

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

ACCELERATION BAY LLC,)
)
Plaintiff,)
)
v.) C.A. No. 16-453 (RGA)
)
ACTIVISION BLIZZARD, INC.,)
)
Defendant.)

**PLAINTIFF ACCELERATION BAY LLC'S
MOTION TO COMPEL DEPOSITIONS**

Pursuant to the Court's Order Appointing Special Master (D.I. 94 in C.A. No. 15-228-RGA, incorporated into this action by D.I. 62) ("Order"), Plaintiff Acceleration Bay LLC ("Acceleration Bay") hereby moves for an order compelling Defendant Activision Blizzard, Inc. ("Activision") to provide proposed dates for Rule 30(b)(6) depositions on Destiny and the Blizzard Downloader within seven days.

The grounds for this motion are set forth in Acceleration Bay's letter brief, which will be provided to the Special Master pursuant to Paragraph 3 of the Order and the Special Master Order Relating to Procedures for Resolving Discovery Motions (D.I. 113 in C.A. No. 15-228-RGA). A telephonic hearing on this motion is scheduled for March 14, 2017.

Pursuant to D. Del. LR 7.1.1, Acceleration Bay states that it has made reasonable effort to reach agreement with Activision on the matters set forth in this motion and have been informed that Activision opposes the relief sought.

POTTER ANDERSON & CORROON LLP

OF COUNSEL:

Paul J. Andre
Lisa Kobialka
KRAMER LEVIN NAFTALIS &
FRANKEL LLP
990 Marsh Road
Menlo Park, CA 94025
(650) 752-1700

Aaron M. Frankel
KRAMER LEVIN NAFTALIS &
FRANKEL LLP
1177 Avenue of the Americas
New York, NY 10036
(212) 715-9100

Dated: March 6, 2017

By: /s/ Philip A. Rovner
Philip A. Rovner (#3215)
Jonathan A. Choa (#5319)
Hercules Plaza
P.O. Box 951
Wilmington, DE 19899
(302) 984-6000
provner@potteranderson.com
jchoa@potteranderson.com

Attorneys for Plaintiff Acceleration Bay LLC