

**UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS**

EMC CORPORATION,

Plaintiff,

v.

PROVIEW TECHNOLOGY (SHENZHEN)
CO., LTD.,

PROVIEW TECHNOLOGY (WUHAN)
CO., LTD.,

and

PROVIEW INTERNATIONAL
HOLDINGS, LTD.,

Defendants.

Civil Action No. 4:09-CV-40062-FDS

**PLAINTIFF'S MOTION FOR
DEFAULT JUDGMENT AND
MEMORANDUM OF POINTS AND
AUTHORITIES IN SUPPORT**

Plaintiff EMC Corporation ("EMC"), by and through undersigned counsel, hereby files this Motion for Default Judgment against Defendants Proview Technology (Shenzhen) Co., Ltd., Proview Technology (Wuhan) Co., Ltd., and Proview International Holdings, Ltd. (collectively, "the Proview Defendants" or "Proview"). EMC filed the Complaint in the above-captioned action on March 16, 2009. On July 9, 2009, the Clerk entered defaults against the Proview Defendants for their failure to file an answer. *See* Fed. R. Civ. P. 55(a). Pursuant to Rule 55(b)(2) of the Federal Rules of Civil Procedure, EMC now moves for default judgment against the Proview Defendants. EMC requests US\$24,610,733 in damages, plus interest and attorneys' fees and costs associated with bringing this action.

October 9, 2009

Respectfully submitted,

AKIN GUMP STRAUSS HAUER & FELD LLP

/s/ Mark J. MacDougall

Mark J. MacDougall

Mark J. MacDougall (BBO# 635119)
AKIN GUMP STRAUSS HAUER & FELD LLP
1333 New Hampshire Ave, N.W.
Washington, DC 20036
mmacdougall@akingump.com
Telephone: (202) 887-4000
Facsimile: (202) 887-4288

Local Counsel

John O. Mirick (BBO# 349240)
MIRICK, O'CONNELL, DEMALLIE &
LOUGEE, LLP
100 Front Street
Worcester, MA 01608
jomirick@mirickoconnell.com
Telephone: (508) 791-8500
Facsimile: (508) 983-6279

Of Counsel

Paul T. Dacier (BBO# 616761)
Krishnendu Gupta (BBO# 632793)
Scott A. Ouellette (BBO# 633972)
EMC CORPORATION
176 South Street
Hopkinton, MA 01748
Telephone: (508) 435-1000
Facsimile: (508) 497-6915

Attorneys for Plaintiff