

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.,

Counterdefendant.

_____/

**WARNER BROS. ENTERTAINMENT INC.'S OPPOSITION TO HOTFILE'S
REQUEST FOR HEARING ON DEFENDANTS' OBJECTIONS TO THE
MAGISTRATE JUDGE'S REPORT AND RECOMMENDATION WITH RESPECT TO
PLAINTIFF WARNER'S MOTION TO "USE" TITOV EXHIBIT 27 IN ITS ENTIRETY
AT TRIAL OR ON SUMMARY JUDGMENT**

Warner Bros. Entertainment Inc. ("Warner"), by and through undersigned counsel and pursuant to Local Rule 7.1(b)(2), respectfully opposes Defendant Hotfile Corp. ("Hotfile")'s request for a hearing on Hotfile's objections to Magistrate Judge Turnoff's Order with respect to Warner's right to use at summary judgment or a trial Titov Exhibit 27. The parties have now

briefed the set of issues presented by Hotfile's Objections on four separate occasions. *See* Docket Nos. 206-07, 211, 292-94, 297-99; *see also* Objections of Defendants Hotfile Corporation and Anton Titov to Magistrate Judge's Report and Recommendation Regarding Plaintiff Warner's Motion to Use Titov Exhibit 27 in its Entirety at Trial or on Summary Judgment (filed under seal March 5, 2012). Moreover, the parties' disagreement regarding the waiver of any work product protection of the document in question, as well as its admissibility into evidence, has now been subject to two separate hearings in front of Magistrate Judge Turnoff. *See* Docket Nos. 223 & 266. Given the needs to resolve this issue as promptly as possible so that the full evidence might be heard in the pending motion for summary judgment, and the multiple other motions pending before the Court, Warner respectfully submits that the Court can decide the issue of Titov Ex. 27 without another hearing.

Dated: March 12, 2012

Respectfully submitted,

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_____ /

CERTIFICATE OF SERVICE

I HEREBY CERTIFY on this 12th day of March, 2012, I served the foregoing Opposition to Hotfile's Request for Hearing on Defendants' Objections to the Magistrate Judge's Report and Recommendation With Respect to Plaintiff Warner's Motion To Use Titov Exhibit 27 In Its Entirety at Trial or on Summary Judgment on all counsel of record on the attached service list via the court's ECF system.

I further certify that I am admitted to the United States Court for the Southern District of Florida and certify that this Certificate of Service was executed on this date.

By: /s/ Karen L. Stetson
Karen L. Stetson

SERVICE LIST

Disney Enterprises, Inc., et al. v. Hotfile Corp. et al. CASE NO. 11-CIV-20427-WILLIAMS-TURNOFF

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