

EXHIBIT 5

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NOT FOR CITATION
IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA
SAN JOSE DIVISION

ACACIA MEDIA TECHNOLOGIES,
Plaintiff(s),
v.
COMCAST CORPORATION, ET AL.,
Defendant(s);

NO. C 04-02308 SI
**JOINT ORDER TO SHOW CAUSE
RE: RELATION**

ACACIA MEDIA TECHNOLOGIES,
Plaintiff(s),
v.
MEDIACOM COMMUNICATIONS, CORP.,
Defendant(s);

NO. C 04-03789 SI
**JOINT ORDER TO SHOW CAUSE
RE: RELATION**

ACACIA MEDIA TECHNOLOGIES,
Plaintiff(s),
v.
NEW DESTINY INTERNET GROUP, ET
AL.,
Defendant(s);
AND ALL RELATED CASE ACTIONS.

NO. SA CV-02-1040 JW (MLGx)
Consolidated Cases:
SA CV 02-1048-JW (MLGx)
SA CV 02-1050-JW (MLGx)
SA CV 02-1063-JW (MLGx)
SA CV 02-1165-JW (MLGx)
SA CV 03-0216-JW (MLGx)
SA CV 03-0217-JW (MLGx)
SA CV 03-0218-JW (MLGx)
SA CV 03-0219-JW (MLGx)
SA CV 03-0253-JW (MLGx)
SA CV 03-0259-JW (MLGx)
SA CV 03-0271-JW (MLGx)
SA CV 03-0308-JW (MLGx)

Related Cases:
SA CV 03-1801-JW (MLGx)
SA CV 03-1803-JW (MLGx)
SA CV 03-1804-JW (MLGx)
SA CV 03-1805-JW (MLGx)
SA CV 03-1807-JW (MLGx)

**JOINT ORDER TO SHOW CAUSE
RE: RELATION**

United States District Court
For the Northern District of California

United States District Court
For the Northern District of California

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The above captioned cases have all been filed by Acacia Media Technologies Corporation (“Acacia”). The cases numbered 04-02308 and 04-03789 are presently assigned to Judge Susan Illston of the Northern District of California. Case number SA CV-02-1040 and all cases consolidated and related thereto are specially assigned to Judge James Ware of the Northern District of California, who is sitting as a judge in the Central District of California.

In all of the above captioned cases, Acacia alleges infringement of U.S. Patent No. 5,132,992 (the “992 patent”) and several other patents that claim priority to the ’992 patent. All patents-in-suit are members of the “Yurt family” of patents.

The above captioned parties are hereby ordered to show cause why the cases pending before Judge Illston should not be related to the cases specially assigned to Judge Ware. As noted, all cases involve the same patents. Relating these cases before a single judge could promote judicial economy and prevent potentially inconsistent judgments.

The parties shall e-file their responses to this order on or before November 1, 2004. Furthermore, they shall send chambers copies to both Judge Illston and Judge Ware. Thereafter, the Court will take the matter under submission.

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Dated: October 20, 2004

/s/ Susan Illston
SUSAN ILLSTON
United States District Judge

Dated: October 20, 2004

/s/ James Ware
JAMES WARE
United States District Judge

United States District Court
For the Northern District of California

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20 **Dated: October 20, 2004**

Richard W. Wieking, Clerk

By: /jwchambers/
Ronald L. Davis
Courtroom Deputy