HONORABLE RICARDO S. MARTINEZ 1 2 3 4 5 6 7 8 IN THE UNITED STATES DISTRICT COURT FOR THE WESTERN DISTRICT OF WASHINGTON 9 AT SEATTLE 10 MICROSOFT CORPORATION, 11 Case No. 11-0134 12 Plaintiff, (PROPOSED) ORDER DENYING DEFENDANT'S MOTION TO STAY VS. 13 PURSUANT TO 28 U.S.C. § 1659 AND TIVO, INC., TO TRANSFER VENUE PURSUANT 14 Defendant TO 28 U.S.C. § 1404(A) 15 Noted: March 18, 2011 16 17 This matter came before the Court on the motion of Defendant TiVo, Inc., for an order 18 granting Defendant's Motion to Stay Pursuant to 28 U.S.C. § 1659 and to Transfer Venue 19 Pursuant to 28 U.S.C. § 1404(A). The Court has considered the following pleadings: 20 1. Defendant's Motion to Stay Pursuant to 28 U.S.C. § 1659 and to Transfer 21 Venue Pursuant to 28 U.S.C. § 1404(A); 22 2. Declaration of Joseph Lipner (with exhibits) in Support of Defendant's Motion 23 to Stay Pursuant to 28 U.S.C. § 1659 and to Transfer Venue Pursuant to 28 U.S.C. § 1404(A); 24 25 (PROPOSED) ORDER DENYING DEFENDANT'S MOTION TO STAY

PURSUANT TO 28 U.S.C. § 1659 AND TO

1404(A) - 1

TRANSFER VENUE PURSUANT TO 28 U.S.C. §

LAW OFFICES

DANIELSON HARRIGAN LEYH & TOLLEFSON LLP
999 THIRD AVENUE, SUITE 4400
SEATTLE, WASHINGTON 98104
TEL, (206) 623-1700 FAX, (206) 623-8717

1	3. Declaration of Pavel Kovar in Support of Defendant's Motion to Stay Pursuant		
2	to 28 U.S.C. § 1659 and to Transfer Venue Pursuant to 28 U.S.C. § 1404(A)		
3	4. Plaintiff Microsoft's Response to Defendant's Motion to Stay Pursuant to 28		
4	U.S.C. § 1659 and to Transfer Venue Pursuant to 28 U.S.C. § 1404(A);		
5	5. Declaration of Shane Cramer (with exhibits) in Support of Plaintiff Microsoft's		
6	Response to Defendant's Motion to Stay Pursuant to 28 U.S.C. § 1659 and to Transfer Venue		
7	Pursuant to 28 U.S.C. § 1404(A);		
8	6.		
9	7.		
10	The Court therefore deems itself fully advised. Now, therefore,		
11	IT IS ORDERED that Defendant's Motion to Stay Pursuant to 28 U.S.C. § 1659 and to		
12	Transfer Venue Pursuant to 28 U.S.C. § 1404(A) is DENIED.		
13	DATED this day of March, 2011.		
14			
15	HONORABLE RICARDO S. MARTINEZ		
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17	Presented by:		
18	DANIELSON HARRIGAN LEYH & TOLLEFSON LLP		
19	By/s/ Shane Cramer		
20	Arthur W. Harrigan, Jr., WSBA #1751 Christopher Wion, WSBA #33207		
21	Shane P. Cramer, WSBA #35099		
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(PROPOSED) ORDER DENYING DEFENDANT'S MOTION TO STAY PURSUANT TO 28 U.S.C. § 1659 AND TO TRANSFER VENUE PURSUANT TO 28 U.S.C. § 1404(A) - 2

1	Of Counsel:	
2	1. Andrew Culbert, WSBA # 35925	ark Davis, <i>Pro hac vice</i>
3		eil, Gotshal & Manges LLP 600 Eye Street NW, Suite 900
4	One Microsoft Way W	fashington, DC 20005-3314 el: +1 202 682 7258
5	Telephone: (425) 882-8080 Fa	ax: +1 202 857 0940
6		ark.davis@weil.com
7	Tim DeMasi, <i>Pro hac vice</i> Weil, Gotshal & Manges LLP Co	unsel for Plaintiff Microsoft Corporation
8	767 Fifth Avenue New York, NY 10153	
9	T-1, +1 212 210 0725	
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CERTIFICATE OF SERVICE 1 I hereby certify that on March 15th 2011, I electronically filed the foregoing document 2 with the Clerk of the Court using the CM/ECF system which will send notification of such 3 filing to the following: 4 Attorneys for Defendant TIVO, Inc. 6 Bradley S. Keller Jofrey M. McWilliam 7 Byrnes Keller Cromwell LLP 8 Joseph Lipner Irell & Manella LLP 9 10 /s/ Linda Bledsoe LINDA BLEDSOE 11 12 13 14 15 16 17 18 19 20 21 22 23 24

(PROPOSED) ORDER DENYING DEFENDANT'S MOTION TO STAY PURSUANT TO 28 U.S.C. § 1659 AND TO TRANSFER VENUE PURSUANT TO 28 U.S.C. § 1404(A) - 4

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