

In The Matter Of:
Acceleration Bay, LLC v.
Activision Blizzard, Inc.,

Special Master Teleconference
March 30, 2018

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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.)

Friday, March 30, 2018
12:01 p.m.
Teleconference

BEFORE: SPECIAL MASTER ALLEN TERRELL, JR.



1 APPEARANCES:

2 PHILIP A. ROVNER, ESQUIRE
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6 -and-

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12 For the Plaintiffs

13 JACK B. BLUMENFELD, ESQUIRE
14 STEPHEN J. KRAFTSCHIK, ESQUIRE
15 MORRIS NICHOLS ARSHT & TUNNELL, LLP
16 1201 North Market Street
17 Wilmington, Delaware 19899

18 -and-

19 MICHAEL A. TOMASULO, ESQUIRE
20 DAVID P. ENZMINGER, ESQUIRE
21 KATHLEEN B. BARRY, ESQUIRE
22 WINSTON & STRAWN, LLP
23 For the Defendants
24



1 SPECIAL MASTER: All right.
2 Very good. Let us begin.

3 This is the Special Master,
4 Allen Terrell, and this is a hearing in the
5 United States District Court, District of
6 Delaware in the cases Civil Action 16-453,
7 454, and 455, all brought by plaintiff,
8 Acceleration Bay, LLC.

9 Before me today are several
10 motions that have been brought on by the
11 defendants. Before we begin with the formal
12 part of the hearing, perhaps the court
13 reporter will identify herself, and then
14 starting with the defendants, identify
15 themselves, and the plaintiffs as well.

16 THE REPORTER: Heather Triozzi,
17 court reporter.

18 SPECIAL MASTER: Thank you,
19 Heather.

20 MR. BLUMENFELD: It's Jack
21 Blumenfeld for the defendants, and also on
22 from Winston & Strawn are Mike Tomasulo,
23 David Enzminger, Kathleen Barry, and Paul
24 Harold. And I think Steve Kraftschik from



1 Morris Nichols is also on.

2 MR. ROVNER: And Special
3 Master, it's Phil Rovner from Potter
4 Anderson & Corroon for plaintiff. And as you
5 heard, on the line is Paul Andre, and Aaron
6 Frankel.

7 SPECIAL MASTER: Very good.
8 Defendants why don't you proceed in whatever
9 order with your motions you'd like, and then
10 I will leave it to the plaintiff to decide
11 whether the plaintiff would like to respond
12 after the defendant has addressed each motion
13 or wait until the defendant is through in
14 entirety.

15 So defendant, you can proceed.

16 MR. TOMASULO: Okay. This is
17 Mike Tomasulo. I'm going to address the
18 motion regarding Hamilton Capital.

19 If I may proceed, Your Honor?

20 SPECIAL MASTER: Go ahead.

21 MR. TOMASULO: So I'm going to
22 sort of skip to it, skip the recitation of
23 the two-year saga that got us here and sort
24 of jump straight in to the relief we're



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