

1 James A. Quadra (SBN 131084)
2 jquadra@calvoclarck.com
3 **CALVO & CLARK, LLP**
4 One Lombard Street, Second Floor
5 San Francisco, California 94111
6 Telephone: (415) 374-8370
7 Facsimile: (415) 374-8373

8 Rosemary M. Rivas (State Bar No. 209147)
9 rrivas@finkelsteinthompson.com
10 Danielle A. Stoumbos (State Bar No. 264784)
11 dstoumbos@finkelsteinthompson.com
12 **FINKELSTEIN THOMPSON LLP**
13 100 Bush Street, Suite 1450
14 San Francisco, California 94104
15 Telephone: (415) 398-8700
16 Facsimile: (415) 398-8704

17 James Pizzirusso (*admitted pro hac vice*)
18 jpizzirusso@hausfeldllp.com
19 **HAUSFELD LLP**
20 1700 K. Street NW, Suite 650
21 Washington, DC 20006
22 Telephone: (202) 540-7200
23 Facsimile: (202) 540-7201

24 *Interim Co-Lead Counsel*

25 **UNITED STATES DISTRICT COURT**
26 **NORTHERN DISTRICT OF CALIFORNIA**

27 In Re Sony PS3 "Other OS" Litigation

28 Case No. CV-10-1811-RS

STATEMENT OF RECENT DECISION

**[Related to Plaintiffs' Opposition to
Defendant Sony Computer Entertainment
America LLC's Motion to Dismiss
Plaintiffs' First Amended Complaint
(Docket No. 168)]**

29 On August 22, 2011, the United States Court of Appeals for the Ninth Circuit (the "Ninth
30 Circuit") issued its written opinion in three related cases: *Stearns v. Ticketmaster Corp., et al.*,
31 No. 08-56065 (9th Cir. Aug. 22, 2011); *Johnson et al. v. Ticketmaster Corp., et al.*, No. 09-
32 56126 (9th Cir. Aug. 22, 2011); *Mancini et al., v. Ticketmaster Corp., et al.*, No. 10-55341 (9th

1 Cir. Aug. 22, 2011) (collectively, "*Stearns v. Ticketmaster Corp.*"). Plaintiffs attach a true and
2 correct copy of this decision as Exhibit 1.

3 The Ninth Circuit issued this opinion after Plaintiffs filed their Opposition to Defendant
4 Sony Computer Entertainment America LLC's Motion To Dismiss Plaintiffs' First Amended
5 Complaint (Docket No. 173). The Court took the matter under submission on July 21, 2011
6 (Docket No. 179).

7 Dated: August 23, 2011

Respectfully submitted:

8
9 /s/ Rosemary M. Rivas
10 Rosemary M. Rivas
11 Danielle A. Stoumbos
12 **FINKELSTEIN THOMPSON LLP**
13 100 Bush Street, Suite 1450
San Francisco, California 94104
Telephone: 415-398-8700
Facsimile: 415-398-8704

14 Douglas G. Thompson
15 **FINKELSTEIN THOMPSON LLP**
16 1050 30th Street, NW
Washington, DC 20007
17 Telephone: 202-337-8000
Facsimile: 202-337-8090

18 James A. Quadra
19 Rebecca Coll
20 **CALVO FISHER & JACOB, LLP**
21 One Lombard Street, Second Floor
San Francisco, California 94111
Telephone: 415-374-8370
Facsimile: 415-374-8373

22 James Pizzirusso (*pro hac vice*)
23 **HAUSFELD LLP**
24 1700 K St., NW, Suite 650
Washington, DC 20006
25 Telephone: 202-540-7200
Facsimile: 202-540-7201

26 Michael P. Lehman
27 **HAUSFELD LLP**

1 44 Montgomery Street, Suite 3400
2 San Francisco, California 94104
3 Telephone: 415-633-1908
4 Facsimile: 415-358-4980

5 *Co-Interim Lead Counsel for Plaintiffs*

6 Bruce L. Simon
7 **PEARSON, SIMON, WARSHAW &
8 PENNY, LLP**

9 44 Montgomery Street, Suite 2450
10 San Francisco, California 94104
11 Telephone: 415-433-9000
12 Facsimile: 415-433-9008

13 Daniel L. Warshaw
14 **PEARSON, SIMON, WARSHAW &
15 PENNY, LLP**

16 15165 Ventura Boulevard, Suite 400
17 Sherman Oaks, California 91403
18 Telephone: 818-788-8300
19 Facsimile: 818-788-8104

20 Joseph G. Sauder
21 Matthew D. Schelkopf
22 Benjamin F. Johns
23 **CHIMICLES & TIKELLIS LLP**

24 One Haverford Centre
25 361 W. Lancaster Ave.
26 Haverford, Pennsylvania 19041
27 Telephone: 610-642-8500
28 Facsimile: 610-649-3633

Ralph B. Kalfayan
**KRAUSE, KALFAYAN, BENINK &
SLAVENS, LLP**

625 Broadway, Suite 635
San Diego, California 92101
Telephone: 619-232-0331
Facsimile: 619-232-4019

Jeffrey Carton (*pro hac vice*)
D. Greg Blankinship (*pro hac vice*)
**MEISELMAN, DENLEA, PACKMAN,
CARTON & EBERZ PC**
1311 Mamaroneck Avenue

1 White Plains, New York 10605
2 Telephone: 914-517-5055
3 Facsimile: 914-517-5055

4 John R. Fabry
5 **BAILEY & GALYEN**
6 18333 Egret Bay Blvd., Suite 444
7 Houston, Texas 77058
8 Telephone: 281-335-7744
9 Facsimile: 281-335-5871

10 Guri Ademi
11 Shpetim Ademi
12 David J. Syrios
13 John D. Blythin
14 **ADEMI & O'REILLY LLP**
15 3620 East Layton Ave.
16 Cudahy, Wisconsin 53110
17 Telephone: 866.264.3995
18 Facsimile: 414.482.8001

19 Ben Barnow
20 **BARNOW & ASSOCIATES PC**
21 One North LaSalle Street
22 Suite 4600
23 Chicago, Illinois 60602
24 Telephone: 312-621-2000
25 Facsimile: 312-641-5504

26 Lance A. Harke
27 Howard Bushman
28 **HARKE CLASBY & BUSHMAN**
9699 NE Second Ave.
Miami, FL 33138
Telephone: 305-536-8220
Facsimile: 305-536-8229

Robert C. Schubert
Willem F. Jonckheer
Jason Andrew Pikler
SCHUBERT JONCKHEER & KOLBE LLP
Three Embarcadero Center
Suite 1650
San Francisco, California 94111
Telephone: 415-788-4220
Facsimile: 415-788-0161

Plaintiffs' Counsel

1 **CERTIFICATE OF SERVICE**

2 I, Julia Dito, declare as follows:

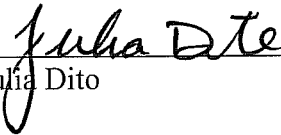
3 I am employed by Finkelstein Thompson, 100 Bush Street, Suite 1450, San Francisco,
4 California 94104. I am over the age of eighteen years and am not a party to this action. On
5 August 23, 2011, I served the following document(s):

6 **1. STATEMENT OF RECENT DECISION BY THE NINTH CIRCUIT**



BY CM/ECF ELECTRONIC SERVICE: Electronically filing the foregoing
with the Clerk of the Court using the CM/ECF system sent notification of such
filing to the e-mail addresses of registered participants.

9
10
11 I declare under penalty of perjury under the laws of the State of California that the above
12 is true and correct. Executed this 23rd day of August 2011 at San Francisco, California.

13
14 
15 _____
16 Julia Dito
17
18
19
20
21
22
23
24
25
26
27
28