

UNITED STATES DISTRICT COURT FOR THE
DISTRICT OF COLUMBIA

FOX TELEVISION STATIONS, INC., et al.

Plaintiffs,

v.

AEREOKILLER LLC, et al.

Defendants.

Civil Action No. 1:13-cv-00758-RMC
Hon. Rosemary M. Collyer

**JOINT STIPULATION REGARDING (1) SCHEDULING FOR
PLAINTIFFS' JOINT MOTION FOR PRELIMINARY INJUNCTION AND
(2) CONTINUANCE OF SEPTEMBER 3, 2013 INITIAL SCHEDULING
CONFERENCE**

Plaintiffs¹ and Defendants² in this action hereby mutually request that this Court, for the reasons stated herein, (1) set a September 20, 2013 hearing date for Plaintiffs' Joint Motion for Preliminary Injunction (the "Motion," which is filed concurrently herewith), pursuant to the briefing schedule set forth below, and (2) continue the September 3, 2013 scheduling conference to take place on the same day as the hearing on the Motion

WHEREAS, counsel for Plaintiffs advised counsel for Defendants that Plaintiffs will be filing the Motion, and they met and conferred about the Motion and scheduling;

WHEREAS, counsel for Plaintiffs and Defendants are scheduled to present oral argument in an appeal pending before the United States Court of Appeals for the Ninth Circuit on August 27, 2013;

WHEREAS, counsel for Plaintiffs and Defendants have conferred with respect to a mutually convenient hearing date for the Motion taking into consideration the August 27, 2013 oral argument, their other existing commitments, and information about the Court's calendar in September;

WHEREAS, the proposed hearing date below has been agreed to by all parties;

WHEREAS, the briefing schedule set forth below has been agreed to by all parties;

WHEREAS, the Court issued an order on July 17, 2013, setting the Initial Scheduling Conference for September 3, 2013; and

¹ Plaintiffs are Fox Television Stations, Inc., Twentieth Century Fox Film Corporation, Fox Broadcasting Company, NBC Subsidiary (WRC-TV) LLC, NBC Studios LLC, Universal Network Television, LLC, Open 4 Business Productions LLC, Telemundo Network Group LLC, American Broadcasting Companies, Inc., Disney Enterprises, Inc., CBS Broadcasting Inc., CBS Studios Inc., Allbritton Communications Company, and Gannett Co., Inc.

² Defendants are FilmOnX LLC (f/k/a Aereokiller LLC), FilmOn.TV Networks, Inc., FilmOn.TV, Inc., and FilmOn.com, Inc.

WHEREAS, the parties mutually request that the Initial Scheduling Conference be continued to take place on the same day as the hearing on the Motion;

THE PARTIES THEREFORE STIPULATE AND AGREE AS FOLLOWS, SUBJECT TO THE COURT'S APPROVAL:

The Motion shall be heard by this Court on September 20, 2013. If the Motion cannot be heard on September 20, the parties request either a short telephonic conference to set the hearing date or alternatively that counsel for Plaintiffs be provided with available hearing dates and instructed to confer with Defendants' counsel regarding a mutually convenient date for the hearing.

Defendants shall have two weeks after ECF service of the Motion to file their Opposition, and Plaintiffs shall file their Reply Brief in Support of the Motion eight (8) court days after ECF service of Defendants' reply papers.

The Initial Scheduling Conference shall be continued from September 3, 2013, to September 20, 2013, or any other date that is set for the hearing on the Motion.

IT IS SO STIPULATED.

[signatures on next page]

Dated: August 1, 2013

JENNER & BLOCK LLP

By: 

Julie A. Shepard
Attorneys for Plaintiffs

Dated: August 1, 2013

ARNOLD & PORTER LLP

By: _____

John C. Ulin
Attorneys for Plaintiffs

Dated: August 1, 2013

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Ryan Baker
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