

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF DELAWARE

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.)	

**MOTION TO COMPEL RESPONSES TO INTERROGATORIES 7 AND 9
IN COMPLIANCE WITH SPECIAL MASTER ORDER 3**

Electronic Arts Inc. (“EA”) and Take-Two Interactive Software, Inc., Rockstar Games, Inc., and 2K Sports, Inc. (“Take-Two”) (collectively, “Defendants”) move for the entry of the proposed Special Master Order No. 4 to address Plaintiff’s failure to comply with Special Master Order No. 2 (prior litigation) regarding Defendants’ Common Interrogatory Nos. 7 and 9. A Proposed Order is submitted herewith as Exhibit A-1. The grounds for this motion are set forth in the Opening Brief submitted herewith.

MORRIS, NICHOLS, ARSHT & TUNNELL LLP

/s/ Stephen J. Kraftschik

Jack B. Blumenfeld (#1014)
Stephen J. Kraftschik (#5623)
1201 North Market Street
P.O. Box 1347
Wilmington, DE 19899
(302) 658-9200
jblumenfeld@mnat.com
skraftschik@mnat.com

Attorneys for Defendants

OF COUNSEL:

Michael A. Tomasulo
Gino Cheng
David K. Lin
Joe S. Netikosol
WINSTON & STRAWN LLP
333 South Grand Avenue, 38th Floor
Los Angeles, CA 90071
(213) 615-1700

David P. Enzminger
WINSTON & STRAWN LLP
275 Middlefield Road, Suite 205
Menlo Park, CA 94025
(650) 858-6500

Dan K. Webb
Kathleen B. Barry
WINSTON & STRAWN LLP
35 West Wacker Drive
Chicago, IL 60601
(312) 558-5600

Krista M. Enns
WINSTON & STRAWN LLP
101 California Street, 35th Floor
San Francisco, CA 94111
(415) 591-1000

Michael M. Murray
WINSTON & STRAWN LLP
200 Park Avenue,
New York, NY 10166
(212) 294-6700

June 7, 2017

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)

CERTIFICATE OF SERVICE

I hereby certify that on June 7, 2017, I caused the foregoing to be electronically filed with the Clerk of the Court using CM/ECF, which will send notification of such filing to all registered participants.

I further certify that I caused copies of the foregoing document to be served on June 7, 2017, upon the following in the manner indicated:

Philip A. Rovner, Esquire
Jonathan A. Choa, Esquire
POTTER ANDERSON & CORROON LLP
1313 North Market Street, 6th Floor
Wilmington, DE 19801
Attorneys for Plaintiff

VIA ELECTRONIC MAIL

Paul J. Andre, Esquire
Lisa Kobialka, Esquire
James R. Hannah, Esquire
Hannah Lee, Esquire
Yuridia Caire, Esquire
KRAMER LEVIN NAFTALIS & FRANKEL LLP
990 Marsh Road
Menlo Park, CA 94025
Attorneys for Plaintiff

VIA ELECTRONIC MAIL

Aaron M. Frankel, Esquire
Marcus A. Colucci, Esquire
KRAMER LEVIN NAFTALIS & FRANKEL LLP
1177 Avenue of the Americas
New York, NY 10036
Attorneys for Plaintiff

VIA ELECTRONIC MAIL

/s/ Stephen J. Kraftschik
Stephen J. Kraftschik (#5623)