

UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF COLUMBIA

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FOX TELEVISION STATIONS, INC.,		)	
<i>et al.</i> ,		)	
		)	
<b>Plaintiffs,</b>		)	
		)	
<b>v.</b>		)	<b>Civil Action No. 13-758 (RMC)</b>
		)	
FILMON X LLC, <i>et al.</i> ,		)	
		)	
<b>Defendants.</b>		)	
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**ORDER**

For the reasons set forth in the Sealed Opinion issued contemporaneously with this Order, it is hereby

**ORDERED** that Defendants’ Motion for Summary Judgment, including Defendants’ request to stay, Dkt. 97, is **DENIED**; and it is

**FURTHER ORDERED** that Plaintiffs’ Partial Motion for Summary Judgment, Dkt. 81, is **GRANTED IN PART AND DENIED IN PART**; and it is

**FURTHER ORDERED** that **PARTIAL JUDGMENT** is entered in favor of Plaintiffs as follows: (1) FilmOn X, LLC is liable for infringing Plaintiffs’ exclusive right of public performance under section 106(4) of the Copyright Act, 17 U.S.C. § 106(4); and (2) Defendants’ counterclaim for declaratory relief that they are entitled to a statutory or compulsory license to retransmit Plaintiffs’ copyrighted programming under Section 111 of the Copyright Act, 17 U.S.C. § 111, is dismissed; and it is

**FURTHER ORDERED** that Plaintiffs’ Motion for Summary Judgment on their copyright infringement claim against FilmOn.TV Networks, Inc., FilmOn.TV, Inc., FilmOn.com, Inc., and Alkiviades David is **DENIED without prejudice**; and it is

