

UNITED STATES DISTRICT COURT FOR THE  
DISTRICT OF COLUMBIA

FOX TELEVISION STATIONS, INC., et al.

Plaintiffs,

v.

FILMON X, LLC, et al.

Defendants.

Civil Action No. 1:13-cv-00758-RMC  
Hon. Rosemary M. Collyer**STIPULATION RE STAYING THE LITIGATION PENDING APPEAL**

Plaintiffs Fox Television Stations, Inc., Twentieth Century Fox Film Corp., 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., Allbritton Communications Company, CBS Broadcasting Inc., CBS Studios Inc., and Gannett Co., Inc. (collectively “Plaintiffs”), and Defendants FilmOn X, LLC (f/k/a Aereokiller, LLC), FilmOn.TV Networks, Inc., FilmOn.TV, Inc., and FilmOn.com, Inc. (collectively “Defendants”) stipulate as follows:

WHEREAS, on September 5, 2013, the Court issued an Order on Plaintiffs’ Motion for a Preliminary Injunction (“Order”);

WHEREAS, Defendants intend to appeal the Order to the United States Court of Appeals for the District of Columbia Circuit;

WHEREAS, the Court has scheduled a status conference for September 20, 2013;

WHEREAS, the parties met and conferred and agree that staying the litigation and continuing the status conference pending the District of Columbia Circuit’s decision on

Defendants' appeal would promote judicial efficiency and economy and would be in the best interests of the parties and the Court;

WHEREAS, the parties agreed that such a stay: (1) could not be raised by either party as having any effect on the issue of irreparable harm, (2) would not preclude any of the parties from bringing changes in the pertinent law to this Court's attention, (3) would not preclude the Court from modifying the scope of the injunctive relief granted pursuant to the Order, and (4) would not preclude Plaintiffs from enforcing the existing Order or from seeking relief for any new infringements by Defendants that are not the subject of this Court's Order;

It is hereby stipulated by and between Plaintiffs and Defendants, through their counsel of record, and subject to the Court's approval, that:

1. The litigation will be stayed until the District of Columbia Circuit has issued a decision on Defendants' appeal of this Court's Order;
2. Neither party may argue that staying the litigation has any effect on the issue of irreparable harm;
3. The stay does not preclude any party from bringing to this Court's attention any changes in the pertinent law;
4. The stay does not preclude the Court from modifying the scope of the injunctive relief granted pursuant to the Order;
5. The stay does not preclude Plaintiffs from enforcing this Court's Order or from seeking relief for any new infringements by Defendants that are not the subject of this Court's Order;
6. The parties request that the Court take the September 20, 2013 status conference off calendar; and

7. The parties will file a report on the status of the appeal in six months (or later) so that this Court may evaluate when to set a new date for a status conference.

Dated: September 16, 2013

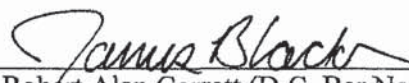


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Dated: September 16, 2013

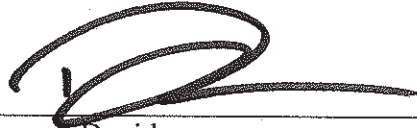


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Dated: September 16, 2013



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