

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

**STATUS REPORT**

Plaintiff Acceleration Bay LLC (“Acceleration Bay”) provides the following Status Report regarding the above-referenced action.

On April 21, 2020, the Court sua sponte stayed these actions pending the resolution of the appeal from related case *Acceleration Bay LLC, v. 2K Sports, Inc.*, C.A No. 16-00455 (the “*Take Two* Action”). D.I. 711. The Court then administratively closed these cases and directed that “The parties shall promptly notify the Court when the related litigation has been resolved so this case may be reopened and other appropriate action may be taken.” D.I. 712.

The Court of Appeals for the Federal Circuit issued a decision in the appeal from the *Take Two* Action, No. 2020-01700 (Fed. Cir.) (the “*Take Two* Appeal”) on October 4, 2021,

attached as Exhibit 1 hereto. Accordingly, Acceleration Bay requests that the Court reopen these cases and lift the stay.

Acceleration Bay further requests that the Court rule on Acceleration Bay's pending Damages Proffer in C.A. No. 16-453 (RGA) (D.I. 700). *See* D.I. 699 (Oral Order requesting Damages Proffer), 702 (Response to Damages Proffer); C.A. No. 16-454 (RGA). D.I. 553 (Stipulated Order re: Case Management) (deferring resolution of damages issues in C.A. No. 16-454 until the resolution of damages issues is concluded in C.A. No. 16-453).

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