

U.S. DISTRICT COURT  
DOCUMENT  
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STANTON, S.

**UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF NEW YORK**

VIACOM INTERNATIONAL INC.,  
COMEDY PARTNERS,  
COUNTRY MUSIC TELEVISION, INC.,  
PARAMOUNT PICTURES CORPORATION,  
and BLACK ENTERTAINMENT TELEVISION  
LLC,

Plaintiffs,

v.

YOUTUBE, INC., YOUTUBE, LLC, and  
GOOGLE INC.,

Defendants.

Civil Action No. 07-CV-2103  
Judge Stanton

**STIPULATION REGARDING  
JULY 1, 2008 OPINION AND  
ORDER**

THE FOOTBALL ASSOCIATION PREMIER  
LEAGUE LIMITED, BOURNE CO. (together  
with its affiliate MURBO MUSIC PUBLISHING,  
INC.), CHERRY LANE MUSIC PUBLISHING  
COMPANY, INC., CAL IV ENTERTAINMENT  
LLC, ROBERT TUR d/b/a LOS ANGELES  
NEWS SERVICE, NATIONAL MUSIC  
PUBLISHERS ASSOCIATION, THE RODGERS  
& HAMMERSTEIN ORGANIZATION, STAGE  
THREE MUSIC (US), INC., EDWARD B.  
MARKS MUSIC COMPANY, FREDDY  
BIENSTOCK MUSIC COMPANY d/b/a  
BIENSTOCK PUBLISHING COMPANY,  
ALLEY MUSIC CORPORATION, X-RAY DOG  
MUSIC, INC., FEDERATION FRANCAISE DE  
TENNIS, THE SCOTTISH PREMIER LEAGUE  
LIMITED, THE MUSIC FORCE MEDIA  
GROUP LLC, THE MUSIC FORCE LLC, and  
SINDROME RECORDS, LTD. on behalf of  
themselves and all others similarly situated,

Plaintiffs,

v.

YOUTUBE, INC., YOUTUBE, LLC and  
GOOGLE, INC.,

Defendants.

Civil Action No. 07-CV-3582  
Judge Stanton

WHEREAS, the parties seek to address Defendants' production obligations with respect to Section 4 of the Court's Opinion and Order dated July 1, 2008 ("Order") in light of certain user privacy concerns which have been raised;

IT IS HEREBY STIPULATED AND AGREED, by and between the undersigned counsel of record:

1. **Substituted Values:** When producing data from the Logging Database pursuant to the Order, Defendants shall substitute values while preserving uniqueness for entries in the following fields: User ID, IP Address and Visitor ID. The parties shall agree as promptly as feasible on a specific protocol to govern this substitution whereby each unique value contained in these fields shall be assigned a correlative unique substituted value, and preexisting interdependencies shall be retained in the version of the data produced. Defendants shall promptly (no later than 7 business days after execution of this Stipulation) provide a proposed protocol for this substitution. Defendants agree to reasonably consult with Plaintiffs' consultant if necessary to reach agreement on the protocol.

2. **Non-Circumvention:** The parties agree that they shall not engage in any efforts to circumvent the encryption utilized pursuant to Paragraph 1 this Stipulation. This Paragraph does not limit in any way any party's rights under Paragraph 8 below

3. **Data Relating to Parties' Viewing Activities:** The parties do not agree whether the arrangements contained in Paragraph 1 should extend to records reflecting the business activities of the parties' employees and agents, including whether the obligations are reciprocal. The parties do not intend for this Stipulation to resolve this issue. Defendants shall produce data from the Logging Database relating to the foregoing

activities in anonymized form as provided in Paragraph 1. The parties will meet and confer within 14 days of the execution of this Stipulation concerning records reflecting the business activities of the parties' employees and agents. If the parties cannot reach agreement on this issue, any party may submit it to the court.

4. **Defendants' Use of Original Data:** In connection with their defense of these lawsuits, Defendants, their counsel, and their outside experts and consultants shall not make use of any original versions of substituted data being produced from the Logging Database, unless and until original versions of that data have been produced to Plaintiffs.

5. **Intent of the Parties:** Each party stipulates that it shall not seek to preclude, in any aspect of this litigation, the use of the substituted data produced from the Logging Database pursuant to Paragraph 1, on grounds that the substituted data, in and of itself, allegedly constitutes or contains personally identifiable information.

6. **Preservation:** Nothing herein shall alter Defendants' preservation obligations, including the preservation of the Logging Database.

7. **Other Obligations Under Court Orders:** Any substitution of information in accordance with the Stipulation shall not delay the parties' production of material otherwise called for by the Court's Orders.

8. **Without Prejudice:** This agreement shall be without prejudice to the parties' rights to seek and object to further discovery on any topic.

**SO ORDERED:**

3

Louis L. Stanton  
U.S.D.J. *pm*

7/17/08

AGREED and STIPULATED

July 14, 2008, 2008

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AGREED and STIPULATED

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July 14, 2008

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