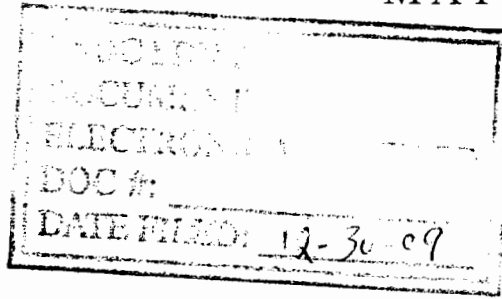


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December 21, 2009

The Honorable Louis L. Stanton  
United States District Court  
Southern District of New York  
Daniel Patrick Moynihan United States Courthouse  
500 Pearl Street, Room 2250  
New York, NY 10007

Re: *Viacom Int'l Inc. v. YouTube, Inc.*, 07-cv-2103

Dear Judge Stanton:

On behalf of Defendants (“YouTube”), we write to request the Court’s assistance in securing compliance with its Order requiring third parties Matt Stone and Trey Parker to produce documents responsive to YouTube’s subpoenas. YouTube served subpoenas on Stone and Parker on March 19, 2009. Through Viacom’s counsel, Stone and Parker refused to produce documents for many months. They then changed counsel and opposed YouTube’s motion to compel. On October 23, 2009, the Court ruled that Stone and Parker should produce documents called for by YouTube’s subpoenas. To date, Stone and Parker have not produced any documents in response to the Court’s Order and we have been stonewalled in our efforts to retrieve them.

[Viacom International, Inc. et al v. Youtube, Inc. et al](#)

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We scheduled a call on October 29, 2009 to discuss Stone and Parker’s compliance with the Order, but their attorney never contacted us. *See* Oct. 30, 2009 Rubin email to Ehrlich (Ex. A). We finally spoke in early November and were told that a rolling production of documents would begin the week of November 16, 2009. *See* Nov. 16-30, 2009 email thread between Rubin and Ehrlich (Ex. B). We sent numerous emails and scheduled calls during the month of November, but Stone and Parker’s attorney ignored our inquiries and did not produce any documents. *Id.* On December 2, 2009, we were assured that documents would start flowing by December 8, 2009. *See* Dec. 2, 2009 Ehrlich email to Rubin (Ex. C). On December 3, 2009, we spoke with Stone and Parker’s attorney and told him that we needed all responsive documents produced by the last day of discovery, December 18, and that we would seek assistance from the Court if that did not happen. *See* Dec. 18, 2009 Volkmer email to Ehrlich (Ex. D). By the close of business on Friday, however, we still had not received any documents. *Id.* Our two calls to Stone and Parker’s attorney on that date were not returned. *Id.*

Despite YouTube’s diligent inquiries and the repeated assurances from Stone and Parker’s attorney that documents would be forthcoming, none have been produced in the two months following the Court’s ruling, and we have received no explanation for the continuing

The Honorable Louis L. Stanton

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delay. With discovery now closed, YouTube can wait no longer for these Court-ordered documents. YouTube respectfully requests that the Court order Stone and Parker to produce all responsive documents by December 31, 2009.

So  
ordered.  
Louis L.  
Stanton  
12/28/09

Respectfully submitted,

Andrew H. Schapiro /cmf  
Andrew H. Schapiro

cc: Mr. Andrew Ehrlich, Esq.  
All counsel in this action and the *Premier League* action