## UNITED STATES DISTRICT COURT SOUTHERN DISTRICT OF NEW YORK

MAJOR LEAGUE BASEBALL PROPERTIES, INC.,

Plaintiff,

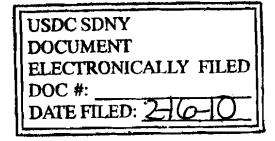
-against-

THE UPPER DECK COMPANY, LLC,

Defendant.

I0 Civ. 0732 (RWS)

ECF Case



## NOTICE OF CROSS-MOTION

PLEASE TAKE NOTICE that upon the accompanying Memorandum of Law and all

pleadings and papers so far filed in this action, Defendant The Upper Deck Company, LLC

through its attorneys Quinn Emanuel Urquhart Oliver & Hedges, LLP, shall cross-move this

Court on February 12, 2010 for an order bifurcating and staying discovery with respect to

Plaintiff Major League Baseball Properties, Inc.'s claims for trademark damages pursuant to

Rule 42(b) of the Federal Rules of Civil Procedure.

DATED: New York, New York February 10, 2010

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QUINN EMANUEL URQUHART OLIVER & HEDGES, LLP

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