

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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CABLEVISION SYSTEMS CORPORATION	:	
and CSC HOLDINGS, LLC,	:	Case No.: 13 CIV 1278 (LTS)(JLC)
	:	
Plaintiffs,	:	ORAL ARGUMENT REQUESTED
	:	
vs.	:	
	:	
VIACOM INTERNATIONAL INC. and BLACK	:	
ENTERTAINMENT TELEVISION LLC,	:	
	:	
Defendants.	:	
-----X	:	

NOTICE OF MOTION TO DISMISS THE AMENDED COMPLAINT

PLEASE TAKE NOTICE that, upon the accompanying Memorandum of Law, the Declaration of Joseph F. Tringali, dated August 23, 2013, and the exhibits attached thereto, Viacom International Inc. and Black Entertainment Television LLC (collectively, "Viacom"), by and through their undersigned attorneys, will move this Court, before the Honorable Laura Taylor Swain, at the Daniel Patrick Moynihan United States Courthouse, Room 17C, 500 Pearl Street, New York, NY 10007, on a date and at a time to be set by the Court, for an Order dismissing the Amended Complaint pursuant to Federal Rule of Civil Procedure 12(b)(6), striking the equitable relief requested therein pursuant to Federal Rule of Civil Procedure 12(f), and for such other further relief as the Court may deem just and proper.

In accordance with paragraph 2.b (ii) of the Individual Practices of Judge Laura Taylor Swain, the undersigned attorneys on behalf of Viacom hereby certify that they have consulted with counsel for Plaintiffs and have used their best efforts to resolve informally the issues raised herein. Counsel for Plaintiffs have clearly communicated that they oppose the relief sought. The Amended Complaint already was amended once in response to the arguments

raised in Viacom's Motion to dismiss Cablevision's Complaint, which arguments also are raised herein.

Dated: August 23, 2013

Respectfully submitted,

SIMPSON THACHER & BARTLETT LLP

By: /s/ Joseph Tringali

Joseph F. Tringali

Peri L. Zelig

425 Lexington Avenue

New York, NY 10017

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*Attorneys for Defendants Viacom International Inc.
and Black Entertainment Television LLC*

Kenneth R. Logan,
Of Counsel.

CERTIFICATE OF SERVICE

I, Lloyd Colona, hereby certify under the penalty of perjury that on August 23, 2013, I personally served a true and correct copy of the attached:

- NOTICE OF MOTION TO DISMISS THE AMENDED COMPLAINT

- MEMORANDUM OF LAW OF VIACOM INTERNATIONAL AND BLACK ENTERTAINMENT TELEVISION IN SUPPORT OF THEIR MOTION TO DISMISS PLAINTIFFS' AMENDED COMPLAINT

- DECLARATION OF JOSEPH F. TRINGALI IN SUPPORT OF DEFENDANTS' MOTION TO DISMISS PLAINTIFFS' AMENDED COMPLAINT

By Federal Express upon:

Mark S. Popofsky
Ropes & Gray LLP
One Metro Center
700 12th Street, N.W.
Washington, D.C. 20005

Dated: New York, New York
August 23, 2013


Lloyd Colona

CERTIFICATE OF SERVICE

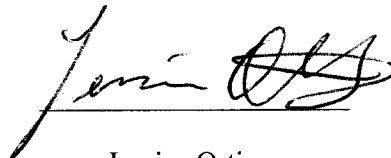
I, Jessica Ortiz, hereby certify under the penalty of perjury that on August 23rd, 2013, at approximately 11:45 AM, I personally served a true and correct copy of the attached:

- NOTICE OF MOTION TO DISMISS THE AMENDED COMPLAINT
- MEMORANDUM OF LAW OF VIACOM INTERNATIONAL AND BLACK ENTERTAINMENT TELEVISION IN SUPPORT OF THEIR MOTION TO DISMISS PLAINTIFFS' AMENDED COMPLAINT
- DECLARATION OF JOSEPH F. TRINGALI IN SUPPORT OF DEFENDANTS' MOTION TO DISMISS PLAINTIFFS' AMENDED COMPLAINT

By-Hand upon:

Jerome Katz
Ropes & Gray LLP
1211 Avenue of the Americas
New York, NY 10036

Dated: New York, NY
August 23, 2013.



A handwritten signature in black ink, appearing to read 'Jessica Ortiz', is written over a horizontal line.

Jessica Ortiz