

1 MARTIN R. GLICK
H. JOSEPH ESCHER III
2 MARLA J. MILLER
HOWARD, RICE, NEMEROVSKI, CANADY,
3 ROBERTSON & FALK
A Professional Corporation
4 Three Embarcadero Center, 7th Floor
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5 Telephone: 415/434-1600

6 ALDO J. TEST
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9 San Francisco, California 94111
10 Telephone: 415/781-1989

11 Attorneys for Defendant
Activision, Inc.

HOWARD
RICE
NEMEROVSKI
CANADY
ROBERTSON
& FALK

A Professional Corporation

13 UNITED STATES DISTRICT COURT
14 NORTHERN DISTRICT OF CALIFORNIA

16 THE MAGNAVOX COMPANY, a corpora-)
17 tion, and SANDERS ASSOCIATES,)
INC., a corporation)
18 Plaintiffs,)
19 vs.)
20 ACTIVISION, INC., a corporation,)
21 Defendant.)
22

No. C 82 5270 JPV
NOTICE OF MOTION AND MOTION
FOR ORDER COMPELLING FURTHER
ANSWERS TO INTERROGATORIES
BY PLAINTIFFS
Date: September 21, 1984
Time: 1:30 p.m.

23 TO ALL PARTIES HEREIN AND TO THEIR ATTORNEYS OF RECORD:
24 PLEASE TAKE NOTICE that on September 21, 1984 at
25 1:30 p.m. or as soon thereafter as this matter may be heard
26 before United States Magistrate F. Steele Langford, Defendant
NOTICE OF MOTION AND MOTION FOR ORDER COMPELLING FURTHER ANSWERS
TO INTERROGATORIES BY PLAINTIFFS

1 Activision, Inc. will seek an order from this Court to compel
2 further answers to certain interrogatories from Plaintiffs The
3 Magnavox Company and Sanders Associates, Inc. ("Magnavox") pursuant
4 to Rule 37 of the Federal Rules of Civil Procedure, on the
5 grounds that Magnavox' present responses to the interrogatories that
6 are the subject of this motion are inadequate and prevent
7 Activision from discovering the full basis of Magnavox' alleged
8 claims against it.

9 This motion will be based on this Notice of Motion
10 and Motion for Order Compelling Further Answers to Interrogatories
11 by Plaintiffs; the Memorandum of Points and Authorities in
12 Support of Defendant's Motion for Order Compelling Further
13 Answers to Interrogatories, and appendices thereto; the Declaration
14 of Marla J. Miller, with exhibits; all the papers and pleadings
15 on file in this action; and on any oral or documentary evidence
16 presented at the hearing.

17
18 DATED: August 24, 1984

Respectfully submitted,
MARTIN R. GLICK
H. JOSEPH ESCHER III
MARLA J. MILLER
HOWARD, RICE, NEMEROVSKI, CANADY,
ROBERTSON & FALK
A Professional Corporation

23
24 By Marla J. Miller
MARLA J. MILLER

25 Attorneys for Defendant
26 ACTIVISION, INC.

NOTICE OF MOTION AND MOTION FOR ORDER COMPELLING FURTHER ANSWERS
TO INTERROGATORIES BY PLAINTIFFS

HOWARD
RICE
NEMEROVSKI
CANADY
ROBERTSON
& FALK
A Professional Corporation

1 PROOF OF SERVICE BY MAIL

2 I declare that:

3 I am employed in the County of San Francisco, California
4 I am over the age of eighteen (18) years and not a party to
5 the within cause. My business address is Three Embarcadero
6 Center, Seventh Floor, San Francisco, California 94111.

7 On August 24, 1984, I served the within
8 NOTICE OF MOTION AND MOTION FOR ORDER COMPELLING FURTHER ANSWERS TO
9 INTERROGATORIES BY PLAINTIFFS; MEMORANDUM OF POINTS AND AUTHORITIES
10 IN SUPPORT OF DEFENDANT'S MOTION FOR ORDER COMPELLING FURTHER
11 ANSWERS TO INTERROGATORIES, with appendices thereto; DECLARATION
12 OF MARLA J. MILLER IN SUPPORT OF DEFENDANT'S MOTION FOR ORDER
13 COMPELLING FURTHER ANSWERS TO INTERROGATORIES AND CERTIFICATE
14 OF COMPLIANCE WITH LOCAL RULE 230-4(a), with exhibits thereto;
15 PROPOSED ORDER

16 by placing a true copy thereof enclosed in a sealed envelope,
17 with postage thereon fully prepaid, by air mail, Federal Express
18 addressed as follows:

19 Theodore W. Anderson, Esq.
20 James T. Williams, Esq.
21 Neuman, Williams, Anderson & Olson
22 77 West Washington Street
23 Chicago, Illinois 60602

24 I, Cheryl Leger, declare under penalty of perjury
25 that the foregoing is true and correct.

26 Executed on August 24, 1984, at San Francisco,
California.

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CHERYL LEGER

1 PROOF OF SERVICE BY HAND DELIVERY

2 I declare that:


3 I am employed in the County of San Francisco,
4 California. I am over the age of eighteen (18) years and
5 not a party to the within cause, my business address is:
6 Three Embarcadero Center, 7th Floor, San Francisco, California
7 94111.

8 On August 24, 1984, I served the within
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14 COMPELLING FURTHER ANSWERS TO INTERROGATORIES AND CERTIFICATE OF
15 COMPLIANCE WITH LOCAL RULE 230-4(a), with exhibits thereto;
16 PROPOSED ORDER

17 by personally delivering a copy to:

18 J. Thomas Rosch, Esq.
19 Robert L. Ebe, Esq.
20 McCutchen, Doyle, Brown & Enersen
21 Three Embarcadero Center, 28th Floor
22 San Francisco, CA 94111

23 I declare under penalty of perjury that the foregoing
24 is true and correct.
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28 DENNIS HALL

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