

ORIGINAL

MEMORANDUM ENDORSED

HIGHLY CONFIDENTIAL  
FILED UNDER SEAL

SDNY  
DOCUMENT  
ELECTRONICALLY FILED  
DOC #:  
DATE FILED: 5-4-10

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

VIACOM INTERNATIONAL INC., ET AL., )

Plaintiffs, )

v. )

YOUTUBE, INC., ET AL., )

Defendants. )

THE FOOTBALL ASSOCIATION )  
PREMIER LEAGUE LIMITED, ET AL., )  
on behalf of themselves and all others )  
similarly situated, )

Plaintiffs, )

v. )

YOUTUBE, INC., ET AL., )

Defendants. )

ECF Case

Civil No. 07-CV-2103 (LLS)

ECF Case

Civil No. 07-CV-3582 (LLS)

MEMORANDUM ENDORSED

*After hearing counsel, and having reviewed the challenged material, this motion is denied, with leave to defendants to identify transcript portions and references in Mr. Baskins' 4/30/10 letter to the Court which should be redacted*

The Football Association Premier League Limited et al v. Youtube, Inc et al

Doc. 225

DEFENDANTS' NOTICE OF MOTION AND MOTION TO STRIKE  
MATERIAL FROM VIACOM'S SUMMARY JUDGMENT SUBMISSIONS AND  
PUTATIVE CLASS PLAINTIFFS' RULE 56.1 STATEMENT

*before public filing  
so ordered.  
Louis H. Stanton  
5/3/10*

David H. Kramer  
Maura L. Rees  
Michael H. Rubin  
Bart E. Volkmer  
WILSON SONSINI GOODRICH & ROSATI PC  
650 Page Mill Road  
Palo Alto, California 94304  
(650) 493-9300

Andrew H. Schapiro  
A. John P. Mancini  
Matthew D. Ingber  
Brian M. Willen  
MAYER BROWN LLP  
1675 Broadway  
New York, New York 10019  
(212) 506-2500

Attorneys for Defendants

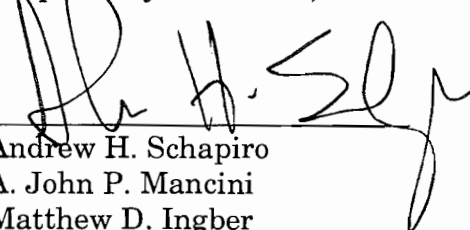
MEMORANDUM ENDORSED

**HIGHLY CONFIDENTIAL  
FILED UNDER SEAL**

PLEASE TAKE NOTICE that, upon the Memorandum of Law in Support of Defendants' Motion to Strike Material From Viacom's Summary Judgment Submissions and Putative Class Plaintiffs' Rule 56.1 Statement, and all papers and pleadings filed herein, Defendants YouTube, Inc., YouTube, LLC and Google Inc. (collectively, "YouTube"), by their undersigned counsel, will move this Court at the United States Courthouse, 500 Pearl Street, New York, New York, before the Honorable Louis L. Stanton, United States District Judge, for an Order, pursuant to Federal Rule of Civil Procedure 56(e); Local Rule 56.1, and Local Rule 5.1 that the following should be stricken from the record in this action: (1) Exhibit 315 and substituted Exhibit 312 to the Declaration of William Hohengarten in Support of Viacom's Motion for Partial Summary Judgment; (2) Section I.A.3 of the Memorandum of Law in Support of Viacom's Motion For Partial Summary Judgment on Liability and Inapplicability of the Digital Millennium Copyright Act Safe Harbor Defense; and (3) Class Plaintiffs' Statement of Uncontroverted Material Facts in Support of Their Motion for Partial Summary Judgment.

Dated: April 30, 2010  
New York, NY

Respectfully submitted,



Andrew H. Schapiro  
A. John P. Mancini  
Matthew D. Ingber  
Brian M. Willen  
MAYER BROWN LLP  
1675 Broadway  
New York, New York 10019  
(212) 506-2500

**HIGHLY CONFIDENTIAL  
FILED UNDER SEAL**

David H. Kramer  
Maura L. Rees  
Michael H. Rubin  
Bart E. Volkmer  
WILSON SONSINI GOODRICH & ROSATI PC  
650 Page Mill Road  
Palo Alto, California 94304  
(650) 493-9300

*Attorneys for Defendants*