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UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN JOSE DIVISION

IN RE: PERSONAL WEB TECHNOLOGIES,
LLC ET AL., PATENT LITIGATION,

AMAZON.COM, INC., and AMAZON WEB
SERVICES, INC.,

Plaintiffs

v.

PERSONALWEB TECHNOLOGIES, LLC and
LEVEL 3 COMMUNICATIONS, LLC,

Defendants.

PERSONALWEB TECHNOLOGIES, LLC, and
LEVEL 3 COMMUNICATIONS, LLC,

Plaintiffs,

v.

TWITCH INTERACTIVE, INC.,

Defendant.

Case No.: 5:18-md-02834-BLF

Case No.: 5:18-cv-00767-BLF

Case No.: 5:18-cv-05619-BLF

**[PROPOSED] ORDER DENYING
AMAZON’S SECOND MOTION TO
COMPEL COMPLIANCE WITH
COURT ORDER BY BRILLIANT
DIGITAL ENTERTAINMENT, INC.,
CLARIA INNOVATIONS, LLC,
EUROPLAY CAPITAL ADVISORS,
LLC, AND MONTO HOLDINGS PTY.
LTD.; REQUEST FOR SANCTIONS
AND GRANTING THIRD PARTIES’
REQUEST FOR BRIEFING THE
COURT’S SUBJECT MATTER
JURISDICTION**

FENWICK & WEST LLP
ATTORNEYS AT LAW

1 Before the Court is Amazon's Motion to Compel Compliance with Court Order by Brilliant
2 Digital Entertainment, Inc. ("BDE"), Claria Innovations, LLC ("Claria"), Europlay Capital
3 Advisors, LLC ("ECA"), and Monto Holdings Pty. Ltd. ("Monto") (collectively, "Third Parties" or
4 "Respondents". ("Motion"). Also before the Court is the request by BDE for sanctions against
5 Amazon and its counsel.

6 Initially, the Court notes that, even though the title of Amazon's motion seeks relief as to
7 Claria and Monto, its joint statement nowhere asserts any deficiency in their compliance with any
8 order of the Court. Accordingly, to the extent it seeks relief as to these Third Parties, Amazon's
9 Motion is **DENIED**.

10 The motion challenging the means by which BDE conducted its search is **DENIED**.

11 The motion challenging the means by which ECA conducted its search is **DENIED**.

12 The motion seeking to require ECA to search email on the server of the Stubbs Alderton
13 firm is **DENIED**.

14 The request for briefing on the Court's subject matter jurisdiction is **GRANTED**. Third
15 parties shall jointly submit a brief on the subject by December 5, 2022 and the issue shall be briefed
16 under the schedule in the local Rules as if it were presented in a Rule 12 motion.

17 **IT IS SO ORDERED.**

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20 DATED: November __, 2022

FENWICK & WEST LLP
ATTORNEYS AT LAW

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