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CENTRAL DIST. OF CALIF.
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MAR 22 2005
CENTRAL DISTRICT OF CALIFORNIA
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UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA

ENTERED
CLERK, U.S. DISTRICT COURT
MAR 23 2005
CENTRAL DISTRICT OF CALIFORNIA
BY DEPUTY

DIRECTV, INC., a California corporation,
Plaintiff,
v.
SCOTT BOOTH, et al.
Defendants.

Hon. Judge R. Gary Klausner

No. CV04-2759 RGK(SSx)

[PROPOSED] ORDER GRANTING
DIRECTV'S MOTION FOR PARTIAL
SUMMARY JUDGMENT AGAINST
DEFENDANT SDLOGIC
TECHNOLOGIES, INC.

THIS MATTER comes before the Court upon plaintiff DIRECTV's Motion for Partial Summary Judgment Against Defendant SDLogic Technologies, Inc. ("Defendants"), seeking a finding of liability under the Federal Communications Act, 47 U.S.C. § 605(e)(4). Having specifically reviewed the materials submitted and heard the argument of counsel, and being fully advised, the Court GRANTS plaintiff's motion as follows:

(1) The Court has reviewed DIRECTV's memorandum and supporting evidence and finds that there is no genuine issue as to any material fact, and that

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1 DIRECTV is entitled as a matter of law to a finding of liability on its Second Claim
2 under 47 U.S.C. § 605(e)(4).

3 (2) The Court finds that each of the following actions by Defendant
4 SDLogic Technologies, Inc. violated 47 U.S.C. § 605(e)(4):

5 (a) Defendant SDLogic Technologies, Inc. caused to be
6 manufactured, distributed, and sold 2116 Universal Smart Card Terminal devices
7 (“USCTs”);

8 (b) Defendant SDLogic Technologies, Inc. caused to be
9 manufactured, distributed, and sold 50 V16 devices;

10 (c) Defendant SDLogic Technologies, Inc. caused to be
11 manufactured, distributed, and sold 10 SD-EXT devices; and

12 (3) The Court further finds that the USCTs, V16s, and SD-EXTs that
13 Defendant SDLogic Technologies, Inc. caused to be manufactured, distributed, and
14 sold are “electronic, mechanical, or other device[s]” within the meaning of 47 U.S.C.
15 § 605(e)(4).

16 (4) The Court further finds that the USCTs, V16s, and SD-EXTs that
17 Defendant SDLogic Technologies, Inc. caused to be manufactured, distributed, and
18 sold are “primarily of assistance” in the unauthorized decryption of DIRECTV’s
19 direct-to-home transmissions of satellite television programming within the meaning
20 of 47 U.S.C. § 605(e)(4).

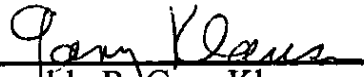
21 (5) The Court further finds that Defendant SDLogic Technologies, Inc.
22 caused to be manufactured, distributed, and sold these devices knowing or having
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1 reason to know that they were primarily of assistance in the unauthorized decryption
2 of DIRECTV's direct-to-home transmissions of satellite television programming.


3 (6) For the foregoing reasons, the Court holds that defendant SDLogic
4 Technologies, Inc. is liable to plaintiff DIRECTV on its Second Claim under 47
5 U.S.C. § 605(e)(4) in the amount of \$21,760,000.

6 DATED: March 22, 2005.


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9 _____
10 Honorable R. Gary Klausner
11 United States District Judge

12 Presented by:

13 QUINN EMANUEL URQUHART
14 OLIVER & HEDGES, LLP

15 
16 Dale H. Oliver (Bar No. 155467)
17 Michael Williams (Bar No. 181299)

18
19 YARMUTH WILSDON CALFO PLLC

20 
21 Scott T. Wilsdon (*pro hac vice*)
22 Spencer D. Freeman (*pro hac vice*)

23 Attorneys for Plaintiff DIRECTV, Inc.
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26

PROOF OF SERVICE

1013A(3) CCP Revised 5/1/88

STATE OF CALIFORNIA, COUNTY OF LOS ANGELES

I am employed in the County of Los Angeles, State of California. I am over the age of 18 and not a party to the within action. My business address is: QUINN EMANUEL URQUHART OLIVER & HEDGES, LLP, 865 South Figueroa Street, 10th Floor, Los Angeles, California 90017.

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On March 14, 2005, foregoing document(s) on interested parties in this action described as: [PROPOSED] ORDER GRANTING DIRECTV'S MOTION FOR PARTIAL SUMMARY JUDGMENT AGAINST DEFENDANT SDLOGIC TECHNOLOGIES, INC.

Paul B. Overhauser Overhauser Law Offices, LLC 737 W. Green Meadows Dr., Ste. 300 Greenfield, IN 46140	Jeffrey N. Wilens Lakeshore Law Center 17476 Yorba Linda Blvd, Ste. 221 Yorba Linda, CA 92886
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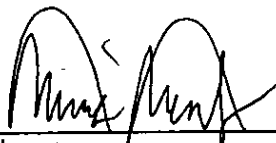
Executed on March 14, 2005, California.

(State) I declare under penalty of perjury under the laws of the State of California that the above is true and correct.

X **(Federal)** I declare that I am employed in the office of a member of the bar of this court at whose direction the service was made.

Maria Mendoza

Type or Print



Signature