

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF DELAWARE

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ACCELERATION BAY LLC,)
)
Plaintiff,)
)
v.) C.A. No. 16-453 (RGA)
)
ACTIVISION BLIZZARD, INC.) REDACTED
) PUBLIC VERSION
Defendant.)
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ACCELERATION BAY LLC,)
)
Plaintiff,)
)
v.) C.A. No. 16-454 (RGA)
)
ELECTRONIC ARTS INC.,) REDACTED
) PUBLIC VERSION
Defendant.)
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ACCELERATION BAY LLC,)
)
Plaintiff,)
)
v.) C.A. No. 16-455 (RGA)
)
TAKE-TWO INTERACTIVE SOFTWARE,) REDACTED
INC., ROCKSTAR GAMES, INC. and) PUBLIC VERSION
2K SPORTS, INC.,)
)
Defendants.)
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**DEFENDANTS’ FURTHER MOTION TO
COMPEL RELATED TO HAMILTON CAPITAL**

Pursuant to the Court’s Order Appointing Special Master (*see* D.I. 94 in C.A. No. 15-228-RGA, incorporated into this action by D.I. 62), Defendants hereby move to compel Acceleration Bay to produce documents related to Hamilton Capital. Defendants also move to compel Acceleration Bay to explain its previous failure to produce the documents at issue, and

move for fees and expenses caused by the failure pursuant to Fed. R. Civ. P. 37(a)(5) and 37(b)(2)(C). The grounds for this motion are set forth in Defendants' accompanying 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). The precise relief sought is detailed in the brief and proposed order accompanying this motion. A telephonic hearing on this motion is scheduled with the Special Master for November 20, 2017.

Pursuant to D. Del. LR 7.1.1, Defendants state that they have made reasonable effort to reach agreement with Plaintiff on the matters set forth in this motion and the parties could not reach agreement.

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7.1.1 CERTIFICATION

I hereby certify that the subject of the foregoing motion has been discussed with counsel for the plaintiff and that we have not been able to reach agreement.

/s/ Stephen J. Kraftschik

Stephen J. Kraftschik (#5623)

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)	
Defendants.)	

[PROPOSED] ORDER TO COMPEL RELATED TO HAMILTON CAPITAL

WHEREAS, the Special Master, having considered Defendants' Further Motion to Compel Related to Hamilton Capital;

IT IS HEREBY ORDERED this _____ day of _____, 2017, that Defendants' Motion is GRANTED as follows:

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