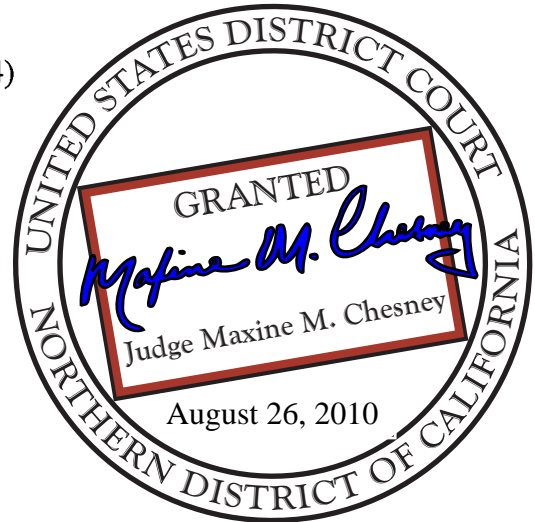


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6 Attorneys for Defendants  
 OPENTV CORP., LIBERTY MEDIA CORP.,  
 7 AND WINK COMMUNICATIONS INC.

8 John L. Berman  
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 9 Los Altos, CA 94024  
 Telephone: (650) 950-7879  
 10 Plaintiff in pro per



11 UNITED STATES DISTRICT COURT  
 12 NORTHERN DISTRICT OF CALIFORNIA  
 13 SAN FRANCISCO DIVISION

14 JOHN BERMAN,

15 Plaintiff,

16 v.

17 OPENTV CORP., LIBERTY MEDIA  
 18 CORPORATION, WINK  
 COMMUNICATIONS, INC., and DOES 1-30,

19 Defendants.

Case No. C 09-04065 MMC

**NOTICE OF CONTINUANCE OF  
 HEARING ON OPENTV CORP.'S,  
 LIBERTY MEDIA CORP.'S, AND WINK  
 COMMUNICATIONS INC.'S MOTION  
 FOR PARTIAL SUMMARY  
 JUDGMENT**

**JURY TRIAL DEMANDED**

The Honorable Maxine M. Chesney  
 United States District Magistrate Judge  
 Courtroom 7, 19th Floor

23 Pursuant to Local Rule 7-7, Plaintiff John Berman and Defendants OpenTV Corp., Liberty  
 24 Media Corporation, and Wink Communications, Inc. respectfully submit the following Notice of  
 25 Continuance of Hearing on Defendants' Motion for Partial Summary Judgment.

26 On August 20, 2010, Defendants OpenTV Corp., Liberty Media Corp. and Wink  
 27 Communications Inc. filed a Notice of Motion and Motion for Partial Summary Judgment.  
 28 Defendants' Motion is set currently for hearing September 24, 2010 at 9:00 a.m.

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Plaintiff John Berman states that he has a conflict on September 24, 2010 and is unable to attend the hearing at that time. Good cause exists to modify the hearing date, and Plaintiff states that this request is not made for the purposes of delay. The parties further have conflicts October 1, 2010.

Accordingly, the parties have agreed to continue the hearing on Defendants' Motion until **October 8, 2010 at 9:00 a.m.** The parties have further agreed that Plaintiff's opposition to the Motion will be due September 10, 2010, and Defendants' reply will be due September 24, 2010.

A proposed order continuing the hearing is attached.

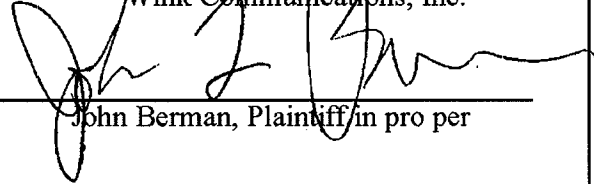
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DATED: August 26, 2010

Respectfully submitted,  
BAKER BOTTS L.L.P.

By: 

Kevin E. Cadwell  
Attorneys for Open TV Corp.,  
Liberty Media Corporation and  
Wink Communications, Inc.

  
John Berman, Plaintiff in pro per