UNITED STATES DISTRICT COURT FOR THE
DISTRICT OF COLUMBIA

FOX TELEVISION STATIONS, INC., et al.

Plaintiffs/Counter-Defendants,

v.

FILMON X, LLC, et al.

Defendants/Counter-Plaintiffs.

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

DEFENDANTS/COUNTER-PLAINTIFFS' REQUEST FOR JUDICIAL NOTICE

Pursuant to Federal Rule of Evidence 201, defendants FilmOn X, et al.[1], hereby request that the Court take judicial notice of the court docket in the Ninth Circuit appeal pending between the parties, *Fox Television Stations, Inc., et al. v. FilmOn X, LLC, et al.*, Case Nos. 13-55156, showing that certain media and consumer advocacy groups have filed amicus briefs in support of FilmOn X in that pending appeal[2]. Federal Rule of Evidence 201 provides for judicial notice of facts that are not subject to reasonable dispute and is appropriate when the fact is "capable of accurate and ready determination by resort to sources whose accuracy cannot reasonably be questioned." *United States v. Philip Morris USA, Inc.*, 2004 WL 5355971 (D.D.C. Aug. 2, 2004) (granting the plaintiff's request for judicial notice of facts which are capable of "'accurate and ready' verification"); *Covad Communications Co. v. Bell Atlantic Corp.*, 407 F.3d 1220, 1222 (D.C.Cir.2005) (permitting judicial notice of facts in public records of other proceedings); *Jones v. Lieber*, 579 F. Supp. 2d 175, 179 (D.D.C. 2008) *aff'd sub nom. Jones v. Horne*, 634 F.3d 588 (D.C. Cir. 2011) (same).

FilmOn X seeks judicial notice of the above referenced docket report to show that the following identified consumer and media advocacy groups filed amici briefs in support FilmOn X's appeal and/or reversal of the Central District of California's grant of a preliminary injunction against FilmOn X.

- **Brief Amicus Curiae of Electronic Frontier Foundation (Dkt # 21)**
- **Brief Amicus Curiae of the Consumer Federation of America (Dkt # 19)**
- **Brief Amicus Curiae of the Computer & Communications Industry Ass'n (Dkt # 22)**

[1] The defendants in the action are Aereokiller LLC, FilmOn.TV Networks, Inc., FilmOn.TV, Inc. and FilmOn.com, Inc. Aereokiller LLC is now called FilmOn X, LLC pursuant to the State of Delaware Certificate of Amendment filed on May 31, 2013. All defendants in this action shall be referred to collectively as "FilmOn X."

[2] The underlying action is *Fox Television Stations, Inc. v. BarryDriller Content Sys. PLC.*, 915 F. Supp. 2d 1138 (C.D. Cal. 2012).

Based on the foregoing, FilmOn X respectfully requests that the Court grant FilmOn X's Request for Judicial Notice.

Dated: August 15, 2013

BAKER MARQUART LLP

By: /s/ Ryan G. Baker

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EXHIBIT A

General Docket
United States Court of Appeals for the Ninth Circuit

Court of Appeals Docket #: 13-55156 **Docketed:** 01/25/2013
Nature of Suit: 3820 Copyright
Fox Television Stations, Inc, et al v. FilmOn X, LLC, et al
Appeal From: U.S. District Court for Central California, Los Angeles
Fee Status: Paid

Case Type Information:
1) civil
2) private
3) null

Originating Court Information:
District: 0973-2 : 2:12-cv-06921-GW-JC
Court Reporter: Blanca Carvajal
Trial Judge: George H. Wu, District Judge
Date Filed: 08/10/2012

Date Order/Judgment:	Date Order/Judgment EOD:	Date NOA Filed:	Date Rec'd COA:
12/27/2012	12/27/2012	01/25/2013	01/25/2013

Prior Cases:
None

Current Cases:

	Lead	Member	Start	End
Consolidated				
	13-55156	13-55157	02/13/2013	
Cross-Appeal				
	13-55156	13-55226	02/07/2013	
	13-55157	13-55228	02/08/2013	

FOX TELEVISION STATIONS, INC
Plaintiff - Appellee,

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TWENTIETH CENTURY FOX FILM CORPORATION Plaintiff - Appellee,	Steven Bernard Fabrizio, Esquire Direct: 202-639-6040 [COR LD NTC Retained] (see above) Kenneth D. Klein, Esquire, Attorney Direct: 213-239-2204 [COR LD NTC Retained] (see above) Julie A. Shepard, Esquire, Trial Attorney Direct: 213-239-2207 [COR LD NTC Retained] (see above) Richard Lee Stone, Esquire, Regional Counsel Direct: 213-239-2203 [COR LD NTC Retained] (see above) Amy Marshall Gallegos Direct: 213-239-5136 [COR NTC Retained] (see above) Paul March Smith, Esquire, Attorney Direct: 202-639-6000 [COR NTC Retained] (see above)
FOX BROADCASTING COMPANY, INC. Plaintiff - Appellee,	Steven Bernard Fabrizio, Esquire Direct: 202-639-6040 [COR LD NTC Retained] (see above) Kenneth D. Klein, Esquire, Attorney Direct: 213-239-2204 [COR LD NTC Retained] (see above) Julie A. Shepard, Esquire, Trial Attorney Direct: 213-239-2207 [COR LD NTC Retained] (see above) Richard Lee Stone, Esquire, Regional Counsel Direct: 213-239-2203

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(see above)

v.

AEREOKILLER, LLC
Terminated: 06/18/2013
Defendant - Appellant,

FILMON X, LLC
Defendant - Appellant,

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(see above)

Ryan Geoffrey Baker
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Jaime Wayne Marquart, Attorney
[COR LD NTC Retained]
(see above)

FILMON.TV NETWORKS, INC.
Defendant - Appellant,

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(see above)

Ryan Geoffrey Baker
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FILMON.TV, INC.
Defendant - Appellant,

Christian Anstett, Attorney
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Ryan Geoffrey Baker

	Ryan Geoffrey Baker [COR LD NTC Retained] (see above) Jaime Wayne Marquart, Attorney [COR LD NTC Retained] (see above)
FILMON.COM, INC. Defendant - Appellant,	Christian Anstett, Attorney [COR LD NTC Retained] (see above) Ryan Geoffrey Baker [COR LD NTC Retained] (see above) Jaime Wayne Marquart, Attorney [COR LD NTC Retained] (see above)

CONSUMER FEDERATION OF AMERICA Amicus Curiae,	Peter Jaszi Direct: 240-605-1934 [COR LD NTC Retained] 5402 Surrey Street Chevy Chase, MD 208155527
AEREO, INC. Amicus Curiae - Pending,	Seth David Greenstein Direct: 202-204-3514 [COR LD NTC Retained] CONSTANTINE CANNON LLP Suite 1050 East 1301 K Street NW Washington, DC 20005
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THE MEDIA INSTITUTE Amicus Curiae - Pending,	Rodney Alan Smolla Direct: 864-373-3882 [COR NTC Retained] 1209 Roe Ford Road Greenville, SC 29617
COMPUTER & COMMUNICATIONS INDUSTRY ASSOCIATION (CCIA) Amicus Curiae,	David H. Kramer, Esquire, Attorney Direct: 650-493-9300 [COR LD NTC Retained] Wilson Sonsini Goodrich & Rosati 650 Page Mill Road Palo Alto, CA 94304-1050
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NATIONAL ASSOCIATION OF BROADCASTERS, ABC TELEVISION AFFILIATES ASSOCIATION; CBS TELEVISION	Robert Allen Long, Jr., Esquire, Attorney Direct: 202-662-5612

NETWORK AFFILIATES ASSOCIATION; NBC TELEVISION AFFILIATES AND FBC TELEVISION AFFILIATES ASSOCIATION Amicus Curiae,	[COR LD NTC Retained] COVINGTON & BURLING LLP 1201 Pennsylvania Avenue, N.W. Washington, DC 20004-2401
RALPH OMAN, The Former Register of Copywright of the United States of America Amicus Curiae - Pending,	Ralph Oman Direct: 202-994-2122 [NTC Pro Se] George Washington University Law School 2000 H Street NW Washington, DC 20052
NATIONAL BASKETBALL ASSOCIATION, NBA MEDIA VENTURES, LLC; NBA PROPERTIES, INC.; NATIONAL FOOTBALL LEAGUE; NATIONAL HOCKEY LEAGUE; OFFICE OF THE COMMISSIONER OF BASEBALL Amicus Curiae,	Anthony J. Dreyer Direct: 212-735-3097 [COR LD NTC Retained] Skadden, Arps, Slate, Meagher & Flom LLP 30-430 Four Times Square New York, NY 10036 Anthony Segall Direct: 626-796-7555 [COR NTC Retained] Rothner, Segall & Greenstone 510 South Marengo Avenue Pasadena, CA 91101-3115
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AMERICAN SOCIETY OF COMPOSERS, AUTHORS & PUBLISHERS, BROADCAST MUSIC, INC.; NATIONAL MUSIC PUBLISHERS ASSOCIATION; ASSOCIATION OF INDEPENDENT MUSIC PUBLISHERS; CHURCH MUSIC PUBLISHERS ASSOCIATION; RECORDING INDUSTRY ASSOCIATION OF AMERICA; RECORDING ACADEMY; SESAC, INC.; SOCIETY OF COMPOSERS & LYRICISTS; SONGWRITERS GUILD OF AMERICA, INC.; SOUNDEXCHANGE, INC.	Russell J. Frackman, Esquire, Attorney Direct: 310-312-3119 [COR LD NTC Retained] MITCHELL SILBERBERG & KNUPP, LLP 11377 West Olympic Boulevard Los Angeles, CA 90064 J. Matthew Williams

Amicus Curiae,	Direct: 202-355-7904 [COR NTC Retained] Mitchell Silberberg & Knupp LLP 1818 N Street, NW, 8th Floor Washington, DC 20036
CABLEVISION SYSTEMS CORPORATION Amicus Curiae,	Jeffrey A. Lamken Direct: 202-556-2000 [COR LD NTC Retained] MoloLamken LLP 600 New Hampshire Avenue, N.W. Suite 660 Washington, DC 20037
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FOX TELEVISION STATIONS, INC; TWENTIETH CENTURY FOX FILM CORPORATION; FOX BROADCASTING COMPANY, INC.,

Plaintiffs - Appellees,

v.

FILMON X, LLC; ALKIVIADES DAVID; FILMON.TV NETWORKS, INC.; FILMON.TV, INC.; FILMON.COM, INC.,

Defendants - Appellants.

01/25/2013	1 12 pg, 482.44 KB	DOCKETED CAUSE AND ENTERED APPEARANCES OF COUNSEL. SEND MQ: Yes. Referred to MOATT pursuant to FRAP 3-3. PRELIMINARY INJUNCTION APPEAL [8489093] (BG)
01/25/2013	2 2 pg, 429.87 KB	Filed representation notice of Jaime W. Marquart for Appellants. Served on 01/25/2013. [8489134] (BG)
01/28/2013	3 2 pg, 30.31 KB	Filed clerk order (Deputy Clerk: DEV): The appeal filed January 25, 2013 is a preliminary injunction appeal. Accordingly, Ninth Circuit Rule 3-3 shall apply. The mediation questionnaire is due three days after the date of this order. If they have not already done so, within 7 calendar days after the filing date of this order, the parties shall make arrangements to obtain from the court reporter an official transcript of proceedings in the district court that will be included in the record on appeal. The briefing schedule shall proceed as follows: the opening brief and excerpts of record are due not later than February 22, 2013; the answering brief is due March 22, 2013 or 28 days after service of the opening brief, whichever is earlier; and the optional reply brief is due within 14 days after service of the answering brief. See 9th Cir. R. 3-3(b). Failure to file timely the opening brief shall result in the automatic dismissal of this appeal by the Clerk for failure to prosecute. See 9th Cir. R. 42-1. [8491187] (WL)
01/31/2013	4 4 pg, 54.74 KB	Filed (ECF) Appellees Fox Broadcasting Company, Inc., Fox Television Stations, Inc and Twentieth Century Fox Film Corporation Mediation Questionnaire. Date of service: 01/31/2013. [8495396] (RLS)
01/31/2013	5 5 pg, 193.88 KB	Filed (ECF) Appellants Aereokiller, LLC, Alkiviades David, FilmOn.TV Networks, Inc., FilmOn.TV, Inc. and FilmOn.com, Inc. Mediation Questionnaire. Date of service: 01/31/2013. [8496173] (JWM)
02/07/2013	6 8 pg, 93.88 KB	DOCKETED CAUSE AND ENTERED APPEARANCES OF COUNSEL. SEND MQ: No. Referred to MOATT pursuant to FRAP 3-3. PRELIMINARY INJUNCTION CROSS-APPEAL. [8505104] [13-55226, 13-55156] (JN)
02/07/2013	7 2 pg, 328.4 KB	Received Appellants' Representation Statement on Cross-Appeal. Served on 02/07/2013. [8505155] (JN)
02/12/2013	8 3 pg, 31.14 KB	Filed (ECF) Appellants Aereokiller, LLC, Alkiviades David, FilmOn.TV Networks, Inc., FilmOn.TV, Inc. and FilmOn.com, Inc. in 13-55156, Appellees Aereokiller, LLC, Alkiviades David, FilmOn.TV Networks, Inc., FilmOn.TV, Inc. and FilmOn.com, Inc. in 13-55226 Motion to consolidate cases 13-55156, 13-55157, 13-55226, 13-55228. Date of service: 02/12/2013. [8511500] [13-55156, 13-55226] (JWM)
02/13/2013	9 2 pg, 29.4 KB	Filed clerk order (Deputy Clerk: KE): Appellants' unopposed motion to consolidate preliminary injunction appeals No. 13-55156 and No. 13-55157 is granted. Appellants' unopposed motion to revise the briefing schedule is granted. The following briefing schedule governs these cross-appeals: appellants' principal brief is due March 15, 2013; appellees' principal/response briefs are due April 12, 2013; appellants' reply/response brief is due May 10, 2013; and appellees' optional reply briefs are due within 14 days after service of the third cross-appeal brief. All parties on a side are encouraged to join in a single brief to the greatest extent practicable. See 9th Cir. R. 28-4. [8511687] [13-55156, 13-55226, 13-55157, 13-55228][COURT UPDATE: Order Attached, Resent NDA,- Edited 02/14/2013 by BY] (WL)
03/12/2013	10 2 pg, 37.03 KB	Received copy of District Court order filed on 03/04/2013.Stipulation to correct the record for consolidated cross-appeals [8547107] [13-55156, 13-55157, 13-55228, 13-55226] (JFF)
03/15/2013	11 2746 pg, 169.34 MB	Submitted (ECF) First Brief on Cross-Appeal Brief and excerpts of record for review. Submitted by Appellants Aereokiller, LLC, Alkiviades David, FilmOn.TV Networks, Inc., FilmOn.TV, Inc. and FilmOn.com, Inc. in 13-55156, Appellants Aereokiller, LLC, FilmOn.TV Networks, Inc., FilmOn.TV, Inc. and FilmOn.com, Inc. in 13-55157, Appellees Aereokiller, LLC, Alkiviades David, FilmOn.TV Networks, Inc., FilmOn.TV, Inc. and FilmOn.com, Inc. in 13-55226, Appellees Aereokiller, LLC, FilmOn.TV Networks, Inc., FilmOn.TV, Inc. and FilmOn.com, Inc. in 13-55228. Date of service: 03/15/2013. [8553514] [13-55156, 13-55157, 13-55228, 13-55226]--[COURT UPDATE: Edited docket text to reflect correct brief type. Resent NDA. 03/18/2013 by RY] (RGB)
03/15/2013	13 36 pg, 1.87 MB	Received Appellants/ Cross-Appellees' notice of filing excerpts of record under seal, with protective orders attached. [8554164] [13-55156, 13-55157, 13-55228, 13-55226] (JB)
03/15/2013	14 2 pg, 198.84 KB	Received Appellants/ Cross-Appellees' excerpts of record UNDER SEAL in 2 volumes (entitled Vols. 11 and 12). Deficiencies: insufficient copies of excerpts of record. Notified counsel (See attached notice). [8554184] [13-55156, 13-55157, 13-55228, 13-55226] (JB)
03/18/2013	15 2 pg, 90.01 KB	Filed clerk order: The first brief on cross-appeal [11] submitted by appellants/ cross-appellees is filed. Within 7 days of the filing of this order, filer is ordered to file 7 copies of the brief in paper format, accompanied by certification, attached to the end of each copy of the brief, that the brief is identical to the version submitted electronically. Cover color: blue. The paper copies shall be printed from the PDF version of the brief created from the word processing application, not from PACER or Appellate ECF. The Court has reviewed the excerpts of record [11] submitted by appellants/ cross-appellees. Within 7 days of this order, filer is ordered to file 4 copies of the excerpts in paper format, with a white cover. The

		paper copies must be in the format described in 9th Circuit Rule 30-1.6. [8554224] [13-55156, 13-55157, 13-55228, 13-55226] (JB)
03/18/2013	17	Received under seal corrected deficiency of 3 additional copies of vols. 11 and 12 of the excerpts of record from Appellants. [8559044] [13-55156, 13-55157, 13-55228, 13-55226] (JB)
03/20/2013	16	Received 7 paper copies of First Brief on Cross-Appeal brief [11] filed by Aereokiller, LLC, Alkiviades David, FilmOn.TV Networks, Inc., FilmOn.TV, Inc., FilmOn.com, Inc. and Fox Broadcasting Company, Inc., Fox Television Stations, Inc and Twentieth Century Fox Film Corporation in 13-55156, Aereokiller, LLC, FilmOn.TV Networks, Inc., FilmOn.TV, Inc. and FilmOn.com, Inc. [8558611] [13-55156, 13-55157, 13-55228, 13-55226] (DB)
03/20/2013	18	Filed Appellants' paper copies of excerpts of record [11] in 12 volumes (Vols. 11 and 12 UNDER SEAL). [8559052] [13-55156, 13-55157, 13-55228, 13-55226] (JB)
03/22/2013	19 46 pg, 497.53 KB	Submitted (ECF) Amicus brief for review (by government or with consent per FRAP 29(a)). Submitted by Consumer Federation of America. Date of service: 03/22/2013. [8561404] [13-55156, 13-55157, 13-55228, 13-55226] (PJ)
03/22/2013	20 40 pg, 155.64 KB	Submitted (ECF) Amicus brief for review and filed Motion to become amicus curiae. Submitted by Aereo, Inc.. Date of service: 03/22/2013. [8561805] [13-55156, 13-55157, 13-55228, 13-55226] (SDG)
03/22/2013	21 37 pg, 263.04 KB	Submitted (ECF) Amicus brief for review (by government or with consent per FRAP 29(a)). Submitted by Electronic Frontier Foundation. Date of service: 03/22/2013. [8561968]–[COURT UPDATE: Spread docket text to 13-55228, 13-55226, 13-55157. Resent NDA. 03/25/2013 by RY] (MS)
03/22/2013	22 32 pg, 84.8 KB	Submitted (ECF) Amicus brief for review (by government or with consent per FRAP 29(a)). Submitted by The Computer & Communications Industry Association. Date of service: 03/22/2013. [8562063] [13-55156, 13-55157, 13-55228]–[COURT UPDATE: Spread docket text to 13-55226. Resent NDA. 03/25/2013 by RY] (DHK)
03/25/2013	23	Entered appearances of Amici Curiae Consumer Federation of America, Electronic Frontier Foundation and CCIA, and Amicus Curiae - Pending Aereo, Inc. [8563227] [13-55156, 13-55157, 13-55228, 13-55226] (LA)
03/25/2013	24 2 pg, 28.46 KB	Filed clerk order: The amicus brief [19] submitted by Consumer Federation of America is filed. Within 7 days of the filing of this order, filer is ordered to file 7 copies of the brief in paper format, accompanied by certification, attached to the end of each copy of the brief, that the brief is identical to the version submitted electronically. Cover color: green. The paper copies shall be printed from the PDF version of the brief created from the word processing application, not from PACER or Appellate ECF. [8563233] [13-55156, 13-55157, 13-55228, 13-55226] (LA)
03/25/2013	25 2 pg, 28.44 KB	Filed clerk order: The amicus brief [21] submitted by Electronic Frontier Foundation is filed. Within 7 days of the filing of this order, filer is ordered to file 7 copies of the brief in paper format, accompanied by certification, attached to the end of each copy of the brief, that the brief is identical to the version submitted electronically. Cover color: green. The paper copies shall be printed from the PDF version of the brief created from the word processing application, not from PACER or Appellate ECF. [8563282] [13-55156, 13-55157, 13-55228, 13-55226] (LA)
03/25/2013	26 2 pg, 28.5 KB	Filed clerk order: The amicus brief [22] submitted by CCIA is filed. Within 7 days of the filing of this order, filer is ordered to file 7 copies of the brief in paper format, accompanied by certification, attached to the end of each copy of the brief, that the brief is identical to the version submitted electronically. Cover color: green. The paper copies shall be printed from the PDF version of the brief created from the word processing application, not from PACER or Appellate ECF. [8563294] [13-55156, 13-55157, 13-55228, 13-55226] (LA)
03/26/2013	27 4 pg, 373.72 KB	Filed (ECF) student, supervisor and dean certifications for law students Seth Dennis Sarah Leggin Bijan Madhani Kate Collins under the supervision of Peter Jaszi. (Party Amicus Curiae Consumer Federation of America) Date of service: 03/26/2013. [8564423] (PJ)
03/26/2013	28 1 pg, 231.07 KB	Filed (ECF) Amicus Curiae Consumer Federation of America client authorization form for representation by law students. Date of service: 03/26/2013. [8564459] (PJ)
03/26/2013	29	Received 7 paper copies of Amicus brief [22] filed by CCIA. [8566033] [13-55156, 13-55157, 13-55228, 13-55226] (SD)
03/28/2013	30	Received 7 paper copies of Amicus brief [19] filed by Consumer Federation of America. [8568039] [13-55156, 13-55157, 13-55228, 13-55226] (SD)
03/28/2013	31	Received 7 paper copies of Amicus brief [21] filed by Electronic Frontier Foundation. [8568046] [13-55156, 13-55157, 13-55228, 13-55226] (SD)

04/04/2013	32 7 pg, 22.59 KB	Filed (ECF) Appellees Fox Broadcasting Company, Inc., Fox Television Stations, Inc and Twentieth Century Fox Film Corporation in 13-55156, Appellants Fox Broadcasting Company, Inc., Fox Television Stations, Inc and Twentieth Century Fox Film Corporation in 13-55226 response opposing motion (,motion to become amicus). Date of service: 04/04/2013. [8578048] [13-55156, 13-55226]–[COURT UPDATE: Spread docket text to 13-55228, 13-55157. Resent NDA. 04/05/2013 by RY] (JAS)
04/04/2013	33 7 pg, 21.06 KB	Filed (ECF) Appellees American Broadcasting Companies, Inc., Big Ticket Televison, Inc., CBS Broadcasting, Inc., CBS Studios, Inc., Disney Enterprises, Inc., NBC Subsidiary KNBC-TV, LLC, NBCUniversal Media, LLC, Open 4 Business Productions, LLC, Telemundo Network Group, LLC, Universal Network Television, LLC and WNJU-TV Broadcasting, LLC in 13-55157, Appellants American Broadcasting Companies, Inc., Big Ticket Televison, Inc., CBS Broadcasting, Inc., CBS Studios, Inc., Disney Enterprises, Inc., NBC Subsidiary KNBC-TV, LLC, NBCUniversal Media, LLC, Open 4 Business Productions, LLC, Telemundo Network Group, LLC, Universal Network Television, LLC and WNJU-TV Broadcasting, LLC in 13-55228 response opposing motion (,motion to become amicus). Date of service: 04/04/2013. [8578044] [13-55157, 13-55228]–[COURT UPDATE: Spread docket text to 13-55156, 13-55226. Resent NDA. 04/05/2013 by RY] (JSB)
04/05/2013	34 65 pg, 600.22 KB	Filed (ECF) Appellants Aereokiller, LLC, Alkiviades David, FilmOn.TV Networks, Inc., FilmOn.TV, Inc. and FilmOn.com, Inc. in 13-55156, Appellants Aereokiller, LLC, FilmOn.TV Networks, Inc., FilmOn.TV, Inc. and FilmOn.com, Inc. in 13-55157, Appellees Aereokiller, LLC, Alkiviades David, FilmOn.TV Networks, Inc., FilmOn.TV, Inc. and FilmOn.com, Inc. in 13-55226, Appellees Aereokiller, LLC, FilmOn.TV Networks, Inc., FilmOn.TV, Inc. and FilmOn.com, Inc. in 13-55228 citation of supplemental authorities. Date of service: 04/05/2013. [8579940] [13-55156, 13-55157, 13-55228, 13-55226] (RGB)
04/05/2013	35 14 pg, 367.24 KB	Filed (ECF) Appellees American Broadcasting Companies, Inc., Big Ticket Televison, Inc., CBS Broadcasting, Inc., CBS Studios, Inc., Disney Enterprises, Inc., NBC Subsidiary KNBC-TV, LLC, NBCUniversal Media, LLC, Open 4 Business Productions, LLC, Telemundo Network Group, LLC, Universal Network Television, LLC and WNJU-TV Broadcasting, LLC in 13-55157, Appellants American Broadcasting Companies, Inc., Big Ticket Televison, Inc., CBS Broadcasting, Inc., CBS Studios, Inc., Disney Enterprises, Inc., NBC Subsidiary KNBC-TV, LLC, NBCUniversal Media, LLC, Open 4 Business Productions, LLC, Telemundo Network Group, LLC, Universal Network Television, LLC and WNJU-TV Broadcasting, LLC in 13-55228 Unopposed Motion to extend time to file a response until 04/26/2013, Motion to file oversized brief. Date of service: 04/05/2013. [8579966] [13-55156, 13-55157, 13-55228, 13-55226] (JSB)
04/05/2013	36 14 pg, 347.75 KB	Filed (ECF) Appellees Fox Broadcasting Company, Inc., Fox Television Stations, Inc and Twentieth Century Fox Film Corporation in 13-55156, Appellants Fox Broadcasting Company, Inc., Fox Television Stations, Inc and Twentieth Century Fox Film Corporation in 13-55226 Unopposed Motion to extend time to file a response until 04/26/2013, Motion to file oversized brief. Date of service: 04/05/2013. [8579979] [13-55156, 13-55157, 13-55228, 13-55226] (JAS)
04/10/2013	37 3 pg, 31.91 KB	Filed clerk order: (SLJ) These are preliminary injunction appeals. The motions of Aero, Inc. for leave to file a brief amicus curiae, the responses and any replies thereto, and appellants' notices of supplemental authorities are referred to the panel assigned to hear the merits of this appeal. Within 7 days after the date of this order, the prospective amicus is ordered to file 7 copies of the brief in paper format, with a green cover, accompanied by certification (attached to the end of each copy of the brief) that the brief is identical to the version submitted electronically. A sample certificate is available on the court's website, www.ca9.uscourts.gov, at the Electronic Filing-ECF link. Appellees' unopposed motion to extend time to file their joint principal/response brief is granted. Appellees' brief is now due April 26, 2013; appellants' reply/response brief is due May 28, 2013; and appellees' optional reply brief is due 14 days after service of appellants' reply/response brief. Appellees' unopposed motion to enlarge the joint principal/response brief is granted. Appellees may enlarge their brief by no more than five pages, 1,400 words, or 130 lines of monospaced text. See 9th Cir. R. 28-4. [8585521] [13-55156, 13-55157, 13-55228, 13-55226] (DEV)
04/11/2013	38 7 pg, 24.63 KB	Filed (ECF) Amicus Curiae - Pending Aereo, Inc. in 13-55156 reply to response (,motion to become amicus, ,). Date of service: 04/11/2013. [8585765] [13-55156, 13-55157, 13-55228, 13-55226] (SDG)
04/15/2013	39	Received 7 paper copies of Amicus brief [20] filed by Aereo, Inc. [8590520] [13-55156, 13-55157, 13-55228, 13-55226] (SD)
04/24/2013	40 6 pg, 18.15 KB	Filed (ECF) Appellees Fox Broadcasting Company, Inc., Fox Television Stations, Inc and Twentieth Century Fox Film Corporation in 13-55156, Appellees American Broadcasting Companies, Inc., Big Ticket Televison, Inc., CBS Broadcasting, Inc., CBS Studios, Inc., Disney Enterprises, Inc., NBC Subsidiary KNBC-TV, LLC, NBCUniversal Media, LLC, Open 4 Business Productions, LLC, Telemundo Network Group, LLC, Universal Network Television, LLC and WNJU-TV Broadcasting, LLC in 13-55157, Appellants Fox Broadcasting Company, Inc., Fox Television Stations, Inc and Twentieth Century Fox Film Corporation in 13-55226, Appellants American Broadcasting Companies, Inc., Big Ticket Televison,

		Inc., CBS Broadcasting, Inc., CBS Studios, Inc., Disney Enterprises, Inc., NBC Subsidiary KNBC-TV, LLC, NBCUniversal Media, LLC, Open 4 Business Productions, LLC, Telemundo Network Group, LLC, Universal Network Television, LLC and WNJU-TV Broadcasting, LLC in 13-55228 Correspondence: NOTICE REGARDING JOINT PRINCIPAL/RESPONSE BRIEF ON CONSOLIDATED APPEALS AND CROSS-APPEALS. Date of service: 04/24/2013 [8603755] [13-55156, 13-55157, 13-55228, 13-55226] (RLS)
04/25/2013	41 2 pg, 35.05 KB	Filed (ECF) notice of appearance of Amy M. Gallegos for Appellees Fox Broadcasting Company, Inc., Fox Television Stations, Inc and Twentieth Century Fox Film Corporation in 13-55156, Appellants Fox Broadcasting Company, Inc., Fox Television Stations, Inc and Twentieth Century Fox Film Corporation in 13-55226. Date of service: 04/25/2013. [8604572] [13-55156, 13-55157, 13-55228, 13-55226] (RLS)
04/25/2013	42 2 pg, 53.22 KB	Filed (ECF) notice of appearance of Paul M. Smith for Appellees Fox Broadcasting Company, Inc., Fox Television Stations, Inc and Twentieth Century Fox Film Corporation in 13-55156, Appellants Fox Broadcasting Company, Inc., Fox Television Stations, Inc and Twentieth Century Fox Film Corporation in 13-55226. Date of service: 04/25/2013. [8604579] [13-55156, 13-55157, 13-55228, 13-55226] (RLS)
04/25/2013	43	Added attorney Amy Marshall Gallegos, Paul March Smith for Twentieth Century Fox Film Corporation Fox Television Stations, Inc Fox Broadcasting Company, Inc., in case 13-55156. [8604981] [13-55156, 13-55157, 13-55228, 13-55226] (JFF)
04/26/2013	44 75 pg, 492.88 KB	Submitted (ECF) Second Brief on Cross-Appeal for review. Submitted by Appellees Fox Broadcasting Company, Inc., Fox Television Stations, Inc and Twentieth Century Fox Film Corporation in 13-55156, Appellants Fox Broadcasting Company, Inc., Fox Television Stations, Inc and Twentieth Century Fox Film Corporation in 13-55226. Date of service: 04/26/2013. [8607331] [13-55156, 13-55157, 13-55228, 13-55226] (RLS)
04/26/2013	45 79 pg, 190.64 KB	Submitted (ECF) Second Brief on Cross-Appeal for review. Submitted by Appellees American Broadcasting Companies, Inc., Big Ticket Televison, Inc., CBS Broadcasting, Inc., CBS Studios, Inc., Disney Enterprises, Inc., NBC Subsidiary KNBC-TV, LLC, NBCUniversal Media, LLC, Open 4 Business Productions, LLC, Telemundo Network Group, LLC, Universal Network Television, LLC and WNJU-TV Broadcasting, LLC in 13-55157, Appellants American Broadcasting Companies, Inc., Big Ticket Televison, Inc., CBS Broadcasting, Inc., CBS Studios, Inc., Disney Enterprises, Inc., NBC Subsidiary KNBC-TV, LLC, NBCUniversal Media, LLC, Open 4 Business Productions, LLC, Telemundo Network Group, LLC, Universal Network Television, LLC and WNJU-TV Broadcasting, LLC in 13-55228. Date of service: 04/26/2013. [8607386] [13-55156, 13-55157, 13-55228, 13-55226]--[COURT UPDATE: Corrected brief type, resent notice. 04/29/2013 by ASW] (JCU)
04/29/2013	46 2 pg, 92.97 KB	Filed clerk order: The second brief on cross-appeal [44] submitted by the Fox appellees/cross-appellants is filed. Within 7 days of the filing of this order, filer is ordered to file 7 copies of the brief in paper format, accompanied by certification, attached to the end of each copy of the brief, that the brief is identical to the version submitted electronically. Cover color: red. The paper copies shall be printed from the PDF version of the brief created from the word processing application, not from PACER or Appellate ECF. [8608687] [13-55156, 13-55157, 13-55228, 13-55226] (LA)
04/29/2013	47 2 pg, 92.8 KB	Filed clerk order: The second brief on cross-appeal [45] submitted by NBCUniversal appellees/cross-appellants is filed. Within 7 days of the filing of this order, filer is ordered to file 7 copies of the brief in paper format, accompanied by certification, attached to the end of each copy of the brief, that the brief is identical to the version submitted electronically. Cover color: red. The paper copies shall be printed from the PDF version of the brief created from the word processing application, not from PACER or Appellate ECF. [8608792] [13-55156, 13-55157, 13-55228, 13-55226] (LA)
05/01/2013	48	COURT DELETED INCORRECT/DUPLICATE ENTRY. Notice about deletion sent to case participants registered for electronic filing. Correct Entry: [53]. Original Text: Filed (ECF) The Media Institute Motion to become amicus curiae. Date of service: 05/01/2013. [8610947] [13-55156, 13-55157, 13-55228, 13-55226] (RAS)
05/01/2013	53 38 pg, 442.23 KB	COURT-ENTERED FILING to replace incorrect entry [48]. Submitted (ECF) Amicus brief for review and filed Motion to become amicus curiae. Submitted by The Media Institute. Date of service: 05/01/2013. [8614234] [13-55156, 13-55157, 13-55228, 13-55226] (ASW)
05/01/2013	49	Received 7 paper copies of Second Brief on Cross-Appeal brief [45] filed by NBCUniversal appellees/ cross-appellants. [8611376] [13-55156, 13-55157, 13-55228, 13-55226] (SD)
05/02/2013	50	Entered appearance of Amicus Curiae - Pending The Media Institute. [8613473] [13-55156, 13-55157, 13-55228, 13-55226] (LA)
05/02/2013	51	Received 7 paper copies of Second Brief on Cross-Appeal brief [44] filed by Fox Appellees/Cross-Appellants. [8613995] [13-55156, 13-55157, 13-55228, 13-55226] (SD)

05/02/2013	52 36 pg, 205.92 KB	Submitted (ECF) Amicus brief for review (by government or with consent per FRAP 29(a)). Submitted by The National Association of Broadcasters, the ABC Television Affiliates Association, the CBS Television Network Affiliates Association, the NBC Television Affiliates, and the FBC Television Affiliates Association. Date of service: 05/02/2013. [8614031] [13-55156, 13-55157, 13-55228, 13-55226] (RAL)
05/02/2013	54	Entered appearance of Amici Curiae National Association of Broadcasters, ABC Television Affiliates Association, CBS Television Network Affiliates Association, NBC Television Affiliates and FBC Television Affiliates Association. [8614342] [13-55156, 13-55157, 13-55228, 13-55226] (LA)
05/02/2013	55 2 pg, 93.37 KB	Filed clerk order: The amicus brief [52] submitted by National Association of Broadcasters, ABC Television Affiliates Association, CBS Television Network Affiliates Association, NBC Television Affiliates, and FBC Television Affiliates Association is filed. Within 7 days of the filing of this order, filer is ordered to file 7 copies of the brief in paper format, accompanied by certification, attached to the end of each copy of the brief, that the brief is identical to the version submitted electronically. Cover color: green. The paper copies shall be printed from the PDF version of the brief created from the word processing application, not from PACER or Appellate ECF. [8614351] [13-55156, 13-55157, 13-55228, 13-55226] (LA)
05/03/2013	56 40 pg, 195.51 KB	Submitted (ECF) Amicus brief for review (by government or with consent per FRAP 29(a)). Submitted by NATIONAL BASKETBALL ASSOCIATION, NBA MEDIA VENTURES, LLC, NBA PROPERTIES, INC., NATIONAL FOOTBALL LEAGUE, NATIONAL HOCKEY LEAGUE, AND OFFICE OF THE COMMISSIONER OF BASEBALL. Date of service: 05/03/2013. [8615101] [13-55156, 13-55157, 13-55228, 13-55226] (AJD)
05/03/2013	57 39 pg, 107.31 KB	Submitted (ECF) Amicus brief for review (by government or with consent per FRAP 29(a)). Submitted by Paramount Pictures, Warner Bros. Entertainment, DGA, Int'l Alliance of Theatrical Stage Employees, Moving Picture Technicians, Artists and Allied Crafts of the U.S., its Territories and Canada, AFL-CIO, CLC, SAG-AFTRA, WGAW, MGM, IFTA. Date of service: 05/03/2013. [8615243] [13-55156, 13-55157, 13-55228, 13-55226] (KMK)
05/03/2013	58	Entered appearance of Amici Curiae National Basketball Association, et al. and Paramount Pictures Corporation, et al. [8615304] [13-55156, 13-55157, 13-55228, 13-55226] (LA)
05/03/2013	59 2 pg, 93.26 KB	Filed clerk order: The amicus brief [56] submitted by National Basketball Association, NBA Media Ventures, LLC, NBA Properties, Inc., National Football League, National Hockey League, and Office of the Commissioner of Baseball is filed. Within 7 days of the filing of this order, filer is ordered to file 7 copies of the brief in paper format, accompanied by certification, attached to the end of each copy of the brief, that the brief is identical to the version submitted electronically. Cover color: green. The paper copies shall be printed from the PDF version of the brief created from the word processing application, not from PACER or Appellate ECF. [8615314] [13-55156, 13-55157, 13-55228, 13-55226] (LA)
05/03/2013	60 2 pg, 94.16 KB	Filed clerk order: The amicus brief [57] submitted by Paramount Pictures Corporation, Warner Bros. Entertainment Inc., Directors Guild of America, Inc., International Alliance of Theatrical Stage Employees, Moving Picture Technicians, Artists and Allied Crafts of the United States, its Territories and Canada, AFL-CIO, CLC, Screen Actors Guild-American Federation of Television and Radio Artists, Writers Guild of America, West, Inc., Metro-Goldwyn-Mayer Studios Inc., and Independent Film & Television Alliance is filed. Within 7 days of the filing of this order, filer is ordered to file 7 copies of the brief in paper format, accompanied by certification, attached to the end of each copy of the brief, that the brief is identical to the version submitted electronically. Cover color: green. The paper copies shall be printed from the PDF version of the brief created from the word processing application, not from PACER or Appellate ECF. [8615331] [13-55156, 13-55157, 13-55228, 13-55226] (LA)
05/03/2013	61 2 pg, 111.43 KB	Filed (ECF) notice of appearance of Robert A. Garrett for Appellees American Broadcasting Companies, Inc., Big Ticket Televison, Inc., CBS Broadcasting, Inc., CBS Studios, Inc., Disney Enterprises, Inc., NBC Subsidiary KNBC-TV, LLC, NBCUniversal Media, LLC, Open 4 Business Productions, LLC, Telemundo Network Group, LLC, Universal Network Television, LLC and WNJU-TV Broadcasting, LLC in 13-55157, Appellants American Broadcasting Companies, Inc., Big Ticket Televison, Inc., CBS Broadcasting, Inc., CBS Studios, Inc., Disney Enterprises, Inc., NBC Subsidiary KNBC-TV, LLC, NBCUniversal Media, LLC, Open 4 Business Productions, LLC, Telemundo Network Group, LLC, Universal Network Television, LLC and WNJU-TV Broadcasting, LLC in 13-55228. Date of service: 05/03/2013. [8615357] [13-55156, 13-55157, 13-55228, 13-55226]--[COURT UPDATE: Corrected counsel name, resent notice. 05/07/2013 by ASW] (JSB)
05/03/2013	62 2 pg, 675.53 KB	Filed (ECF) notice of appearance of Jean Michele Prewitt for Amicus Curiae Paramount Pictures Corporation in 13-55156, 13-55157, 13-55226, 13-55228. Date of service: 05/03/2013. [8615383] [13-55156, 13-55157, 13-55228, 13-55226] (KM)
05/03/2013	63 51 pg, 224.29 KB	Submitted (ECF) Amicus brief for review (by government or with consent per FRAP 29(a)). Submitted by The American Society of Composers, Authors and Publishers; Broadcast Music, Inc., et al.. Date of

service: 05/03/2013. [8615845] [13-55156, 13-55157, 13-55228, 13-55226] (RJF)

05/03/2013	64 1 pg, 58.24 KB	Filed (ECF) notice of appearance of Anthony J. Dreyer for Amicus Curiae National Basketball Association in 13-55156, 13-55157, 13-55226, 13-55228. Date of service: 05/03/2013. [8615931] [13-55156, 13-55157, 13-55228, 13-55226] (AJD)
05/03/2013	65 55 pg, 420.46 KB	ENTRY UPDATED. ORIGINAL TEXT: Submitted (ECF) Amicus brief for review and filed Motion to become amicus curiae. Submitted by The Copyright Alliance, The Association for Competitive Technology, The Center for Individual Freedom and Various Professors. Date of service: 05/03/2013. [8616043] [13-55156, 13-55157, 13-55228, 13-55226] [13-55156, 13-55157, 13-55228, 13-55226] To Records for Merits Panel –[Edited 05/20/2013 by GV] (MER)
05/03/2013	66 2 pg, 127.3 KB	Filed (ECF) notice of appearance of Anthony R. Segall for Amicus Curiae Paramount Pictures Corporation in 13-55156. Date of service: 05/03/2013. [8616081] [13-55156, 13-55157, 13-55228, 13-55226] (AS)
05/03/2013	67	Entered appearances of Amici Curiae American Society of Composers, Authors & Publishers, et al.; Amici Curiae - Pending Copyright Alliance, et al. [8616118] [13-55156, 13-55157, 13-55228, 13-55226] (LA)
05/03/2013	68 2 pg, 94.32 KB	Filed clerk order: The amicus brief [63] submitted by American Society of Composers, Authors & Publishers, Broadcast Music, Inc., National Music Publishers' Association, Association of Independent Music Publishers, Church Music Publishers Association, Recording Industry Association of America, Recording Academy, SESAC, Inc., Society of Composers & Lyricists, Songwriters Guild of America, Inc., and SoundExchange, Inc. is filed. Within 7 days of the filing of this order, filer is ordered to file 7 copies of the brief in paper format, accompanied by certification, attached to the end of each copy of the brief, that the brief is identical to the version submitted electronically. Cover color: green. The paper copies shall be printed from the PDF version of the brief created from the word processing application, not from PACER or Appellate ECF. [8616137] [13-55156, 13-55157, 13-55228, 13-55226] (LA)
05/03/2013	69 38 pg, 216.07 KB	Submitted (ECF) Amicus brief for review (by government or with consent per FRAP 29(a)). Submitted by Cablevision Systems Corporation. Date of service: 05/03/2013. [8616160] [13-55156, 13-55157, 13-55228, 13-55226] (JAL)
05/03/2013	70	Entered appearance of Amicus Curiae Cablevision Systems Corporation. [8616172] [13-55156, 13-55157, 13-55228, 13-55226] (LA)
05/03/2013	71 2 pg, 92.94 KB	Filed clerk order: The amicus brief [69] submitted by Cablevision Systems Corporation is filed. Within 7 days of the filing of this order, filer is ordered to file 7 copies of the brief in paper format, accompanied by certification, attached to the end of each copy of the brief, that the brief is identical to the version submitted electronically. Cover color: green. The paper copies shall be printed from the PDF version of the brief created from the word processing application, not from PACER or Appellate ECF. [8616184] [13-55156, 13-55157, 13-55228, 13-55226] (LA)
05/03/2013	72 2 pg, 49.01 KB	Filed (ECF) notice of appearance of Duncan Ware Crabtree-Ireland for Amicus Curiae Paramount Pictures Corporation in 13-55156, 13-55157, 13-55226, 13-55228. Date of service: 05/03/2013. [8616237] [13-55156, 13-55157, 13-55228, 13-55226] (DWC)
05/06/2013	73	Added attorney Duncan W. Crabtree-Ireland for Paramount Pictures Corporation, in case 13-55228 Duncan W. Crabtree-Ireland for Paramount Pictures Corporation, in case 13-55226 Duncan W. Crabtree-Ireland for Paramount Pictures Corporation, in case 13-55157 Duncan W. Crabtree-Ireland for Paramount Pictures Corporation, in case 13-55156. [8616532] [13-55156, 13-55157, 13-55228, 13-55226] (JFF)
05/06/2013	74	Added attorney Anthony Segall for National Basketball Association [8616788] [13-55156, 13-55157, 13-55228, 13-55226] (JFF)
05/06/2013	75	Received 7 paper copies of Amicus brief [57] filed by Paramount Pictures Corporation, et al. [8616925] [13-55156, 13-55157, 13-55228, 13-55226] (SD)
05/06/2013	76	Added attorney Anthony J. Dreyer for National Basketball Association [8617012] [13-55157, 13-55156, 13-55228, 13-55226] (JFF)
05/06/2013	77 27 pg, 543.64 KB	ENTRY UPDATED. ORIGINAL TEXT: Submitted (ECF) Amicus brief for review and filed Motion to become amicus curiae. Submitted by Ralph Oman. Date of service: 05/06/2013. [8618305] [13-55156, 13-55157, 13-55228, 13-55226]–[COURT UPDATE: Attached cert of service. Resent notice. 05/07/2013 by ASW] [13-55156, 13-55157, 13-55228, 13-55226]– to Records for Merits Panel [Edited 05/20/2013 by GV] (RO)
05/06/2013	80	Received 7 paper copies of Amicus brief [56] filed by National Basketball Association, et al. [8619142]

[13-55156, 13-55157, 13-55228, 13-55226] (SD)

05/07/2013	78 2 pg, 27.53 KB	Filed clerk order (Deputy Clerk: SLJ): These are consolidated preliminary injunction appeals. The motion of The Media Institute for leave to file a brief amicus curiae is referred to the panel assigned to hear the merits of this appeal. Within 7 days after the date of this order, the prospective amicus is ordered to file 7 copies of the brief in paper format, with a green cover, accompanied by certification (attached to the end of each copy of the brief) that the brief is identical to the version submitted electronically. A sample certificate is available on the court's website, www.ca9.uscourts.gov, at the Electronic Filing-ECF link. The paper copies shall be printed from the PDF version of the brief created from the word processing application, not from PACER or Appellate ECF. The paper copies shall be submitted to the principal office of the Clerk. For regular U.S. mail, the address is P.O. Box 193939, San Francisco, California 94119-3939. For overnight mail, the address is 95 Seventh Street, San Francisco, California 94103-1526. [8618482] [13-55156, 13-55157, 13-55228, 13-55226] (WL)
05/07/2013	79	Entered appearance of Amicus Curiae - Pending Ralph Oman [8618977] [13-55156, 13-55157, 13-55228, 13-55226] (GV)
05/07/2013	81	Added attorney Robert Alan Garrett for Universal Network Television, LLC CBS Broadcasting, Inc. NBC Subsidiary KNBC-TV, LLC American Broadcasting Companies, Inc. NBCUniversal Media, LLC Open 4 Business Productions, LLC Disney Enterprises, Inc. CBS Studios, Inc. Big Ticket Televison, Inc. Telemundo Network Group, LLC WNJU-TV Broadcasting, LLC, in case 13-55228 Robert Alan Garrett for Universal Network Television, LLC CBS Broadcasting, Inc. NBC Subsidiary KNBC-TV, LLC American Broadcasting Companies, Inc. NBCUniversal Media, LLC Open 4 Business Productions, LLC Disney Enterprises, Inc. CBS Studios, Inc. Big Ticket Televison, Inc. Telemundo Network Group, LLC WNJU-TV Broadcasting, LLC, in case 13-55157. [8619579] [13-55156, 13-55157, 13-55228, 13-55226] (JFF)
05/07/2013	82	Received 7 paper copies of Amicus brief [63] filed by American Society of Composers, Authors & Publishers, et al. [8620000] [13-55156, 13-55157, 13-55228, 13-55226] (SD)
05/08/2013	83	Received 7 paper copies of Amicus brief [52] filed by National Association of Broadcasters, et al. [8621665] [13-55156, 13-55157, 13-55228, 13-55226] (SD)
05/09/2013	84	Added attorney Jean Michele Prewitt for Paramount Pictures Corporation, in case 13-55228 Jean Michele Prewitt for Paramount Pictures Corporation, in case 13-55226 Jean Michele Prewitt for Paramount Pictures Corporation, in case 13-55157 Jean Michele Prewitt for Paramount Pictures Corporation, in case 13-55156. [8623410] [13-55156, 13-55157, 13-55228, 13-55226] (JFF)
05/09/2013	85	Received 7 paper copies of Amicus brief [53] filed by The Media Institute. [8624166] [13-55156, 13-55157, 13-55228, 13-55226] (SD)
05/13/2013	86	Received 7 paper copies of Amicus brief [69] filed by Cablevision Systems Corporation. [8626016] [13-55156, 13-55157, 13-55228, 13-55226] (SD)
05/15/2013	87 2 pg, 27.94 KB	Filed clerk order (Deputy Clerk: SLJ): These are consolidated preliminary injunction appeals. The following motions for leave to file a brief amicus curiae are referred to the panel assigned to hear the merits of this appeal: (1) the motion filed by The Copyright Alliance, The Association for Competitive Technology, The Center for Individual Freedom, and various professors, and (2) the motion filed by Ralph Oman. Within 7 days after the date of this order, the prospective amici are ordered to file 7 copies of the brief in paper format, with a green cover, accompanied by certification (attached to the end of each copy of the brief) that the brief is identical to the version submitted electronically. A sample certificate is available on the court's website, www.ca9.uscourts.gov, at the Electronic Filing-ECF link. The paper copies shall be printed from the PDF version of the brief created from the word processing application, not from PACER or Appellate ECF. The paper copies shall be submitted to the principal office of the Clerk. For regular U.S. mail, the address is P.O. Box 193939, San Francisco, California 94119-3939. For overnight mail, the address is 95 Seventh Street, San Francisco, California 94103-1526. [8629349] [13-55156, 13-55157, 13-55228, 13-55226] (WL)
05/16/2013	88 2 pg, 43.91 KB	Filed (ECF) Errata to Amicus brief ([65] Brief Submitted for Review (ECF Filing) ,[65] Motion (ECF Filing) ,[65] Motion (ECF Filing) motion to become amicus). Filed by Amicus Curiae - Pending Copyright Alliance in 13-55156, 13-55157, 13-55226, 13-55228. Date of service: 05/16/2013. [8630967] [13-55156, 13-55157, 13-55228, 13-55226]--[COURT UPDATE: Attached certificate of service. Resent NDA. 05/20/2013 by RY] (EML)
05/16/2013	89	Received 7 paper copies of Amicus brief [77] filed by Ralph Oman. [8631598] [13-55156, 13-55157, 13-55228, 13-55226] (SD)
05/16/2013	90 35 pg, 155.97 KB	Submitted (ECF) Amicus brief for review and filed Motion to become amicus curiae. Submitted by INTELLECTUAL PROPERTY AND COPYRIGHT LAW PROFESSORS. Date of service: 05/16/2013. [8632494] [13-55156, 13-55157, 13-55228, 13-55226] (MAL)

05/17/2013	91	Entered appearance of Amicus Curiae - Pending Intellectual Property and Copyright Law Professors . [8633840] [13-55156, 13-55157, 13-55228, 13-55226] (GV)
05/17/2013	92 8 pg, 327.76 KB	Filed (ECF) Appellants Aereokiller, LLC, Alkiviades David, FilmOn.TV Networks, Inc., FilmOn.TV, Inc. and FilmOn.com, Inc. in 13-55156, Appellants Aereokiller, LLC, FilmOn.TV Networks, Inc., FilmOn.TV, Inc. and FilmOn.com, Inc. in 13-55157, Appellees Aereokiller, LLC, Alkiviades David, FilmOn.TV Networks, Inc., FilmOn.TV, Inc. and FilmOn.com, Inc. in 13-55226, Appellees Aereokiller, LLC, FilmOn.TV Networks, Inc., FilmOn.TV, Inc. and FilmOn.com, Inc. in 13-55228 Unopposed Motion to file oversized brief, Motion to extend time to file Reply brief until 06/25/2013. Date of service: 05/17/2013. [8633990] [13-55156, 13-55157, 13-55228, 13-55226] (RGB)
05/20/2013	93	Received 7 paper copies of Amicus brief [65] filed by The Copyright Alliance, et al. [8635912] [13-55156, 13-55157, 13-55228, 13-55226] (SD)
05/22/2013	94 2 pg, 28.18 KB	Filed clerk order (Deputy Clerk: SLJ): These are consolidated preliminary injunction appeals. Appellants/cross-appellees' motion for an extension of time to file their reply/response brief and for enlargement of brief size is granted. Appellants' third brief on cross-appeal may be enlarged by 2,000 words, and is now due June 25, 2013. Appellees' optional reply briefs are due within 14 days after service of the third cross-appeal brief. The motion of Intellectual Property and Copyright Law Professors for leave to file a brief amicus curiae is referred to the panel assigned to hear the merits of this appeal. Within 7 days after the date of this order, the prospective amicus is ordered to file 7 copies of the brief in paper format, with a green cover, accompanied by certification (attached to the end of each copy of the brief) that the brief is identical to the version submitted electronically. A sample certificate is available on the court's website, www.ca9.uscourts.gov, at the Electronic Filing-ECF link. The paper copies shall be printed from the PDF version of the brief created from the word processing application, not from PACER or Appellate ECF. The paper copies shall be submitted to the principal office of the Clerk. For regular U.S. mail, the address is P.O. Box 193939, San Francisco, California 94119-3939. For overnight mail, the address is 95 Seventh Street, San Francisco, California 94103-1526. [8639610] [13-55156, 13-55157, 13-55228, 13-55226] (WL)
05/24/2013	95 6 pg, 21.72 KB	Filed (ECF) Appellees American Broadcasting Companies, Inc., Big Ticket Televison, Inc., CBS Broadcasting, Inc., CBS Studios, Inc., Disney Enterprises, Inc., NBC Subsidiary KNBC-TV, LLC, NBCUniversal Media, LLC, Open 4 Business Productions, LLC, Telemundo Network Group, LLC, Universal Network Television, LLC and WNJU-TV Broadcasting, LLC in 13-55157, Appellants American Broadcasting Companies, Inc., Big Ticket Televison, Inc., CBS Broadcasting, Inc., CBS Studios, Inc., Disney Enterprises, Inc., NBC Subsidiary KNBC-TV, LLC, NBCUniversal Media, LLC, Open 4 Business Productions, LLC, Telemundo Network Group, LLC, Universal Network Television, LLC and WNJU-TV Broadcasting, LLC in 13-55228 reply to response (,motion to become amicus). Date of service: 05/24/2013. [8642776] [13-55157, 13-55228]--[COURT UPDATE: Spread docket text to 13-55156, 13-55226. Resent NDA. 05/24/2013 by RY] (JSB)
05/24/2013	96	Received 7 paper copies of Amicus brief [90] filed by Intellectual Property and Copyright Law Professors. (sent to panel) [8643600] [13-55156, 13-55157, 13-55228, 13-55226] (SD)
06/18/2013	97 5 pg, 215.95 KB	Filed (ECF) Appellants Aereokiller, LLC, Alkiviades David, FilmOn.TV Networks, Inc., FilmOn.TV, Inc. and FilmOn.com, Inc. in 13-55156, Appellants Aereokiller, LLC, FilmOn.TV Networks, Inc., FilmOn.TV, Inc. and FilmOn.com, Inc. in 13-55157, Appellees Aereokiller, LLC, Alkiviades David, FilmOn.TV Networks, Inc., FilmOn.TV, Inc. and FilmOn.com, Inc. in 13-55226, Appellees Aereokiller, LLC, FilmOn.TV Networks, Inc., FilmOn.TV, Inc. and FilmOn.com, Inc. in 13-55228 Correspondence: Notice of Aereokiller LLC Name Change. Date of service: 06/18/2013 [8671871] [13-55156, 13-55157, 13-55228, 13-55226] (RGB)
06/18/2013	98	Appellant Aereokiller, LLC substituted by Appellant FilmOn X [8672344] [13-55156, 13-55157, 13-55228, 13-55226] (JFF)
06/25/2013	99 61 pg, 206.61 KB	Submitted (ECF) Third Brief on Cross-Appeal for review. Submitted by Appellants Alkiviades David, FilmOn X, LLC, FilmOn.TV Networks, Inc., FilmOn.TV, Inc. and FilmOn.com, Inc. in 13-55156, Appellants FilmOn X, LLC, FilmOn.TV Networks, Inc., FilmOn.TV, Inc. and FilmOn.com, Inc. in 13-55157, Appellees Alkiviades David, FilmOn X, LLC, FilmOn.TV Networks, Inc., FilmOn.TV, Inc. and FilmOn.com, Inc. in 13-55226, Appellees FilmOn X, LLC, FilmOn.TV Networks, Inc., FilmOn.TV, Inc. and FilmOn.com, Inc. in 13-55228. Date of service: 06/25/2013. [8681768] [13-55156, 13-55157, 13-55228, 13-55226]--[COURT UPDATE: Corrected brief type. 06/26/2013 by ASW] (RGB)
06/26/2013	100 2 pg, 89.49 KB	Filed clerk order: The third brief on cross-appeal [99] submitted by appellants/cross-appellees is filed. Within 7 days of the filing of this order, filer is ordered to file 7 copies of the brief in paper format, accompanied by certification, attached to the end of each copy of the brief, that the brief is identical to the version submitted electronically. Cover color: yellow. The paper copies shall be printed from the PDF version of the brief created from the word processing application, not from PACER or Appellate ECF.

[8682466] [13-55156, 13-55157, 13-55228, 13-55226] (LA)

06/26/2013 101 (9 pg, 703.95 KB) Notice of Oral Argument on AUGUST 25-30 Calendar. Please return ACKNOWLEDGMENT OF HEARING NOTICE form to: PASADENA Office. Please open attached documents to view details about your case. [8682855] [13-55156, 13-55157, 13-55228, 13-55226] (LN)

06/28/2013 102 (1 pg, 41.97 KB) Filed (ECF) Acknowledgment of hearing notice. Location: Pasadena. Filed by Attorney Paul March Smith, Esquire for Appellees Twentieth Century Fox Film Corporation, Fox Television Stations, Inc and Fox Broadcasting Company, Inc. in 13-55156. [8685352] [13-55156, 13-55157, 13-55228, 13-55226] (PMS)

06/28/2013 103 Received 7 paper copies of Third Brief on Cross-Appeal brief [99] filed by Alkiviades David, FilmOn X, LLC, FilmOn.TV Networks, Inc., FilmOn.TV, Inc. and FilmOn.com, Inc. (sent to panel). [8685365] [13-55156, 13-55157, 13-55228, 13-55226] (DB)

07/01/2013 104 (1 pg, 63.95 KB) Filed (ECF) Acknowledgment of hearing notice. Location: Pasadena. Filed by Attorney Ryan Geoffrey Baker for Appellants Alkiviades David, FilmOn.TV Networks, Inc., FilmOn.TV, Inc., FilmOn.com, Inc. and FilmOn X, LLC in 13-55156, Attorney Ryan Geoffrey Baker for Appellants FilmOn.TV Networks, Inc., FilmOn.TV, Inc., FilmOn.com, Inc. and FilmOn X, LLC in 13-55157, Attorney Ryan Geoffrey Baker for Appellees Alkiviades David, FilmOn.TV Networks, Inc., FilmOn.TV, Inc., FilmOn.com, Inc. and FilmOn X, LLC in 13-55226, Attorney Ryan Geoffrey Baker for Appellees FilmOn.TV Networks, Inc., FilmOn.TV, Inc., FilmOn.com, Inc. and FilmOn X, LLC in 13-55228. [8687102] [13-55156, 13-55157, 13-55228, 13-55226] (RGB)

07/09/2013 105 (2 pg, 44.08 KB) Filed (ECF) Acknowledgment of hearing notice. Location: San Francisco. Filed by Attorney Mr. Robert Alan Garrett, Esquire for Appellants CBS Studios, Inc., Disney Enterprises, Inc., American Broadcasting Companies, Inc., CBS Broadcasting, Inc., NBCUniversal Media, LLC, Universal Network Television, LLC, NBC Subsidiary KNBC-TV, LLC, Open 4 Business Productions, LLC, Big Ticket Televison, Inc., Telemundo Network Group, LLC and WNJU-TV Broadcasting, LLC in 13-55228. [8696132] [13-55156, 13-55157, 13-55228, 13-55226] (RAG)

07/09/2013 106 (2 pg, 98.14 KB) Filed (ECF) Acknowledgment of hearing notice. Location: Pasadena. Filed by Attorney Mr. Robert Alan Garrett, Esquire for Appellees CBS Studios, Inc., Disney Enterprises, Inc., American Broadcasting Companies, Inc., CBS Broadcasting, Inc., NBCUniversal Media, LLC, Universal Network Television, LLC, NBC Subsidiary KNBC-TV, LLC, Open 4 Business Productions, LLC, Big Ticket Televison, Inc., Telemundo Network Group, LLC and WNJU-TV Broadcasting, LLC in 13-55157. [8696682] [13-55156, 13-55157, 13-55228, 13-55226] (RAG)

07/12/2013 107 (18 pg, 241.03 KB) Submitted (ECF) Cross-Appeal Reply Brief for review. Submitted by Appellees American Broadcasting Companies, Inc., Big Ticket Televison, Inc., CBS Broadcasting, Inc., CBS Studios, Inc., Disney Enterprises, Inc., NBC Subsidiary KNBC-TV, LLC, NBCUniversal Media, LLC, Open 4 Business Productions, LLC, Telemundo Network Group, LLC, Universal Network Television, LLC and WNJU-TV Broadcasting, LLC in 13-55157, Appellants American Broadcasting Companies, Inc., Big Ticket Televison, Inc., CBS Broadcasting, Inc., CBS Studios, Inc., Disney Enterprises, Inc., NBC Subsidiary KNBC-TV, LLC, NBCUniversal Media, LLC, Open 4 Business Productions, LLC, Telemundo Network Group, LLC, Universal Network Television, LLC and WNJU-TV Broadcasting, LLC in 13-55228. Date of service: 07/12/2013. [8702628] [13-55156, 13-55157, 13-55228, 13-55226] (JCU)

07/12/2013 108 (24 pg, 229.88 KB) Filed (ECF) Appellees American Broadcasting Companies, Inc., Big Ticket Televison, Inc., CBS Broadcasting, Inc., CBS Studios, Inc., Disney Enterprises, Inc., NBC Subsidiary KNBC-TV, LLC, NBCUniversal Media, LLC, Open 4 Business Productions, LLC, Telemundo Network Group, LLC, Universal Network Television, LLC and WNJU-TV Broadcasting, LLC in 13-55157, Appellants American Broadcasting Companies, Inc., Big Ticket Televison, Inc., CBS Broadcasting, Inc., CBS Studios, Inc., Disney Enterprises, Inc., NBC Subsidiary KNBC-TV, LLC, NBCUniversal Media, LLC, Open 4 Business Productions, LLC, Telemundo Network Group, LLC, Universal Network Television, LLC and WNJU-TV Broadcasting, LLC in 13-55228 Motion to take judicial notice of Pleading in the District Court for the District of Columbia. Date of service: 07/12/2013. [8702629] [13-55156, 13-55157, 13-55228, 13-55226] (JCU)

07/12/2013 109 (4 pg, 11.66 KB) Filed (ECF) Appellees Fox Broadcasting Company, Inc., Fox Television Stations, Inc and Twentieth Century Fox Film Corporation in 13-55156, Appellants Fox Broadcasting Company, Inc., Fox Television Stations, Inc and Twentieth Century Fox Film Corporation in 13-55226 Correspondence: Fox's Notice of Joinder in The NBC Plaintiffs' Reply Brief on Consolidated Appeals and Cross-Appeals. Date of service: 07/12/2013 [8702630] [13-55156, 13-55157, 13-55228, 13-55226] (RLS)

07/15/2013 110 (2 pg, 89.54 KB) Filed clerk order: The cross-appeal reply brief [107] submitted by the NBCUniversal appellees/cross-appellants is filed. Within 7 days of the filing of this order, filer is ordered to file 7 copies of the brief in paper format, accompanied by certification, attached to the end of each copy of the brief, that the brief is identical to the version submitted electronically. Cover color: gray. The paper copies shall be printed

		from the PDF version of the brief created from the word processing application, not from PACER or Appellate ECF. [8703006] [13-55156, 13-55157, 13-55228, 13-55226] (LA)
07/16/2013	111	Received 7 paper copies of Cross-Appeal Reply Brief brief [107] filed by NBCUniversal appellees/cross-appellants. (sent to panel) [8707288] [13-55156, 13-55157, 13-55228, 13-55226] (SD)
07/25/2013	112 6 pg, 179.47 KB	Filed (ECF) Appellants Alkiviades David, FilmOn X, LLC, FilmOn.TV Networks, Inc., FilmOn.TV, Inc. and FilmOn.com, Inc. in 13-55156, Appellants FilmOn X, LLC, FilmOn.TV Networks, Inc., FilmOn.TV, Inc. and FilmOn.com, Inc. in 13-55157, Appellees FilmOn X, LLC, FilmOn.TV Networks, Inc., FilmOn.TV, Inc. and FilmOn.com, Inc. in 13-55226, 13-55228 citation of supplemental authorities. Date of service: 07/25/2013. [8717536] [13-55156, 13-55157, 13-55228, 13-55226] (RGB)
07/25/2013	113 137 pg, 4.12 MB	Filed (ECF) Appellants Alkiviades David, FilmOn X, LLC, FilmOn.TV Networks, Inc., FilmOn.TV, Inc. and FilmOn.com, Inc. in 13-55156, Appellants FilmOn X, LLC, FilmOn.TV Networks, Inc., FilmOn.TV, Inc. and FilmOn.com, Inc. in 13-55157, Appellees Alkiviades David, FilmOn X, LLC, FilmOn.TV Networks, Inc., FilmOn.TV, Inc. and FilmOn.com, Inc. in 13-55226, Appellees FilmOn X, LLC, FilmOn.TV Networks, Inc., FilmOn.TV, Inc. and FilmOn.com, Inc. in 13-55228 Motion to take judicial notice of First Amended Complaint for Injunctive Relief and Damages, Case Number 1:13-cv-00758-RMC, in front of Honorable Judge Rosemary M. Collyer in the District of Columbia District Court, filed May 24, 2013, against Defendants-Appellants.. Date of service: 07/25/2013. [8718457] [13-55156, 13-55157, 13-55228, 13-55226] (RGB)
07/31/2013	114 35 pg, 119.35 KB	Filed (ECF) Appellees Fox Broadcasting Company, Inc., Fox Television Stations, Inc and Twentieth Century Fox Film Corporation in 13-55156, Appellees American Broadcasting Companies, Inc., Big Ticket Televison, Inc., CBS Broadcasting, Inc., CBS Studios, Inc., Disney Enterprises, Inc., NBC Subsidiary KNBC-TV, LLC, NBCUniversal Media, LLC, Open 4 Business Productions, LLC, Telemundo Network Group, LLC, Universal Network Television, LLC and WNJU-TV Broadcasting, LLC in 13-55157, Appellants Fox Broadcasting Company, Inc., Fox Television Stations, Inc and Twentieth Century Fox Film Corporation in 13-55226, Appellants American Broadcasting Companies, Inc., Big Ticket Televison, Inc., CBS Broadcasting, Inc., CBS Studios, Inc., Disney Enterprises, Inc., NBC Subsidiary KNBC-TV, LLC, NBCUniversal Media, LLC, Open 4 Business Productions, LLC, Telemundo Network Group, LLC, Universal Network Television, LLC and WNJU-TV Broadcasting, LLC in 13-55228 citation of supplemental authorities. Date of service: 07/31/2013. [8725838] [13-55156, 13-55157, 13-55228, 13-55226] (JCU)
08/02/2013	115 27 pg, 265.96 KB	Filed (ECF) Appellants Alkiviades David, FilmOn X, LLC, FilmOn.TV Networks, Inc., FilmOn.TV, Inc. and FilmOn.com, Inc. in 13-55156, Appellants FilmOn X, LLC, FilmOn.TV Networks, Inc., FilmOn.TV, Inc. and FilmOn.com, Inc. in 13-55157, Appellees Alkiviades David, FilmOn X, LLC, FilmOn.TV Networks, Inc., FilmOn.TV, Inc. and FilmOn.com, Inc. in 13-55226, Appellees FilmOn X, LLC, FilmOn.TV Networks, Inc., FilmOn.TV, Inc. and FilmOn.com, Inc. in 13-55228 citation of supplemental authorities. Date of service: 08/02/2013. [8729393] [13-55156, 13-55157, 13-55228, 13-55226] (RGB)

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- (•) Documents and Docket Summary
- ( ) Documents Only

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