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Viacom International Inc. et al v. YouTube, Inc. et al

SECOND RENOTICE OF MOTION AND MOTION 1 TO THE COURT, BAYTSP.COM, INC., AND PARTIES AND COUNSEL OF RECORD 2 3 IN THE UNDERLYING ACTION, VIACOM INTERNATIONAL INC. v. YOUTUBE, INC., 4 S.D.N.Y. CASE NO. 1:07-CV-02103 (LLS): 5 PLEASE TAKE NOTICE THAT Defendants YouTube, Inc., YouTube, LLC, and Google 6 Inc. (collectively, "YouTube"), hereby move the court for an order compelling BayTSP.com, Inc. 7 ("BayTSP") to comply with the subpoena duces tecum ("Subpoena") issued out of this court on 8 September 27, 2007, pursuant to Rule 45 of the Federal Rules of Civil Procedure. Baum Decl., 9 Ex. A, Subpoena, Sept. 27, 2007. The hearing has been reset for December 9, 2008 at 10:00 a.m. before the Honorable Judge 10 11 Patricia V. Trumbull, Courtroom 5, 4th Floor, in the United States District for the Northern 12 District of California, 280 South First Street, San Jose, California, or as soon thereafter as the 13 parties may be heard. 14 15 November 4, 2008 Respectfully submitted, MAYER BROWN LLP 16 By: /s/ Brandon Baum 17 **Brandon Baum** Attorneys for Defendants YOUTUBE, INC., YOUTUBE, LLC, 18 and GOOGLE INC. 19 20 Filer's Attestation: Pursuant to General Order No. 45, Section X(B), the filer hereby attests that the signatory's concurrence in the filing of this document has been obtained. 21 22 23 24 25 26 27

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