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9 **UNITED STATES DISTRICT COURT**
 10 **NORTHERN DISTRICT OF CALIFORNIA**
 11 **SAN JOSE DIVISION**

12 Viacom International Inc., *et al.*,

13 Plaintiffs,

14 v.

15 YouTube, Inc. *et al.*,

16 Defendants.

Miscellaneous Action
 Case No. 08-MC-80211-JF-PVT

**[proposed] ORDER MODIFYING THE
 JANUARY 14, 2009 ORDER
 GRANTING YOUTUBE'S MOTION
 TO COMPEL**

18 The Football Association Premier League Limi-
 19 ted, *et al.*,

20 Plaintiffs,

21 v.

22 YouTube, Inc. *et al.*,

23 Defendants.

1 The Court having fully considered BayTSP's Objection to the January 14, 2009
2 Order re YouTube Subpoena, the papers filed in response to those objections and any oral
3 argument presented, finds that the standards of Fed. R. Civ. P. 72(a) have been met and
4 that the Order should be modified. As such:

5 IT IS HEREBY ORDERED that the January 14 Order Granting YouTube's
6 Motion to Compel is modified as follows:

7 YouTube's Motion to Compel is DENIED to the extent that it sought to compel
8 the production of documents related to BayTSP's clients other than the plaintiffs in the
9 SDNY Actions, and to the extent it sought to compel the production of documents related
10 to monitoring activities and services other than the monitoring of YouTube.com. All of
11 the requests in the subpoena are limited to documents and communications related to
12 YouTube, BayTSP and the plaintiffs in the SDNY Actions. Furthermore, all of the
13 requests in the subpoena are limited to documents and communications directly related to
14 BayTSP's services for monitoring YouTube.com.

15 The portion of the January 14 Order requiring BayTSP to identify non-Viacom
16 clients is vacated.

17 All other findings and rulings in the January 14 Order are affirmed. To the extent
18 any provision in the January 14 Order and this Order conflict, this Order shall control.

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21 DATED: February __, 2009

By _____
Honorable Judge Jeremy Fogel
United States District Court Judge
Northern District of California

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