

**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. |) | |

| | | |
|-----------------------|---|-----------------------|
| ACCELERATION BAY LLC, |) | |
| |) | |
| Plaintiff, |) | |
| v. |) | |
| |) | C.A. No. 16-454 (RGA) |
| ELECTRONIC ARTS INC., |) | |
| |) | |
| Defendant. |) | |

| | | |
|--------------------------------|---|-----------------------|
| ACCELERATION BAY LLC, |) | |
| |) | |
| Plaintiff, |) | |
| v. |) | |
| |) | C.A. No. 16-455 (RGA) |
| TAKE-TWO INTERACTIVE SOFTWARE, |) | |
| INC., ROCKSTAR GAMES, INC. and |) | |
| 2K SPORTS, INC., |) | |
| |) | |
| Defendants. |) | |

PLAINTIFF ACCELERATION BAY LLC’S MOTION TO COMPEL

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: (1) compelling Activision Blizzard Inc. to produce all documents responsive to Acceleration Bay’s RFP Nos. 2, 25-27, 30-38, 40-41, 44-45, 51, 53-56, 65, 71-72, 78-79, 102-103, 115, 135-138, 140-146, and 152-168; (2) compelling Electronic Arts, Inc. to produce all documents responsive to Acceleration Bay’s RFP Nos. 2, 21-23, 26-34, 36-37, 42, 47-52, 61, 67-68, 77, 81-84, 86-92, 96, 98-114, and 116; (3) compelling

Take-Two Interactive Software, Inc., Rockstar Games, Inc. and 2K Sports, Inc. to produce all documents responsive to Acceleration Bay's RFP Nos. 2, 16-18, 21-29, 31-32, 37, 42, 44-47, 58, 67-68, 76-79, 81-87, 93-110 and non-source code documents stored in Rockstar's source code repository relevant to GTA's multiplayer networking; and (4) compelling Take-Two to immediately make available for inspection the source code for GTA and NBA2K identified in Acceleration Bay's letter brief in support of this motion.

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 July 14, 2017.

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

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: July 5, 2017
5262912

POTTER ANDERSON & CORROON LLP

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*