

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.*

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**REQUEST OF DEFENDANTS HOTFILE CORPORATION AND ANTON  
TITOV FOR HEARING OR ORAL ARGUMENT ON THEIR MOTION FOR  
SPECIAL SCHEDULING ORDER REGARDING THE SAFE HARBOR  
PROTECTONS OF THE DIGITAL MILLENNIUM COPYRIGHT ACT**

Pursuant to Local Rule 7.1(b), Defendants, Hotfile Corporation and Anton Titov

(collectively “Defendants”), hereby respectfully request that the Court conduct oral argument or a hearing on Defendants’ Motion for Special Scheduling Order Regarding the Safe Harbor protections of the Digital Millennium Copyright Act (“Motion for Special Scheduling Order”). Defendants’ Motion for Special Scheduling Order explains why permitting the parties to have an early summary judgment motion on these pivotal and threshold safe harbor issues would greatly facilitate judicial economy, and necessarily implicates overall case management. A hearing on Defendants’ Motion for Special Scheduling Order will afford the parties an opportunity to

answer any questions the Court may have regarding the particular issues present in this case and how they apply to an efficient and fair adjudication of the pivotal safe harbor defenses.

Defendants respectfully submit that a hearing would aid the Court's determination of not only the Motion for Special Scheduling Order, but greatly facilitate overall case management of this large case prior to the parties engaging in what will be extremely costly, protracted and potentially unnecessary discovery over ultimate issues in the case, when the case could be resolved either entirely or substantially under the safe harbor provisions of the DMCA.

Defendants believe that one hour should be sufficient for the hearing or oral argument.

**CERTIFICATE OF GOOD FAITH CONFERENCE**

Pursuant to Local Rule 7.1(a)(3)(A), I hereby certify that counsel for the movant, Roderick M. Thompson, has conferred with all parties or non-parties who may be affected by the relief sought in this request for oral argument or hearing, including Steven B. Fabrizio, counsel for Plaintiffs, in a good faith effort to resolve the issues and that while Plaintiffs have stated that they will oppose the Defendants' Motion for Special Scheduling Order Regarding the Safe Harbor Provisions of the Digital Millennium Copyright Act, Plaintiffs do not oppose the Court conducting a hearing on Defendants' Motion.

s/ Roderick M. Thompson  
Roderick M. Thompson

Dated: May 27, 2011

Respectfully submitted,

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And

s/ Roderick M. Thompson

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*Counsel for Defendants*

**CERTIFICATE OF SERVICE**

I hereby certify that on May 27, 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.

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