO OPPOSITION OF
REALNETWORKS TO MOTION TO
DISMISS TO SEPTEMBER 4, 2009**

26 I, Reginald D. Steer, declare as follows:

27 1. I am a member in good standing of the California State Bar and a partner in the law firm

28 Akin Gump Strauss Hauer & Feld LLP, counsel of record for Defendant and Counterclaimant DVD

1 Copy Control Association ("DVD CCA"). I am admitted to practice in the United States District Court
 2 for the Northern District of California. I make this declaration based upon my personal knowledge and
 3 in support of the stipulation to extend the hearing date on DVD CCA's Motion to Dismiss to
 4 October 26, 2009, and to extend the deadline for DVD CCA's Reply to RealNetworks's Opposition to
 5 DVD CCA's Motion to Dismiss to September 4, 2009. If called to testify as to the contents of this
 6 declaration, I could and would competently do so.

7 2. The parties seek to continue the hearing date to October 26, 2009 to ensure that all
 8 parties will have adequate time to prepare for the hearing. This stipulation to enlarge time will not affect
 9 other deadlines for this case in any way. The filing of DVD CCA's reply on September 4, 2009, seven
 10 weeks prior to the proposed hearing date of October 26, 2009, will provide ample time for review and
 11 preparation in advance of the October 26, 2009 hearing.

12 3. Previous time modifications in this case include an extension of the Studio Defendants'
 13 deadline to answer RealNetworks's complaint from October 21, 2008 to October 31, 2008; an extension
 14 of time for RealNetworks to answer the Studio Defendants' counterclaims from October 23, 2008 to
 15 October 31, 2008; an extension of time for RealNetworks to answer DVD CCA's counterclaims from
 16 March 30, 2009, to May 13, 2009; an extension of time for and DVD CCA's response to RealNetworks's
 17 counterclaims in reply to July 14, 2009; an extension of time for the Studio Defendants to respond to
 18 RealNetworks's motion for leave to file a second amended complaint to June 29, 2009; and an extension
 19 of the DVD CCA and Studio Defendants' deadline to file their applications and sanctions for monetary
 20 sanctions for spoliation of evidence to July 13, 200 and an extension to July 13, 2009 for RealNetworks'
 21 response to these applications.

22 4. I declare under the laws of California and the United States of America that the
 23 foregoing is true and correct and that this declaration was executed at San Francisco, California, this
 24 31st day of August, 2009.

25 _____
 26 /s/
 27 Reginald D. Steer
 28