

Sweet, R.

UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF NEW YORK

TOUCHTUNES MUSIC CORP.,

Plaintiff,

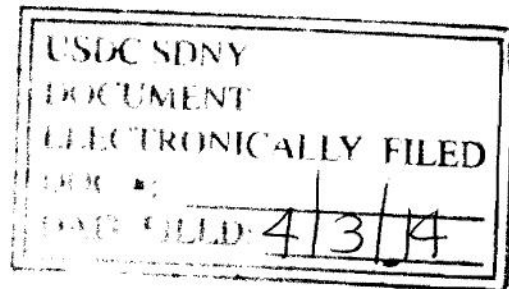
v.

ROWE INTERNATIONAL CORP.,
ARACHNID, INC.,
AMI ENTERTAINMENT, INC. and
MERIT INDUSTRIES, INC. d/b/a/ MERIT
ENTERTAINMENT,

Defendants.

Civil Action No. 07-cv-11450-RWS

AND RELATED COUNTERCLAIMS



**STIPULATION AND ORDER REGARDING (1) UNSEALING DOCUMENTS
AND (2) SCHEDULE FOR SUBMISSIONS REGARDING COST-ESTIMATE
INFORMATION IN RESPONSE TO THE COURT'S MARCH 24, 2014 OPINION**

WHEREAS the Court's March 24, 2014 Opinion in this case required TouchTunes to submit cost estimates in accordance with the instructions set forth in that Opinion;

WHEREAS the Court's March 24, 2014 Opinion was issued under seal;

WHEREAS Arachnid's December 6, 2013 "Memorandum in Opposition to TouchTunes Music Corp.'s Motion for an Award of Fees and Expenses" in this case (D.I. 282, 286) was filed under seal;

WHEREAS TouchTunes and Arachnid agree that the Court's March 24, 2014 Opinion may be made publicly available;

WHEREAS TouchTunes and Arachnid agree that Arachnid's December 6, 2013

“Memorandum in Opposition to TouchTunes Music Corp.’s Motion for an Award of Fees and Expenses” (excluding the sealed materials submitted therewith) may be made publicly available; and

WHEREAS TouchTunes and Arachnid have agreed upon a schedule for submissions regarding the cost estimate information required by the Court’s March 24, 2014 Opinion;

NOW, THEREFORE, IT IS HEREBY STIPULATED AND AGREED, by and between the undersigned counsel for the undersigned parties, that:

1. The Court’s March 24, 2014 Opinion in this case is no longer subject to the “Under Seal” designation under the Protective Order Regarding Confidentiality (D.I. 41) in this case;
2. The Court’s March 24, 2014 Opinion in this case may be treated as publicly available information;
3. The “Under Seal” legend appearing on the March 24, 2014 Opinion in this case may be disregarded, removed, redacted and/or stricken-through;
4. Arachnid’s December 6, 2013 “Memorandum in Opposition to TouchTunes Music Corp.’s Motion for an Award of Fees and Expenses” in this case is no longer subject to the “Under Seal” designation under the Protective Order Regarding Confidentiality in this case;
5. Arachnid’s December 6, 2013 “Memorandum in Opposition to TouchTunes Music Corp.’s Motion for an Award of Fees and Expenses” in this case may be treated as publicly available information;
6. The “Filed Under Seal Subject to Protective Order” legend appearing on Arachnid’s December 6, 2013 “Memorandum in Opposition to TouchTunes Music Corp.’s

Motion for an Award of Fees and Expenses” in this case may be disregarded, removed, redacted and/or stricken-through;

7. All exhibits (D.I. 283-1, 283-2, 283-3, 286) to the “Declaration of James A. Storer in Support of Arachnid’s Opposition to TouchTunes’ Motion for an Award of Fees and Expenses” (D.I. 283) will be maintained under seal in accordance with the Protective Order Regarding Confidentiality in this case;
8. The “Declaration of James E. Hanft in Support of Arachnid’s Opposition to TouchTunes’ Motion for an Award of Fees and Expenses” (D.I. 284, 286), including the exhibit thereto (D.I. 284-1, 286), will be maintained under seal in accordance with the Protective Order Regarding Confidentiality in this case;
9. TouchTunes’ submission of cost estimates in accordance with the instructions set forth in the March 24, 2014 Opinion is due April 11, 2014;
10. Arachnid’s response, if any, to TouchTunes’ submission of cost estimates is due April 25, 2014; and
11. TouchTunes’ reply, if any, to Arachnid’s response is due is due May 2, 2014.

Date: April 1, 2014

By: 

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Attorneys for Defendant
ARACHNID, INC.

SO ORDERED

Date: 4-2, 2014



Robert W. Sweet
United States District Court

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