

IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF MICHIGAN

THE WEATHER UNDERGROUND, INC.,  
a Michigan corporation,

Plaintiff,

vs.

Case No. 2:09-CV-10756  
Hon. Marianne O. Battani

NAVIGATION CATALYST SYSTEMS, INC.,  
a Delaware corporation; CONNEXUS CORP.,  
a Delaware corporation; FIRSTLOOK, INC.,  
a Delaware corporation; and EPIC MEDIA  
GROUP, INC., a Delaware corporation,

Defendants.

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**EPIC MEDIA GROUP, INC.S' APPENDIX OF AUTHORITIES IN SUPPORT OF  
MOTION FOR SUMMARY JUDGMENT**

Defendant Epic Media Group, Inc. hereby submits its Appendix of Authorities in Support of Its Motion for Summary Judgment:

- Exhibit 1: *Baldwin Enters., Inc. v. Retail Ventures, Inc.*, 2010 WL 624261 (S.D. Ill. Feb. 18, 2010)
- Exhibit 2: *Bennett v. America Online, Inc.*, 2007 WL 2178317 (E.D. Mich. July 27, 2007)
- Exhibit 3: *First Presbyterian Church of Ypsilanti v. H.A. Howell Pipe Organs, Inc.*, 2010 WL 419972 (E.D. Mich. Feb. 1, 2010)
- Exhibit 4: *Hariton v. Arco Electronics, Inc.*, 182 A.2d 22 (Del. Ch. 1962)
- Exhibit 5: *In re Welding Fume Prods. Liab. Litig.*, 2010 WL 2403355 (N.D. Ohio June 11, 2010)
- Exhibit 6: *ITT Corp. v. Borgwarner Inc.*, 2009 WL 2242904 (W.D. Mich. July 22, 2009)
- Exhibit 7: *Johnson Controls, Inc. v. J.F. Dunn Enters., Inc.*, 2009 WL 415706 (E.D. Mich. Feb. 19, 2009)
- Exhibit 8: *Lewis v. Ward*, 852 A.2d 896, 906 (Del. Sup. Ct. 2004)
- Exhibit 9: *Scott v. NG U.S. I, Inc.*, 881 N.E.2d 1125, 1134 (Mass. 2008)
- Exhibit 10: *Saginaw Property, LLC v. Value City Dep't Stores, LLC*, 2009 WL 3536616 (E.D. Mich. Oct. 30, 2009)
- Exhibit 11: *Phoenix Life Ins. Co. v. LaSalle Bank N.A.*, 2009 WL 877684 (E.D. Mich. March 30, 2009)
- Exhibit 12: *Poole v. Sofamor Danek Group, Inc.*, 1998 WL 1041328 (E.D. Mich. Dec. 9, 1998)

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Exhibit 13: *Wallace ex rel. Cencom Cable Income Partners II, Inc., L.P. v. Wood*, 752 A.2d 1175 (Del. Ch. 1999)

RESPECTFULLY SUBMITTED this 15th day of July, 2011.

*/s/William A. Delgado*

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**CERTIFICATE OF SERVICE**

I hereby certify that on July 15, 2011, I electronically filed the foregoing paper with the Court using the ECF system which will send notification of such filing to the following:

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