

RECEIVED-CALENDAR
 APR 18 1985
 Dates Entered _____
 By /
 Attorney _____

RS
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 9 Attorneys for Defendant and
 Counterclaimant Activision, Inc.

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UNITED STATES DISTRICT COURT
 NORTHERN DISTRICT OF CALIFORNIA

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HOWARD
 RICE
 NEMEROVSKI
 CANADY
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 & FALK

A Professional Corporation

THE MAGNAVOX COMPANY, a corpora-)
 tion, and SANDERS ASSOCIATES,)
 INC., a corporation,)

Plaintiffs,)

vs.)

ACTIVISION, INC., a corporation,)

Defendant.)

AND RELATED CROSS-ACTION.)

No. C 82 5270 CAL

STIPULATION OF THE PARTIES
 REGARDING THE USE OF PRIOR
 DEPOSITION AND TRIAL
 TESTIMONY

I.

IT IS HEREBY STIPULATED BETWEEN ALL PARTIES TO THIS
 ACTION THAT the deposition and trial testimony taken in the
 following actions in the United States District Court for the
 STIPULATION OF THE PARTIES REGARDING THE USE OF PRIOR DEPOSITION
 AND TRIAL TESTIMONY

1 Northern District of Illinois may be used in this action as if they
2 were depositions upon oral examination taken in this action:

3 The Magnavox Company and Sanders Associates, Inc. v.
4 Bally Manufacturing Corporation, et al., Consolidated Civil Actions
5 No. 74C1030; 74C2510; 75C3153; 75C3933; and The Magnavox Company
6 and Sanders Associates, Inc. v. APF, et al., Consolidated Civil
7 Actions No. 77C3159; 78C4951; 78C5041; 80C2409; 80C4124.

8 II.

9 Notwithstanding the foregoing, this Stipulation shall
10 not apply to the deposition or trial testimony of expert witnesses,
11 nor shall this Stipulation permit Magnavox or Sanders Associates
12 to use the prior deposition or trial testimony of Ralph Baer,
13 William Rusch, William Harrison, Louis Etlinger, Richard Seligman,
14 Edward Smiley, Gordon Green, Theodore Mairson, Arnold Schumacher,
15 Herbert Campman, Robert Mayer, William Streeter, Algy Tamoshunas
16 and Thomas Briody.

17 III.

18 All parties reserve the right to object to the introduction
19 into evidence of all or part of that certain testimony described
20 above in Paragraph I except for objections based on the form of

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26 STIPULATION OF THE PARTIES REGARDING THE USE OF PRIOR DEPOSITION
TESTIMONY

1 the question which were not raised at the time the testimony
2 was given. It is further agreed that this Stipulation is for the
3 purpose of this action only and that the matters contained herein
4 are not admitted for the purpose of any other trial or litigation.

5 Respectfully submitted,

6 DATED: April 12, 1985

NEUMAN, WILLIAMS, ANDERSON
& OLSON

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8

9 By 
JAMES T. WILLIAMS

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Attorneys for Plaintiffs,
The Magnavox Company and
Sanders Associates, Inc.

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12 Dated: April 10, 1985

HOWARD, RICE, NEMEROVSKI, CANADY,
ROBERTSON & FALK

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14

15 By 
MARTIN R. GLICK

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Attorneys for Defendant
Activision, Inc.

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26 STIPULATION OF THE PARTIES REGARDING THE USE OF PRIOR DEPOSITION
AND TRIAL TESTIMONY

HOWARD
RICE
NEMEROVSKI
CANADY
ROBERTSON
& FALK
A Professional Corporation

PROOF OF SERVICE

I, Judy Scott, declare as follows:

1. I am a resident of the City and County of San Francisco, over the age of eighteen years and not a party to the within action. My business address is Three Embarcadero Center, Suite 700, San Francisco, California.

2. On April 17, 1985 I served the following documents:

Stipulation of the Parties Regarding the Use of Prior Deposition and Trial Testimony

as follows:

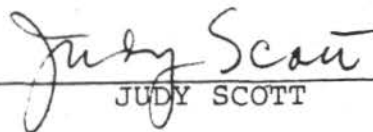
By MAIL by placing a true copy thereof enclosed in a sealed envelope with postage thereon fully prepaid, in the United States mail, addressed as follows:

Robert L. Ebe, Esq.
McCUTCHEN, DOYLE, BROWN & ENERSEN
Three Embarcadero Center
Twenty-Eighth Floor
San Francisco, CA 94111

James T. Williams, Esq.
NEUMAN, WILLIAMS, ANDERSON & OLSON
77 W. Washington Street
Chicago, IL 60602

I declare under penalty of perjury that the foregoing ~~is~~ true and correct.

Executed this 17th day of April, 1985 at San Francisco, California.



JUDY SCOTT