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Attorneys for Plaintiffs

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

UNIVERSAL CITY STUDIOS, INC.; )  
PARAMOUNT PICTURES CORPORATION; )  
METRO-GOLDWYN-MAYER STUDIOS INC.; )  
TRISTAR PICTURES, INC.; COLUMBIA )  
PICTURES INDUSTRIES, INC.; TIME WARNER )  
ENTERTAINMENT CO., L.P.; DISNEY )  
ENTERPRISES, INC.; AND TWENTIETH )  
CENTURY FOX FILM CORPORATION, )

Plaintiffs, )

v. )

SHAWN C. REIMERDES; ERIC CORLEY A/K/A )  
"EMMANUEL GOLDSTEIN"; AND ROMAN )  
KAZAN, )

Defendants. )

00 Civ. 0277 (LAK)(RLE)

**NOTICE OF MOTION TO  
MODIFY THE JANUARY 20, 2000  
ORDER OF PRELIMINARY  
INJUNCTION AND FOR LEAVE  
TO AMEND THE COMPLAINT**

PLEASE TAKE NOTICE that upon the annexed Supplemental Declaration of Robert W. Schumann, dated April 3, 2000, the Supplemental Declaration of Bruce E. Boyden, Esq., dated April 3, 2000, and the accompanying Memorandum of Law In Support of Plaintiffs' Motion to Modify the January 20, 2000 Order of Preliminary Injunction and for Leave to Amend the Complaint, and upon all prior pleadings and proceedings herein, the undersigned will move this Court, in Courtroom \_\_\_ before the Honorable Lewis A. Kaplan, United States District Court Judge for the Southern District of New York, in the Courthouse located at 500 Pearl Street, New York, New York, 10007, on a date and time to be set by the Court:

1. For an Order, pursuant to Rule 65 of the Federal Rules of Civil Procedure, modifying this Court's preliminary injunction Order, dated January 20, 2000, by adding the following to the indicated paragraphs of said order:
  - a) add to paragraph 2 the name of additional defendant 2600 Enterprises, Inc., and delete the names of defendants Shawn C. Reimerdes and Roman Kazan,
  - b) add to paragraphs 2(a) and 2(b), after the words "posting on," the language "or linking to," and insert commas after the words "trafficking in,"
  - c) revise paragraph 3(b) to read "'CSS' means the Contents Scramble System used to encrypt, scramble or otherwise protect the contents of certain DVDs from unauthorized access or copying,"
  - d) revise paragraph 3(c) to read "'DeCSS' means any computer program, file or device that may be used to decrypt or unscramble the contents of DVDs that are protected, or otherwise to circumvent the protection afforded, by CSS and that permits the unauthorized access or copying of the contents or any portion thereof,"

- e) add (d) to paragraph 3 as follows: “a ‘hyperlink’ means software instructions which, when executed, cause a signal to be sent to another location where data or material can be retrieved for viewing, copying or further transmission,”
- f) add (e) to paragraph 3 as follows: “‘linking’ means provision by the defendants, at their respective websites, of hyperlinks to other websites which are offering to the public, providing, providing hyperlinks to, or otherwise trafficking in DeCSS or any technology, product, service, device, component, or part thereof described in paragraph 2(b),”

(*see* Proposed Modified Order of Preliminary Injunction, attached hereto as Exhibit A);

2. For an Order, pursuant to Rule 15(a) of the Federal Rules of Civil Procedure, granting plaintiffs leave to amend the complaint to add 2600 Enterprises, Inc., to delete references to defendants who have settled, to conform the prayer for relief to the proposed modifications to the injunction, and to make other, minor conforming changes (*see* Proposed Second Amended Complaint, attached hereto as Exhibit B); and

3. For such other and further equitable relief as this Court deems just and proper.

PLEASE TAKE FURTHER NOTICE that, pursuant to the individual rules of this Court, opposing affidavits and answering memoranda of law shall be served within two (2) weeks of this date.

DATED: New York, New York  
April 4, 2000

PROSKAUER ROSE LLP

By: 

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- and -

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