

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF FLORIDA

CASE NO. 11-20427-JORDAN

DISNEY ENTERPRISES, INC.,  
TWENTIETH CENTURY FOX FILM CORPORATION,  
UNIVERSAL CITY STUDIOS PRODUCTIONS LLLP,  
COLUMBIA PICTURES INDUSTRIES, INC., and  
WARNER BROS. ENTERTAINMENT INC.,

*Plaintiffs,*

v.

HOTFILE CORP., ANTON TITOV, and  
DOES 1-10.

*Defendants.*

---

**JOINT MOTION AND MEMORANDUM OF LAW OF PLAINTIFFS AND  
DEFENDANTS FOR EXTENSION OF TIME FOR THE PARTIES  
TO FILE SELECTED MOTIONS TO COMPEL AND FOR  
DEFENDANTS TO FILE THEIR ANSWERS AND COUNTERCLAIMS**

Plaintiffs, Disney Enterprises, Inc.; Twentieth Century Fox Film Corporation;  
Universal City Studios Productions LLLP; Columbia Pictures Industries, Inc.; and  
Warner Bros. Entertainment Inc. (collectively “Plaintiffs”) and Defendants, Hotfile Corp.  
and Anton Titov (collectively “Defendants”) (Plaintiffs and Defendants are collectively  
the “Parties”), move pursuant to Rule 6(b)(1)(A) of the Federal Rules of Civil Procedure,  
for an extension of time to file motions to compel the grounds for which were existing as  
of the July 8, 2011 status conference. At the July 8 status conference the Court gave the  
Parties to and including July 22, 2011, to file such motions to compel. The Parties  
respectfully request that the Court extend the deadline to file such motions to compel to

and including August 3, 2011. This additional time will permit the Parties to further confer to determine if there are additional ways to narrow the motions.

Additionally, it is requested that the Court extend the time for Defendants to file their Answers and any Counterclaims from July 22, 2011, to and including September 26, 2011. This will afford counsel for Defendants and Plaintiffs time to confer and to complete their investigations and preliminary discovery of potential Counterclaims. The grounds supporting this Joint Motion to Enlarge Time are set forth below in the accompanying memorandum of law.

**MEMORANDUM OF LAW**

This Joint Motion is not filed for purposes of delay or for any improper purpose, but to provide the minimum amount of time needed by counsel for Plaintiffs and Defendants to discuss ways to narrow their disputes and to prepare the above-stated motions.

Defendants believe that they may have a counterclaim against at least one of the Plaintiffs under the Digital Millennium Copyright Act (“DMCA.”), 17 U.S.C. § 512(f), for improperly taking down files from Hotfile.com’s site without authorization of the copyright owner. While the Plaintiff disagrees, it has agreed to a Rule 30(b)(6) deposition so that Defendants may explore the issue. The deposition has been postponed pending completion of document productions by both parties that will enable the Plaintiff to complete its investigation into these allegations. The parties have agreed that, subject to timely completing of relevant document productions, the Rule 30(b)(6) deposition will be taken on September 14, 2011, and, therefore, that Hotfile may file its answer and any

counterclaims on or before September 26, 2011, 12 days after the rescheduled date for that deposition.

Neither party will be prejudiced by the extensions of time that are sought in this Joint Motion and granting the Joint Motion will not delay this cause. The Court has authority pursuant to Rule 6 of the Federal Rules of Civil Procedure to grant extensions of time. *See* Fed. R. Civ. P. 6(b)(1)(A).

**CONCLUSION**

On the basis of the foregoing, the Parties respectfully request that they be given to and including August 3, 2011, to file motions to compel the grounds of which were existing as of the date of the July 8, 2011 status conference and that Defendants be given to and including September 26, 2011, to file their Answers and Counterclaims. A proposed Order is being submitted to the Court via e-mail.

**CERTIFICATE OF GOOD FAITH CONFERENCE**

I hereby certify that counsel for Defendants, Janet T. Munn, Esq., the counsel who makes this joint filing on behalf of all the Parties, has authorization from counsel for Plaintiffs to file the Joint Motion on behalf of Plaintiffs, as well as the Defendants whom she represents.

s/ Janet T. Munn  
\_\_\_\_\_  
Janet T. Munn

DATED: July 15, 2011

Respectfully submitted,

By: s/Karen L. Stetson  
Karen L. Stetson, Fla. Bar No. 742937  
GRAY-ROBINSON, P.A.  
1221 Brickell Avenue  
Suite 1600  
Miami, FL 33131  
Telephone: 305.416.6880  
Telecopy: 305.416.6887

By: s/Janet T. Munn  
Janet T. Munn, Fla. Bar No. 501281  
RASCO KLOCK  
283 Catalonia Avenue, Suite 200  
Coral Gables, FL 33134  
Telephone: 305.476.7101  
Telecopy: 305.476.7102

Steven B. Fabrizio (admitted *pro hac vice*)  
Duane C. Pozza (admitted *pro hac vice*)  
Luke C. Platzer (admitted *pro hac vice*)  
JENNER & BLOCK LLP  
1099 New York Avenue, N.W.  
Suite 900  
Washington, D.C. 20001  
Telephone: 202.639.6000  
Telecopy: 202.639.6066

Roderick M. Thompson (admitted *pro hac vice*)  
Andrew Leibnitz (admitted *pro hac vice*)  
Deepak Gupta (admitted *pro hac vice*)  
Janet Thamkul (admitted *pro hac vice*)  
FARELLA BRAUN + MARTEL LLP  
235 Montgomery Street  
San Francisco, CA 94104  
Telephone: 415.954.4400  
Telecopy: 415.954.4480

Karen R. Thorland (admitted *pro hac vice*)  
MOTION PICTURE ASSOCIATION  
OF AMERICA, INC.  
15301 Ventura Boulevard  
Building E  
Sherman Oaks, CA 91403  
Telephone: 818.995.6600  
Telecopy: 818.285.4403

Valentin Gurvits (admitted *pro hac vice*)  
BOSTON LAW GROUP, PC  
825 Beacon Street, Suite 20  
Newton Centre, Suite 20  
Newton Centre, MA 02459  
Telephone: 617.928.1804  
Telecopy: 617.928.1802

*Counsel for Plaintiffs*

*Counsel for Defendants*  
*Hotfile Corporation and Anton Titov*

**CERTIFICATE OF SERVICE**

I hereby certify that on July 15, 2011, the foregoing document was served on all counsel of record or pro se parties identified below either via transmission of Notices of Electronic Filing generated by CM/ECF or in some other authorized manner for those counsel or parties who are not authorized to receive electronically Notices of Electronic Filing.

By: s/Janet T. Munn  
Janet T. Munn

Karen L. Stetson, Fla. Bar No. 742937  
GRAY-ROBINSON, P.A.  
Email: Karen.Stetson@gray-robinson.com  
1221 Brickell Avenue  
Suite 1600  
Miami, FL 33131  
Telephone: 305. 416.6880  
Telecopy: 305.416.6887

Steven B. Fabrizio (admitted *pro hac vice*)  
Email: sfabrizio@jenner.com  
Duane C. Pozza (admitted *pro hac vice*)  
Email: dpozza@jenner.com  
Luke C. Platzter (admitted *pro hac vice*)  
Email: lplatzer@jenner.com  
JENNER & BLOCK LLP  
1099 New York Avenue, N.W.  
Suite 900  
Washington, D.C. 20001  
Telephone: 202.639.6000  
Telecopy: 202.639.6066

Karen R. Thorland (admitted *pro hac vice*)  
MOTION PICTURE ASSOCIATION  
OF AMERICA, INC.  
Email: Karen\_Thorland@mpaa.org  
15301 Ventura Boulevard  
Building E  
Sherman Oaks, CA 91403  
Telephone: 818.995.6600  
Telecopy: 818.285.4403