

1 LUANNE SACKS, Bar No. 120811
 luanne.sacks@dlapiper.com
 2 CARTER OTT, Bar No. 221660
 carter.ott@dlapiper.com
 3 **DLA PIPER LLP (US)**
 555 Mission Street, Suite 2400
 4 San Francisco, CA 94105
 Tel: 415.836.2500
 5 Fax: 415.836.2501

6 JOSEPH COLLINS
Appearing Pro Hac Vice
 7 joseph.collins@dlapiper.com
DLA PIPER LLP (US)
 8 203 North LaSalle Street, Suite 1900
 Chicago, IL 60601
 9 Tel: 312.368.4000
 Fax: 312.236.7516

10 Attorneys for Defendant SONY COMPUTER
 11 ENTERTAINMENT AMERICA LLC and Non-
 Party SONY NETWORK ENTERTAINMENT
 12 INTERNATIONAL LLC.

13 UNITED STATES DISTRICT COURT
 14 NORTHERN DISTRICT OF CALIFORNIA
 15 SAN FRANCISCO DIVISION

16 IN RE SONY PS3 OTHER OS
 17 LITIGATION

Case No.: C 10-1811 RS

18 **DECLARATION OF CARTER OTT IN**
SUPPORT OF ADMINISTRATIVE
MOTION TO CONSIDER WHETHER
CASES SHOULD BE RELATED

19 (CIVIL LOCAL RULES 3-12 AND 7-11)

20
 21
 22 HENRY GARCIA, on behalf of himself,
 all others similarly situated and the general
 23 public,

Case No.: C 11-2246 RS

24 Plaintiff,

25 v.

26 SONY COMPUTER ENTERTAINMENT
 AMERICA LLC and ACTIVISION
 BLIZZARD, INC.,

27 Defendants.
 28

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

I, Carter Ott, hereby declare as follows:

1. I am an attorney admitted to practice law in the State of California and authorized to practice before this Court. I am an associate with the law firm of DLA Piper LLP (US) and counsel for defendant Sony Computer Entertainment America LLC (“SCEA”) in the above-captioned actions and for non-party Sony Network Entertainment International LLC (“SNEI”). I have personal knowledge of the matters contained herein and, if called as a witness, I could and would competently testify to the following.

2. This declaration is submitted in support of SCEA and SNEI’s Administrative Motion to Relate Actions.

3. Attached hereto as Exhibit A is a true and correct copy of an order reassigning *Garcia v. Sony Computer Entertainment America LLC, et al.*, Case No. 3:11-cv-02246-RS to United States District Court Judge Richard Seeborg on May 16, 2011.

4. Attached hereto as Exhibit B is a true and correct copy of the Class Action Complaint filed in *Garcia v. Sony Computer Entertainment America LLC, et al.* on May 6, 2011 in the Northern District of California.

5. Attached hereto as Exhibit C is a true and correct copy of the Class Action Complaint filed in *Fineman v. Sony Network Entertainment International LLC, et al.*, Case No. 11-cv-05680 on November 28, 2011 in the Northern District of California.

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct to the best of my knowledge, and that this Declaration is executed on December 22, 2011, at Sacramento, California.

/s/ Carter Ott

CARTER OTT