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The Magnavox Company and  
Sanders Associates, Inc.

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MAY 14 1983

CLERK, U.S. DISTRICT COURT  
SAN FRANCISCO

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12 United States District Court for the  
13 Northern District of California

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15 \_\_\_\_\_ )  
16 THE MAGNAVOX COMPANY, a Corpora- )  
tion, and SANDERS ASSOCIATES, )  
17 INC., a Corporation, )

18 Plaintiffs, )

19 vs. )

20 ACTIVISION, INC., a Corporation, )

21 Defendant. )  
22 \_\_\_\_\_ )

No. C 82 5270 TEH

PLAINTIFFS' PROPOSED FORM  
OF ORDER ON MOTION FOR  
CORRECTED FINDINGS OF FACT  
AND RECONSIDERATION OF  
MOTION TO DISQUALIFY COUNSEL

23 The Court, having reconsidered Plaintiffs' Motion  
24 to Disqualify Defendant's Counsel in light of the  
25 declaration of Thomas A. Briody, hereby ORDERS as follows:

26 1. That the Declaration of Thomas A. Briody  
27 dated May 13, 1983, be filed as part of the record.

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2. That the findings of fact included in this Court's Order of April 11, 1983 be corrected by deleting the paragraph bridging pages 3 and 4 thereof and replacing it with the following:

"Magnavox has in the course of the past decade entered into approximately sixty sublicense agreements under the Sanders patents, and approximately fourteen settlement agreements to dispose of claims for past infringement of those patents. One of those agreements, other than the one with Atari, includes a provision similar to the above-quoted provision, purporting to exclude counsel for a licensee from challenging the validity of the Sanders patent, except under certain very narrow circumstances."

3. That plaintiffs' motion to disqualify defendant's counsel is hereby \_\_\_\_\_.

Dated: May \_\_, 1983.

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Thelton H. Henderson  
United States District Judge