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*ADMITTED IN NEW YORK STATE

March 7, 1986

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BY FEDERAL EXPRESS

Ms. Elizabeth Carroll
Motions Clerk
U.S. Court of Appeals
for the Federal Circuit
National Courts Building
717 Madison Place, N.W.
Washington, D.C. 20439

Re: Magnavox v. Activision,
No. 86-852

Dear Ms. Carroll:

This letter follows our telephone conversation today regarding the briefing schedule in the above-entitled appeal. As we discussed, Activision's Appellant's brief was originally due on March 25, 1986 (60 days after the docketing). This letter confirms that the pendency of Appellee's motion to dismiss the appeal has the effect of staying the briefing schedule, and that once the Court has decided the motion pending before it, the Court will give the parties a new briefing schedule.

Based on my conversation with you, it is now Activision's understanding that its opening brief is not due on March 25, 1986, and that we must await further word from the Court as to the due date.

Please let me know immediately if this letter does not conform to your understanding of the briefing sche-

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Ms. Elizabeth Carroll
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for the Federal Circuit
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dule. I appreciate your help.

Sincerely yours,

Marla Miller

MARLA J. MILLER
Attorneys for Defendant-
Appellant Activision, Inc.

MJM:jl

cc: Theodore W. Anderson, Esq.
Francis X. Gindhart