

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF FLORIDA

CASE NO. 11-20427-WILLIAMS-TURNOFF

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.

_____ /

HOTFILE CORP.,

Counterclaimant,

v.

WARNER BROS. ENTERTAINMENT INC.,

Counter-Defendant.

_____ /

**UNOPPOSED MOTION OF COUNTER-CLAIMANT HOTFILE
CORPORATION FOR THE NOVEMBER 30, 2011 HEARING
ON HOTFILE’S MOTION TO COMPEL DISCOVERY FROM
COUNTER-DEFENDANT WARNER BROS. ENTERTAINMENT INC.
AND WARNER’S MOTION FOR ONE ADDITIONAL EXAMINATION
DAY FOR RULE 30(B)(6) DEPOSITION OF HOTFILE CORPORATION
TO BE CONDUCTED TELEPHONICALLY RATHER THAN IN-PERSON**

Counterclaimant Hotfile Corporation (“Hotfile”), files this unopposed motion for leave for the parties to attend the upcoming November 30, 2011 hearing on Hotfile’s Motion to Compel Discovery from Counter-defendant Warner Bros. Entertainment Inc. (“Warner”), and Warner’s Motion for One Additional Examination Day for the Rule 30(b)(6) Deposition of Hotfile, by telephone rather than by attending in person. Lead counsel for both parties in this action are from out-of-state: Counsel for Warner is from Washington, D.C. and counsel for Hotfile is from San Francisco, California. The parties are fully consumed at present with completing discovery in this matter by the December 23, 2011 discovery cut-off date and are also preparing for depositions in Bulgaria in early December. While counsel would like to attend the November 30 hearing in person, at this time it would pose a substantial hardship on both parties’ lead counsel to do so. Accordingly, Hotfile respectfully requests that the Court conduct a telephonic hearing on November 30 rather than an in-person hearing and require that all parties attend telephonically. Warner’s counsel does not oppose the relief requested in this motion.

CONCLUSION

On the basis of the foregoing, Hotfile respectfully requests that the Court grant its unopposed motion and order that the hearing on November 30, 2011 be held telephonically and that all counsel be required to attend such hearing telephonically rather than in person. A proposed Order is attached to this unopposed motion as Exhibit “A.”

CERTIFICATE OF GOOD FAITH CONFERENCE

Pursuant to Local Rule 7.1(a)(3)(B), I hereby certify that counsel for the movant, Roderick M. Thompson, Esq. has conferred with all parties and non-parties who may be affected by the relief sought in the motion, including Steven B. Fabrizio, Esq., counsel for respondent,

Warner Brothers Entertainment, Inc., in a good faith effort to resolve the issues and that counsel for Plaintiff does not oppose the relief requested in this motion.

s/ Roderick M. Thompson
Roderick M. Thompson

Dated: November 23, 2011

By: s/Roderick Thompson
Roderick Thompson (*admitted pro hac vice*)
Email: rthompson@fbm.com
Andrew Leibnitz (*admitted pro hac vice*)
Email: aleibnitz@fbm.com
Anthony P. Schoenberg (*admitted pro hac vice*)
Email: tschoenberg@fbm.com
Deepak Gupta (*admitted pro hac vice*)
Email: dgupta@fbn.com
Farella Braun + Martel LLP
Russ Building
235 Montgomery Street
San Francisco, CA 94104
Telephone: 415.954.4400
Facsimile: 415.954.4480
Counsel for Defendants
Hotfile Corp. and Anton Titov

And

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
Email: jmun@rascoklock.com

CERTIFICATE OF SERVICE

I hereby certify that on November 23, 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

GRAY-ROBINSON, P.A.

Karen L. Stetson, Fla. Bar No.: 742937
Email: Karen.Stetson@gray-robinson.com
1211 Brickell Avenue
Suite 1600
Miami, FL 33131
Phone: 305.416.6880
Fax: 305.416.6887

JENNER AND BLOCK, LLP

Steven B. Fabrizio (*Pro Hac Vice*)
Email: sfabrizio@jenner.com
Duane C. Pozza (*Pro Hac Vice*)
Email: dpozza@jenner.com
Luke C. Platzer (*Pro Hac Vice*)
Email: lplatzer@jenner.com
1099 New York Ave, N.W.
Suite 900
Washington, DC 20001
Phone: 202.639.6000
Fax: 202.639.6066