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8 Attorneys for Plaintiffs  
 Fox Broadcasting Company, Twentieth Century  
 9 Fox Film Corp., and Fox Television Holdings, Inc.

10 UNITED STATES DISTRICT COURT FOR THE  
 11 CENTRAL DISTRICT OF CALIFORNIA

12 FOX BROADCASTING COMPANY,  
 13 et al.

14 Plaintiffs,

15 v.

16 DISH NETWORK L.L.C., et al.,  
 17 Defendants.

Case No. 12-CV-04529-DMG (SH)

**PLAINTIFFS' NOTICE OF  
 MOTION AND MOTION FOR  
 PARTIAL SUMMARY JUDGMENT**

Hearing Date: October 17, 2014  
 Hearing Time: 2:00 p.m.  
 Hearing Location: Courtroom 7

1 TO ALL PARTIES AND THEIR ATTORNEYS OF RECORD:

2 PLEASE TAKE NOTICE that on October 17, 2014 at 2:00 p.m., or as soon  
3 thereafter as counsel may be heard, in Courtroom 7 of the United States District Court  
4 for the Central District of California, located at 312 North Spring Street, Los Angeles,  
5 California 90012, before the Honorable Dolly M. Gee, plaintiffs Fox Broadcasting  
6 Company, Twentieth Century Fox Film Corp., and Fox Television Holdings, Inc.  
7 (collectively, "Fox") will, and hereby do, move for partial summary judgment against  
8 defendants Dish Network L.L.C., Dish Network Corp., and EchoStar Technologies  
9 L.L.C. (collectively, "Dish") pursuant to Rule 56 of the Federal Rules of Civil  
10 Procedure and Rules 56-1 through 56-3 of the Local Rules for the Central District of  
11 California, on the grounds that there are no disputed issues of material fact and that  
12 Fox is entitled to judgment as a matter of law on the following claims and issues:

13 1. Dish is infringing Fox's exclusive right to publicly perform its  
14 copyrighted works by streaming them over the Internet;

15 2. Dish is breaching the 2010 Amendment to the parties' 2002  
16 Retransmission Consent Agreement by retransmitting Fox's programming over the  
17 Internet;

18 3. Dish is breaching the parties' 2002 Retransmission Consent Agreement  
19 by distributing Fox's programming on a "video-on-demand or similar basis" using  
20 PrimeTime Anytime;

21 4. Dish is breaching the parties' 2002 Retransmission Consent Agreement  
22 by authorizing Dish's subscribers to copy Fox's programming for viewing outside  
23 their homes with its Hopper Transfers service;

24 5. Dish has breached the parties' 2002 Retransmission Consent Agreement  
25 by making copies of Fox's programming in connection with the operation of the  
26 AutoHop service; and

27 6. Dish has infringed Fox's exclusive right to reproduce its copyrighted  
28 works by making copies of Fox's programming in connection with the operation of

1 the AutoHop service.

2 Fox's motion is based on this Notice of Motion and Motion for Partial  
3 Summary Judgment, as well as the concurrently filed Memorandum of Points and  
4 Authorities, Statement of Uncontroverted Facts and Conclusions of Law, Declarations  
5 of Amy M. Gallegos, Howard Homonoff, and Mary McGuire, the exhibits attached  
6 thereto, Exhibit 1 to Fox's Notice of Lodging, Fox's Appendix of Previously Filed  
7 Documents, the exhibits attached thereto, and the Proposed Order, as well as the  
8 pleadings and papers on file in this action, and on such further argument and evidence  
9 as the Court may consider.

10 This motion is made following a conference of counsel pursuant to Local Rule  
11 7-3, which took place on August 15, 2014.

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14 DATED: August 22, 2014

JENNER & BLOCK LLP

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/s/ Richard L. Stone  
Richard L. Stone

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Attorneys for Plaintiffs  
Fox Broadcasting Company, Twentieth  
Century Fox Film Corp., and Fox Television  
Holdings, Inc.

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