

James B. Davidson, OSB No. 01122
jbd@aterwynne.com
James M. Barrett, OSB No. 01199
jmb@aterwynne.com
ATER WYNNE LLP
222 SW Columbia, Suite 1800
Portland, Oregon 97201-6618
Tel: (503) 226-1191
Fax: (503) 226-0079

Attorneys for Non-Party Pixelworks, Inc.

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF OREGON

NEW MEDIUM TECHNOLOGIES LLC, AV
TECHNOLOGIES LLC, IP INNOVATION
LLC, and TECHNOLOGY LICENSING
CORPORATION,

Plaintiffs,

v.

BARCO N.V., MIRANDA
TECHNOLOGIES, LG PHILIPS LCD, LTD.,
TOSHIBA CORPORATION, TOSHIBA
AMERICA CONSUMER PRODUCTS,
L.L.C., LG ELECTRONICS INC., and
SYNTAX-BRILLIAN CORPORATION,

Defendants.

Misc. No.
Civil No. 05 C 5620*

*In the U.S. District Court, Northern District
of Illinois, Eastern Division

NON-PARTY PIXELWORKS, INC.'S
MOTION TO QUASH DEPOSITION
SUBPOENA AND MOTION FOR
SANCTIONS

(Fed. R. Civ. P. 45)

EXPEDITED CONSIDERATION
REQUESTED

ORAL ARGUMENT REQUESTED

Certificate of Compliance With LR 7.1

Counsel for non-party Pixelworks, Inc., certifies that he made a good faith effort through telephone conferences and correspondence to resolve objections to plaintiffs' third-party deposition subpoena, but was unable to do so without this Court's assistance.

Motion

Pursuant to Fed. R. Civ. P. 45(c)(3)(A), non-party Pixelworks moves the Court for an order quashing a Subpoena in a Civil Case that plaintiffs issued in the above-captioned matter on August 14, 2007. A true and correct copy of the subpoena is attached as Appendix A.

Pixelworks also moves for an award of its reasonable attorney fees in bringing this motion as a sanction against Plaintiffs under Fed. R. Civ. P. 45(c)(1).

Reason For Expedited Consideration

Non-party Pixelworks requests expedited consideration under Local Rule 7.1(f) because the subpoena requires that Pixelworks produce a witness or witnesses to testify at a deposition next week on September 5, 2007.

Questions To Be Decided

The questions to be decided are: (1) Whether plaintiffs' deposition subpoena comports with the requirements of Fed. R. Civ. P. 45 and 30(b)(6); and (2) Whether this Court should sanction Plaintiffs for failing to take reasonable steps to avoid imposing undue burden or expense on Pixelworks.

This Motion is supported by the accompanying Memorandum of Law, the Declarations of Gregory A. Zafiris and James M. Barrett, and the court file in Case No. 05 C 5620 in the United States District Court, Northern District of Illinois, Eastern Division.

DATED this 28th day of August, 2007.

ATER WYNNE LLP

By: s/James M. Barrett

James M. Barrett, OSB No. 01199

jmb@aterwynne.com

James B. Davidson, OSB No. 01122

jbd@aterwynne.com

ATER WYNNE LLP

Attorneys for Pixelworks, Inc.

CERTIFICATE OF SERVICE

I hereby certify that I served the foregoing NON-PARTY PIXELWORKS, INC.'S
MOTION TO QUASH DEPOSITION SUBPOENA AND MOTION FOR SANCTIONS on the
following:

Raymond P. Niro
Paul C. Gibbons
NIRO SCAVONE HALLER & NIRO
181 W. Madison St., Ste. 4600
Chicago, IL 60602
Tel: (312) 236-0733
Fax: (312) 236-1605
Attorneys for Plaintiffs

by [X] mailing and [X] facsimile a true and correct copy thereof on the date stated below; and

on:

Jennifer Rutenberg
James P. Ryther
DLA PIPER RUDNICK GRAY CARY
203 N. LaSalle St., Ste. 1900
Chicago, IL 60601
Tel: (312) 368-3916
Fax: (312) 236-7516
Attorneys for Miranda Technologies

James M. Heintz
DLA PIPER RUDNICK GRAY CARY
1200 19th St., NW
Washington, D.C. 20036
Tel: (202) 861-4167
Fax: (202) 223-2085
Attorneys for Miranda Technologies

Gustavo G. Siller, Jr.
James R. Sobieraj
BRINKS HOFER GILSON & LIONE
455 N. Cityfront Plaza Dr., Ste. 3600
Chicago, IL 60611
Tel: (312) 321-4200
Fax: (312) 321-4299
Attorneys for LG Philips

Paul T. Meiklejohn
DORSEY & WHITNEY
1420 Fifth Ave., Ste. 3400
Seattle, WA 98101
Tel: (206) 903-8746
Fax: (206) 903-8820
Attorneys for Toshiba

Amy Gast O'Toole
BELL BOYD & LONDON
70 W. Madison, Ste. 3100
Chicago, IL 60602
Tel: (312) 372-1121
Fax: (312) 827-8000
Attorneys for Toshiba

Maxwell J. Petersen
Kevin D. Erickson
PAULEY PETERSEN & ERICKSON
2800 W. Higgins Rd., Ste. 365
Hoffman Estates, IL 60169
Tel: (847) 490-1400
Fax: (847) 490-1403
Attorneys for Syntax-Brilliant

CERTIFICATE OF SERVICE

Herman S. Palarz
Darin Margules
TYRE KAMINS KATZ & GRANOF
1880 Century Park East, Ste. 300
Los Angeles, CA 90067
Tel: (310) 553-6822
Fax: (310) 552-9024
Attorneys for Syntax-Brilliant

David I. Roche
Daniel J. O'Connor
BAKER & MCKENZIE
130 East Randolph Dr., Ste. 3500
Chicago, IL 60601
Tel: (312) 861-8000
Fax: (312) 861-2898
Attorneys for Barco NV

by [X] mailing a true and correct copy thereof on the date stated below.

DATED this 28th day of August, 2007.

s/James M. Barrett
James M. Barrett, OSB No. 01199
ATER WYNNE LLP
Attorneys for Pixelworks, Inc.

CERTIFICATE OF SERVICE

ATER WYNNE LLP
222 SW COLUMBIA, SUITE 1800
PORTLAND, OR 97201-6618
(503) 226-1191

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