

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF DELAWARE**

REDBOX AUTOMATED RETAIL, LLC,

Plaintiff

v.

Civil Action No. 08-766 (RBK)

UNIVERSAL STUDIOS HOME
ENTERTAINMENT, LLC, UNIVERSAL
CITY STUDIOS, LLLP, UNIVERSAL CITY
STUDIOS PRODUCTIONS, LLLP, and
FOCUS FEATURES, LLC,

Defendants.

**DEFENDANTS' MOTION TO CERTIFY AUGUST 17, 2009 ORDER
FOR § 1292(B) INTERLOCUTORY APPEAL**

Universal Studios Home Entertainment LLC, Universal City Studio LLLP, Universal City Studios Productions LLLP, and Focus Features LLC (collectively "Universal") respectfully request that the Court certify for interlocutory appellate review under 28 U.S.C. § 1292(b) the Court's August 17, 2009 Order (the "August 17 Order") granting in part and denying in part Universal's Motion to Dismiss plaintiff Redbox Automated Retail, LLC's ("Redbox") First Amended Complaint ("FAC"). The grounds for this motion are fully set forth in Universal's concurrently-filed supporting brief.

Respectfully submitted,

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Dated: September 30, 2009

/s/ R. Montgomery Donaldson

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Studios, LLLP, Universal City Studios

Productions, LLLP, and Focus Features, LLC

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**DEFENDANTS' [PROPOSED] ORDER GRANTING MOTION TO CERTIFY
AUGUST 17, 2009 ORDER FOR § 1292(B) INTERLOCUTORY APPEAL**

AND NOW on this _____ day of _____, 2009, upon consideration of Defendants' Motion to Certify August 17, 2009 Order for § 1292(b) Interlocutory Appeal, and any and all responses thereto, it is hereby

ORDERED that Defendants' motion is GRANTED.

Robert B. Kugler
UNITED STATES DISTRICT JUDGE

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Defendants.

CERTIFICATE OF SERVICE

I, Lisa Zwally Brown, hereby certify that a true and correct copy of **Defendants' Motion To Certify August 17, 2009 Order For § 1292(B) Interlocutory Appeal** was filed electronically and are available for viewing and downloading from the ECF system:

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Date: September 30, 2009

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