

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 ROHIT K. SINGLA (SBN 213057)
 Rohit.Singla@mto.com
 5 MUNGER, TOLLES & OLSON LLP
 355 South Grand Avenue, 35th Floor
 6 Los Angeles, California 90071-1560
 Tel: (213) 683-9100; Fax: (213) 687-3702
 7

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

8 GREGORY P. GOECKNER (SBN 103693)
 Gregory_Goeckner@mpaa.org
 DANIEL E. ROBBINS (SBN 156934)
 9 Dan_Robbins@mpaa.org
 15301 Ventura Boulevard, Building E
 10 Sherman Oaks, California 91403-3102
 Tel: (818) 995-6600; Fax: (818) 285-4403
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Attorneys for Motion Picture Studio Parties

12
 13 UNITED STATES DISTRICT COURT
 14 NORTHERN DISTRICT OF CALIFORNIA

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

CASE NO. C 08-4548 MHP
**STIPULATION AND [PROPOSED]
 ORDER REGARDING HEARING DATE
 AND BRIEFING SCHEDULE FOR
 MOTION PICTURE STUDIO PARTIES'
 MOTION TO DISMISS REAL'S
 ANTITRUST CLAIMS**

Judge: Hon. Marilyn Hall Patel
 Date: October 26, 2009
 Time: 2:00 p.m.
 Crtrm: 15

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

CASE NO. C-08-4719 MHP

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STIPULATION AND [PROPOSED] ORDER

WHEREAS, the Court granted the Motion of Plaintiffs and Counter-Complaint Defendants RealNetworks, Inc. and RealNetworks Home Entertainment, Inc. (collectively, “Real”) to file Real’s Second Amended Complaint on August 11, 2009;

WHEREAS, Defendant Motion Picture Studio Parties (the “Studios”) filed their Motion to Dismiss Real’s Antitrust Claims (Causes of Action Three through Six) in the Second Amended Complaint on September 8, 2009;

WHEREAS, on September 1, 2009 the Court set a hearing date for the Motion of Defendant and Counterclaimant DVD Copy Control Association (the “DVD CCA”) to Dismiss Real’s Counterclaims filed against the DVD CCA for October 26, 2009, at 2:00 pm;

WHEREAS, counsel for the Studios and Real have agreed to have the hearing on the Studios’ Motion to Dismiss Real’s Antitrust Claims also on October 26, 2009, at 2:00 pm;

WHEREAS, counsel for the Studios and Real have agreed that Real’s Opposition to the Studios’ Motion to Dismiss Real’s Antitrust Claims may be due on October 2, 2009;

WHEREAS, counsel for the Studios and Real have agreed that the Studios’ Reply in Support of its Motion to Dismiss Real’s Antitrust Claims may be due on October 12, 2009, notwithstanding that October 12, 2009 is Columbus Day;

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

1. The Hearing on the Studios’ Motion to Dismiss Real’s Antitrust Claims shall be Monday, October 26, 2009, at 2:00 pm;

2. Real’s Opposition to the Studios’ Motion to Dismiss Real’s Antitrust Claims shall be due on October 2, 2009; and

1 3. The Studios' Reply in Support of their Motion to Dismiss Real's Antitrust Claims
2 shall be due on October 12, 2009.

3 Dated: September 9, 2009

MUNGER TOLLES & OLSON, LLP

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5 By /s/ Jonathan H. Blavin
Jonathan H. Blavin

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7 Attorneys for Studios

8 Dated: September 9, 2009

WILSON SONSINI GOODRICH & ROSATI
Professional Corporation

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10 By /s/ Tracy Tosh Lane
Tracy Tosh Lane

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12 Attorneys for Real

13 IT IS SO ORDERED:

UNITED STATES DISTRICT COURT JUDGE

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15 By _____
Hon. Marilyn Hall Patel

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