

**IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF DELAWARE**

ACCELERATION BAY LLC,	)	
	)	
Plaintiff,	)	
	)	
v.	)	C.A. No. 15-228 (RGA)
	)	
ACTIVISION BLIZZARD, INC.	)	
	)	
Defendant.	)	
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ACCELERATION BAY LLC,	)	
	)	
Plaintiff,	)	
	)	
v.	)	C.A. No. 15-282 (RGA)
	)	
ELECTRONIC ARTS INC.,	)	
	)	
Defendant.	)	
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ACCELERATION BAY LLC,	)	
	)	
Plaintiff,	)	
	)	
v.	)	C.A. No. 15-311 (RGA)
	)	
TAKE-TWO INTERACTIVE SOFTWARE,	)	
INC., ROCKSTAR GAMES, INC. and	)	
2K SPORTS, INC.,	)	
	)	
Defendants.	)	

**STIPULATION**

**WHEREAS**, on November 23, 2015, the parties submitted competing forms of a proposed protective order that included, among other things, competing provisions regarding the review of source code;

**WHEREAS**, on December 1, 2015, the Court issued an order adopting the source code provisions contained in Defendants’ proposed protective order (the “December 1 Order”);

**WHEREAS**, on December 7, 2015, Plaintiff filed a motion for reconsideration of the Court's December 1 Order (the "Motion for Reconsideration");

**WHEREAS**, on December 8, 2015, Defendants filed a revised proposed protective order to be consistent with the Court's December 1 Order ("the Interim Protective Order");

**WHEREAS**, the Motion for Reconsideration has not been adjudicated; and

**WHEREAS**, the parties agree that entering the Interim Protective Order is without prejudice to Plaintiff's motion for reconsideration and is beneficial because inspection of Defendants' source code began the week of December 28, 2015;

**IT IS HEREBY STIPULATED** by the parties, subject to the approval of the Court, that:

1. The Interim Protective Order shall govern Plaintiff's review of Defendants' source code and the parties, their representatives and their retained experts shall be bound by the terms of the Interim Protective Order, including, *inter alia*, any requirement that certain parties execute a form of undertaking before viewing or receiving Designated Material (as defined in the Interim Protective Order);

2. If the Court grants Plaintiff's Motion for Reconsideration or otherwise modifies the Protective Order, any changes to the Protective Order (the "Revised Protective Order") will be considered to be in effect retroactively to the date this stipulation is entered. Any restrictions contained in the Interim Protective order that are not contained in any Revised Protective Order shall be null and void upon entry of any Revised Protective Order;

3. If the Court denies Plaintiff's Motion for Reconsideration and does not otherwise modify the Protective Order, the Interim Protective Order shall continue to be binding in this case.

4. Entering into this stipulation does not waive or moot Plaintiff's pending Motion for Reconsideration.

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DATED: \_\_\_\_\_

\_\_\_\_\_  
HONORABLE RICHARD G. ANDREWS  
UNITED STATES DISTRICT JUDGE