

1 JONATHAN M. JACOBSON (*pro hac vice*)  
2 DAVID H. REICHENBERG (*pro hac vice*)  
3 WILSON SONSINI GOODRICH & ROSATI  
Professional Corporation  
4 1301 Avenue of the Americas, 40th Floor  
New York, NY 10019  
5 Tel.: (212) 999-5800  
Fax: (212) 999-5899  
Email: jjacobson@wsgr.com

6 KEITH E. EGGLETON, State Bar No. 159842  
7 MAURA L. REES, State Bar No. 191698  
8 DYLAN J. LIDDIARD, State Bar No. 203055  
9 ANTHONY J WEIBELL, State Bar No. 238850  
10 WILSON SONSINI GOODRICH & ROSATI  
Professional Corporation  
11 650 Page Mill Road  
Palo Alto, CA 94304  
Telephone: (650) 493-9300  
12 Fax: (650) 565-5100  
Email: dliddiard@wsgr.com

13 *Attorneys for Defendant Netflix, Inc.*

14 UNITED STATES DISTRICT COURT  
15 NORTHERN DISTRICT OF CALIFORNIA  
16 OAKLAND DIVISION

17 IN RE ONLINE DVD RENTAL ) Master File No.: 4:09-md-2029 PJH (JCS)  
18 ANTITRUST LITIGATION ) MDL No. 2029  
19 )  
20 ) Hon. Phyllis J. Hamilton  
21 )  
22 ) **NETFLIX'S BILL OF COSTS RE**  
23 ) **NETFLIX SUBSCRIBER ACTIONS**  
24 )

25 THIS DOCUMENT RELATES TO ALL )  
26 ACTIONS EXCEPT THE FOLLOWING: )  
27 )  
28 )  
29 *Pierson v. Walmart.com USA LLC, Wal-Mart*  
*Stores, Inc. and Netflix, Inc., No. 09-cv-2163*  
*(N.D. Cal.);*  
30 )  
31 *Levy, et al. v. Walmart.com USA LLC, Wal-Mart*  
*Stores, Inc. and Netflix, Inc., No. 09-cv-2296*  
*(N.D. Cal.)*

1 Final judgment having been entered on November 29, 2011 in favor of Defendant  
 2 Netflix, Inc., the Clerk is requested to tax the following as costs pursuant to 28 U.S.C. § 1920  
 3 and Civil L.R. 54-3:

4 Fees for printed or electronically recorded transcripts necessarily obtained for use in the case	\$41,750.02
5 6 Fees for exemplification and the costs of making copies of any materials where the copies are necessarily obtained for use in the case	\$702,990.09
7 8 9 <b>Total</b>	<b>\$744,740.11</b>

10  
 11 This bill of costs is supported by the Declaration of Anthony Weibell (Exhibit A hereto),  
 12 an Itemized Bill of Costs (Exhibit B hereto), and corresponding documentation (Exhibit C  
 13 hereto). The bill of costs is also supported by the Declaration of Vivian Liu-Somers and the  
 14 Declaration of William T. Kellermann, Jr., submitted on July 19, 2011 (ECF Nos. 457, 458).

15 The Court previously awarded costs of \$700,084.79 on September 28, 2011 (*see* ECF No.  
 16 515) against the Blockbuster Subscriber Plaintiffs in the two actions that are not included in this  
 17 bill: *Pierson v. Walmart.com USA LLC, Wal-Mart Stores, Inc. and Netflix, Inc.*, No. 09-cv-2163  
 18 (N.D. Cal.), and *Levy, et al. v. Walmart.com USA LLC, Wal-Mart Stores, Inc. and Netflix, Inc.*,  
 19 No. 09-cv-2296 (N.D. Cal.). This bill of costs, which pertains to the Netflix Subscriber  
 20 Plaintiffs, includes the Netflix Subscriber Plaintiff's 50% share of the costs apportioned between  
 21 them and the Blockbuster Subscriber Plaintiffs. *See* ECF No. 515 ¶ 3 (Order by J. Hamilton  
 22 approving 50% apportionment between Blockbuster Subscriber Plaintiffs and Netflix Subscriber  
 23 Plaintiffs). This bill of costs also includes some additional costs not included in the prior bill.  
 24

25 Dated: December 5, 2011

WILSON SONSINI GOODRICH & ROSATI  
 Professional Corporation

27 By: /s/ Jonathan M. Jacobson  
 Jonathan M. Jacobson

28 *Attorneys for Defendant Netflix, Inc.*