

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

**DECLARATION OF MIKE SCOTT IN  
SUPPORT OF ADMINISTRATIVE  
MOTION TO CONSIDER WHETHER  
CASES SHOULD BE RELATED**

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

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

Case No.: C 11-2246 RS

24 Plaintiff,

v.

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

27 Defendants.  
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I, Mike Scott, 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), 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. On Thursday, December 22, 2011, I spoke by telephone with Alan J. Cooper, counsel for plaintiff Stephen Fineman in *Fineman v. Sony Network Entertainment International LLC, et al.*, Case No. 11-cv-05680 ("*Fineman*"), to determine whether plaintiff would stipulate to SCEA and SCEI's administrative motion to relate the *Fineman* matter to *In re Sony PS3 Other OS Litigation*, Case No. 10-cv-1811-RS ("*Other OS*") and *Garcia v. Sony Computer Entertainment America, LLC, et al.*, Case No. 11-cv-02246-RS ("*Garcia*"). Mr. Cooper informed me that counsel for plaintiff would respond on or before Tuesday, December 27, 2011.

3. On Tuesday, December 27, 2011, I spoke by telephone with Lee A. Weiss, counsel for plaintiff Stephen Fineman. Mr. Weiss informed me that plaintiff would not stipulate to SCEA and SCEI's administrative motion to relate *Fineman* to *Other OS* and *Garcia*.

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 27, 2011, at San Francisco, California.



MIKE SCOTT