

1 JENNER & BLOCK LLP
 Richard L. Stone (Bar No. 110022)
 2 Andrew J. Thomas (Bar No. 159533)
 David R. Singer (Bar No. 204699)
 3 Amy M. Gallegos (Bar No. 211379)
 633 West 5th Street, Suite 3600
 4 Los Angeles, CA 90071
 rstone@jenner.com
 5 ajthomas@jenner.com
 dsinger@jenner.com
 6 agallegos@jenner.com

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 8 Attorneys for Plaintiffs
 Fox Broadcasting Company, Twentieth Century
 Fox Film Corp., and Fox Television Holdings, Inc.
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10 **UNITED STATES DISTRICT COURT**
 11 **CENTRAL DISTRICT OF CALIFORNIA**

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 13 FOX BROADCASTING COMPANY,
 INC., TWENTIETH CENTURY FOX
 14 FILM CORP., and FOX TELEVISION
 HOLDINGS, INC.

15 Plaintiffs,

16 v.

17 DISH NETWORK L.L.C. and
 18 DISH NETWORK CORP.,

19 Defendants.

Case No. 12-CV-04529

Hon. George H. King

**NOTICE OF RELATED CASES
 AND PENDENCY OF OTHER
 ACTION**

[Local Rules 83-1.3 and 83-1.4]

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1 Pursuant to Local Rules 83-1.3 and 83-1.3.3, the undersigned counsel of
2 record for plaintiffs Fox Broadcasting Company, Twentieth Century Fox Film
3 Corp., and Fox Television Holdings, Inc. (collectively, “Fox”), states that this
4 action, *Fox Broadcasting Co. v. Dish Network L.L.C., et al.*, Case No. 12-CV-
5 04529 (C.D. Cal.), is related to the later-filed cases captioned *NBC Studios v. Dish*
6 *Network Corp., et al.*, Case No. 12-CV-04536 (C.D. Cal.) (the “NBC Action”) and
7 *CBS Broadcasting Inc. v. Dish Network Corp., et al.* Case No. 12-CV-4551 (C.D.
8 Cal.) (the “CBS Action”).

9 These cases are related because they (a) arguably arise from the same or a
10 closely related transaction, happening or event; and (b) may call for determination
11 of the same or substantially related or similar questions of law and fact. *See* L.R.
12 83-1.3. Specifically, this action, the NBC Action, and the CBS Action, arise from
13 defendant DISH Network L.L.C.’s (“DISH”) massive campaign of ongoing
14 copyright infringement against the four major broadcast television networks as a
15 result of DISH’s recent launch of an unauthorized, broadcast video-on-demand
16 service called PrimeTime Anytime. Through its Primetime Anytime service,
17 DISH, a satellite television distributor, has forcibly asserted control over Fox’s
18 copyrighted television programs and is now copying and distributing them in ways
19 that were never authorized – and indeed were expressly prohibited – by Fox.
20 Without authorization, DISH’s PrimeTime Anytime and Auto Hop services make
21 copies of primetime broadcast television programs and then distribute those
22 unauthorized copies in a commercial-free format to DISH’s satellite television
23 subscribers to view on-demand.

24 DISH’s unprecedented acts of copyright infringement are causing Fox and
25 the other broadcast networks irreparable harm and threaten to destroy the broadcast
26 television market in the United States, as well as the networks’ ability to exploit
27 their valuable television programs in numerous secondary markets. Accordingly,
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1 all three cases may necessitate resolution of many of the same legal and factual
2 issues concerning DISH's infringing conduct.

3 This action, however, involves additional copyright infringement claims that
4 are not at issue in the NBC and CBS Actions, including DISH's use of its Sling
5 Adapter product and service in conjunction with the Primetime Anytime service to
6 provide an unauthorized, broadcast video-on-demand service to DISH's subscribers
7 over the Internet. This action also involves breach of contract claims against DISH
8 that are not at issue in the NBC and CBS Actions. Those lawsuits do not involve
9 any contact claims.

10 Pursuant to Local Rule 83-1.4, plaintiffs further notify the Court that DISH
11 filed an anticipatory declaratory relief action against Fox in the Southern District of
12 New York on the same day this action was filed (the "SDNY Action"). Hoping to
13 preempt FOX's legitimate choice of forum as a copyright infringement plaintiff,
14 DISH raced to the courthouse in the Southern District of New York a mere 29
15 minutes before this action was filed and filed a declaratory relief action against Fox
16 seeking a declaration that DISH's Auto Hop commercial-skipping service does not
17 infringe Fox's copyrights or breach the parties' agreement. Although DISH's
18 SDNY Action raises some of the same issues as this action, the Auto Hop service
19 represents only a small subset of DISH's infringing conduct that is at issue in this
20 action. Here, Fox is also suing DISH for copyright infringement based on DISH's
21 unauthorized PrimeTime Anytime, Hopper, and Sling Adapter services and
22 products, each of which also infringe Fox's copyrights. In this action, Fox is also
23 suing DISH for multiple contractual breaches that are not at issue in the SDNY
24 Action.

25 Because DISH's SDNY Action is an improper, anticipatory declaratory relief
26 action meant to preempt Fox's legitimate choice of forum, Fox intends to move
27 promptly to dismiss the narrower SDNY Action for declaratory relief in favor of
28 this broader infringement action.

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Dated: May 29, 2012

JENNER & BLOCK LLP

By: /s/Richard L. Stone

Richard L. Stone

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