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IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA

SONY COMPUTER ENTERTAINMENT
AMERICA LLC,

Plaintiff,

v.

GEORGE HOTZ, *et al.*,

Defendants.

No. C 11-167 SI

**ORDER GRANTING PLAINTIFF’S
MOTION FOR A PRELIMINARY
INJUNCTION; REFERRING PARTIES
TO MAGISTRATE JUDGE SPERO FOR
DISCOVERY AND ISSUES RELATED
TO PRELIMINARY INJUNCTION**

On February 10, 2011, the Court held a further hearing on plaintiff’s motion for a temporary restraining order. As discussed at the hearing, the Court ENTERS the temporary restraining order found at Docket No. 50 as a preliminary injunction, subject to the following modifications:

(1) defendant Hotz will not be required to “retrieve” any Circumvention Devices or any information related thereto, and thus the language at Docket No. 50 at 3:23-27 is STRICKEN; and

(2) the Order of Impoundment is MODIFIED such that defendant Hotz will only be required to deliver his computers, hard drives, CD-roms, DVDs, USB stick, and any other storage devices on which any Circumvention Devices are stored (but not his Sony PS3 consoles) to Sony for the purpose of Sony isolating, segregating and/or removing the information on those devices related to defendant’s circumvention of the technology protection measures in the PS3 system. Sony shall promptly return defendant’s devices to Hotz after the information has been segregated and removed from defendant’s devices.

The parties shall meet and confer and work with Magistrate Judge Spero regarding logistics and timing of the temporary impoundment. If there are any disputes between the parties regarding the scope

United States District Court
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1 of the information to be segregated and removed from defendant’s devices, or any other disputes related
2 to the temporary impoundment of defendant’s devices, those matters shall be presented to Magistrate
3 Judge Spero in the first instance.

4 The Court also REFERS to Magistrate Judge Spero the question of what targeted jurisdictional
5 discovery Sony should be permitted to take in conjunction with defendant’s motion to dismiss for lack
6 of personal jurisdiction. Unless and until Magistrate Judge Spero orders otherwise, neither defendant
7 nor any third party is required to respond to any of the discovery propounded thus far by Sony. As
8 discussed at the hearing, if the parties wish to reschedule the March 11, 2011 hearing on defendant’s
9 motion to dismiss in order to allow sufficient time for such discovery, the parties shall so inform the
10 Court and the hearing will be rescheduled.

11 This order resolves Docket Nos. 55 and 66; Docket No. 62 is referred to Magistrate Judge Spero.

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13 **IT IS SO ORDERED.**

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15 Dated: February 14, 2011

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18 SUSAN ILLSTON
19 United States District Judge
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