

NEUMAN, WILLIAMS, ANDERSON & OLSON

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COPY

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May 8, 1985

Thomas A. Briody, Esquire
Corporate Patent Counsel
North American Philips Corporation
580 White Plains Road
Tarrytown, New York 10591

Re: Magnavox v. Activision
Our File: L3137

Dear Tom:

As we have already reported to Algy and as you probably already know, I received a telephone call from Anthony Foster, Judge Legge's' clerk, this morning. He advised us that the Judge has now ordered that Magnavox v. Activision will begin on Monday morning, June 3, 1985 to continue for two weeks through June 13. That will constitute a total of eight trial days as the Judge does not sit on Fridays.

As the trial progresses and the Judge senses the total time required, he will order a further date to complete the trial. Mr. Foster could not say when that further setting would be; the potential dates would seem to be July 29, September 30, or October 21.

This schedule does work for the Magnavox witnesses and our trial team so hopefully we will go forward on June 3.

Very truly yours,

NEUMAN, WILLIAMS, ANDERSON & OLSON

By

Handwritten signature: Ted
Theodore W. Anderson

TWA/sjm

CC: Algy Tamoshunas, Esq.
Louis Etlinger, Esq. ✓
Mr. Ralph Baer
Professor William B. Ribbens
James T. Williams, Esq.

P.S.

Enclosed is a copy of a further letter from Glick to the Judge.

TWA

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HAND DELIVERY

May 6, 1985

Honorable Charles A. Legge
450 Golden Gate Avenue
19th Floor
San Francisco, California 94102

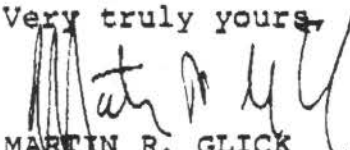
Re: Magnavox v. Activision

Dear Judge Legge:

We have just received a copy of the May 3rd letter sent to the Court from Plaintiffs' counsel. Contrary to Plaintiffs' efforts to downplay the situation, July 22, 1985 is a very difficult date for Activision. My partner Joe Escher is not simply preparing the expert witnesses for trial; he has sole responsibility for all expert testimony and cross-examination at trial, and is an indispensable member of the Activision trial team. Moreover, one of Activision's expert witnesses has an out-of-town family commitment during the week of July 29 which involves relatives travelling cross-country and an important trade show in San Francisco July 22. In light of the fact that Defendant Activision is now ready to commence trial on May 13, 1985 or any three-week period after September 30, 1985, it seems unreasonable for Plaintiffs to press for a trial date during the presently-available period which is most inconvenient to Activision.

Thank you for your efforts to reschedule the trial.

Very truly yours,


MARTIN R. GLICK
Attorneys for
Activision, Inc.

MRG:cal

cc: Theodore Anderson, Esq. (Federal Express)
Robert L. Ebe, Esq. (Hand Delivery) ✓

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*ADMITTED IN NEW YORK STATE

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MAY - 6 1985

Ans. _____