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**IN THE UNITED STATES BANKRUPTCY COURT
FOR THE DISTRICT OF UTAH**

In re:

VIDANGEL, INC.,

Debtor.

Case No. 17-29073

Chapter 11

Judge Kevin R. Anderson

**STIPULATION REGARDING AUTHENTICITY AND ADMISSIBILITY OF EXHIBITS
FOR HEARING ON MOTION FOR RELIEF FROM THE STAY**

HEARING DATE AND TIME: November 2, 2018 at 10:00 am

The parties, through counsel, have met and conferred in an effort to best streamline the presentation of evidence for the Final Hearing on Movants' Motion for Relief from the Automatic Stay Pursuant to 11 U.S.C. § 362(d), on November 2, 2018, at 10:00 a.m. (the "**Hearing**"). The parties respectfully submit this joint stipulation regarding the authenticity and admissibility of the documents listed on the parties' exhibit lists, filed at Docket Nos. 232, 233 and 237, exchanged, and submitted *in camera* to the Court (the "**Exhibits**");

1. The parties agree that, for purposes of the Hearing, the Exhibits shall be deemed authentic, pursuant to Federal Rule of Evidence 901, which applies to bankruptcy proceedings through Bankruptcy Procedure Rule 9017.

2. The parties agree that, except as specified in the parties' objections and responses listed in **Attachment A**, the Exhibits shall be deemed admissible for purposes of this hearing. The parties agree that, to facilitate the Hearing, the Court may deem all Exhibits provisionally admitted when offered and then rule on the objections, to the extent necessary, when issuing its ruling on the Motion.

DATED this 30th day of October, 2018.

RAY QUINNEY & NEBEKER P.C.

/s/ Michael R. Johnson

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Attorneys for VidAngel, Inc.

ATTACHMENT A

OBJECTIONS/RESPONSES TO MOVANTS' EXHIBITS

Exhibit	Description	Objection	Response
1	Complaint for Copyright Infringement and Violation of Digital Millennium Copyright Act (Cal. Dkt. 1, filed June 9, 2016)	No objection	
2	Press Release dated October 1, 2015, "VidAngel Lets Customers Stream Filtered Movies for One BLEEPING Dollar" and VidAngel Facebook Advertisements (Cal. Dkt. 30, Ex. A to Ehler Decl. ISO Mot. for Prelim. Inj., filed August 22, 2016)	Relevance	Relevant to the <i>Curtis</i> factors
3	VidAngel, Inc.'s Amended Answer and Affirmative Defenses to Complaint; and First Amended Counterclaims (Cal. Dkt. 77, filed September 16, 2016)	No objection	
4	Order Granting Plaintiffs' Motion for Preliminary Injunction (Cal. Dkt. 144, filed December 12, 2016)	No objection	
5	Press Release, dated December 14, 2016, "VidAngel Charts Path Forward, CEO Announces Innovative VidAngel Studios" (Cal. Dkt. 154-8, Ex. G to Ehler Decl. ISO Opp. Ex Parte Appl. to Stay Prelim. Inj. Pending Appeal, filed December 15, 2016)	Relevance	Relevant to the <i>Curtis</i> factors
6	Screenshot of VidAngel video, "VidAngel Special Announcement" (Cal. Dkt. 154-9, Ex. H to Ehler Decl. ISO Opp. Ex Parte Appl. to Stay Prelim. Inj. Pending Appeal, filed December 15, 2016)	Relevance	Relevant to the <i>Curtis</i> factors

7	Fox13 Salt Lake City News Article, "Utah-based movie-filtering service VidAngel to fight injunction," dated December 13, 2016 (Cal. Dkt. 154-11, Ex. J to Ehler Decl. ISO Opp. Ex Parte Appl. to Stay Prelim. Inj. Pending Appeal, filed December 15, 2016)	Relevance	Relevant to the <i>Curtis</i> factors
8	Declaration of Neal Harmon in Support of VidAngel Inc.'s Ex Parte Application to Stay Preliminary Injunction Pending Appeal Or, Alternatively, Pending Decision by the Ninth Circuit on Stay Pending Appeal (Cal. Dkt. 158, filed December 21, 2016)	Hearsay	FRE 802(d)(2) – Opposing Party's Statement as declarant in California Action
9	Declaration of David Quinto in Opposition to Plaintiffs' Ex Parte Application for Order [1] Striking VidAngel's Motion to Clarify [Dkt. No. 182] for Failure to Comply with Local Rule 7-3 and [2] Setting Schedule for Re-Noticed Motion (Cal. Dkt. 184-1, filed June 22, 2017)	Hearsay	FRE 802(d)(2) – Opposing Party's Statement as declarant in California Action
10	Order Denying Defendant's Motion to Clarify or Construct the Court's December 12, 2016 Preliminary Injunction Order [Dkt. No. 182] (Cal. Dkt. 198, filed August 2, 2017)	No objection	
11	Stipulation Regarding Request to Set Pretrial and Trial Schedule (Cal. Dkt. 212, filed September 20, 2017)	No objection	
12	Order re Jury Court/Trial (Cal. Dkt. 215, filed September 28, 2017)	No objection	
13	Plaintiffs' Motion for Partial Summary Judgment on Liability (Cal. Dkt. 222, filed September 29, 2017)	No objection	
14	Plaintiffs' Statement of Uncontroverted Facts and Conclusions of Law (Cal. Dkt. 223, filed September 29, 2017)	No objection	

15	Order Regarding Briefing Schedule for Plaintiffs' Partial Motion for Summary Judgment (Cal. Dkt. 224, filed October 2, 2017)	No objection	
16	First Amended Complaint for Copyright Infringement and Violation of Digital Millennium Copyright Act (Cal. Dkt. 228, filed October 6, 2017)	No objection	
17	VidAngel, Inc.'s Offer of Judgment Pursuant to Federal Rule of Civil Procedure 68, August 25, 2017	No objection	
18	First Amended Complaint (Utah Dkt. 40, filed September 22, 2017)	No objection	
19	VidAngel, Inc.'s Motion for Ex Parte Temporary Restraining Order and Preliminary Injunction (Utah Dkt. 121, filed July 5, 2018)	No objection	
20	Declaration of David Quinto in Support of VidAngel, Inc.'s Motion for Ex Parte Temporary Restraining Order and Preliminary Injunction (Utah Dkt. 122, filed July 5, 2018)	Hearsay	FRE 802(d)(2) – Opposing Party's Statement as declarant in Utah Action
21	Declaration of Neal Harmon in Support of VidAngel, Inc.'s Motion for Ex Parte Temporary Restraining Order and Preliminary Injunction (Utah Dkt. 123, filed July 5, 2018)	Hearsay	FRE 802(d)(2) – Opposing Party's Statement as declarant in Utah Action
22	Memorandum Decision and Order Granting Motion to Dismiss (Utah Dkt. 129, filed July 27, 2018)	No objection	
23	VidAngel's Notice Consenting to Dismissal Without Prejudice (Utah Dkt. 130, filed August 3, 2018)	No objection	
24	Regulation A+ Investor Video (2016)	Relevance	Relevant to the <i>Curtis</i> factors

25	VidAngel Blog: VidAngel Responds to 9th Circuit Decision, Now Calls on Supporters to Call Their Members of Congress, January 4, 2016[sic], posted January 4, 2017	Relevance	Relevant to the <i>Curtis</i> factors
26	VidAngel Blog: VidAngel Uses Chapter 11 Protection to Pause Los Angeles Lawsuit to Reorganize Its Business Around the New Streaming Model, October 18, 2017	Relevance	Relevant to the <i>Curtis</i> factors
27	VidAngel - New Bill H.R. 6816 - Contact Your Representative Video (2018)	Relevance	Relevant to the <i>Curtis</i> factors
28	Twitter Post re: Investments in Chosen (filed as Bankr. Dkt. 218-1, Ex. 1 to Response to VidAngel's Supplemental Brief Objecting to Relief from the Automatic Stay)	Relevance	Relevant to the <i>Curtis</i> factors
29	Email from Kelly Klaus to David Quinto, dated July 4, 2018 (filed as Bankr. Dkt. 218-2, Ex. 2 to Response to VidAngel's Supplemental Brief Objecting to Relief from the Automatic Stay)	Relevance	Relevant to the <i>Curtis</i> factors
30	Facebook Post - VidAngel's Response to Mr. Wesley Jackson	Relevance	Relevant to the <i>Curtis</i> factors
31	United States District Courts - National Judicial Caseload Profile	Relevance	Relevant to the <i>Curtis</i> factors
32	Ninth Circuit Model Jury Instructions on Copyright Statutory Damages	No objection	
33	VidAngel Special Announcement Video, December 12, 2016	Relevance	Relevant to the <i>Curtis</i> factors
34	VidAngel, Inc. Form 1-K (2016 Annual Report), filed April 28, 2017	No objection	
35	VidAngel, Inc. Form 1-K (2017 Annual Report), filed April 16, 2017	No objection	
36	VidAngel, Inc. Offering Circular, October 19, 2016	No objection	

37	Employment Agreement between David Quinto and VidAngel, Inc., July 21, 2016	Relevance	Relevant to the <i>Curtis</i> factors
38	Promotion & Marketing Services Agreement between VidAngel, Inc. and Harmon Brothers, January 21, 2016	No objection	
39	Final Offering Circular for "Chosen," June 15, 2018	No objection	
40	Statement of Financial Affairs and Schedules (Utah Bankr. Dkt. 47, filed November 1, 2017)	No objection	
41	Debtor-in-Possession Monthly Financial Report for Filing Period October 18, 2017 through October 31, 2017 (Utah Bankr., Dkt. 88, filed November 15, 2017)	No objection	
42	Debtor-in-Possession Monthly Financial Report for Filing Period November 1, 2017 through November 30, 2017 (Utah Bankr., Dkt. 134, filed December 20, 2017)	No objection	
43	Debtor-in-Possession Monthly Financial Report for Filing Period December 1, 2017 through December 31, 2017 (Utah Bankr., Dkt. 145, filed January 16, 2018)	No objection	
44	Debtor-in-Possession Monthly Financial Report for Filing Period January 1, 2018 through January 31, 2018 (Utah Bankr., Dkt. 156, filed February 15, 2018)	No objection	
45	Debtor-in-Possession Monthly Financial Report for Filing Period February 1, 2018 through February 28, 2018 (Utah Bankr., Dkt. 160, filed March 20, 2018)	No objection	
46	Debtor-in-Possession Monthly Financial Report for Filing Period March 1, 2018 through March 31, 2018 (Utah Bankr., Dkt. 172, filed April 17, 2018)	No objection	

47	Debtor-in-Possession Monthly Financial Report for Filing Period April 1, 2018 through April 30, 2018 (Utah Bankr., Dkt. 178, filed May 15, 2018)	No objection	
48	Debtor-in-Possession Monthly Financial Report for Filing Period May 1, 2018 through May 31, 2018 (Utah Bankr., Dkt. 185, filed June 14, 2018)	No objection	
49	Debtor-in-Possession Monthly Financial Report for Filing Period June 1, 2018 through June 30, 2018 (Utah Bankr., Dkt. 191, filed July 17, 2018)	No objection	
50	Debtor-in-Possession Monthly Financial Report for Filing Period July 1, 2018 through July 31, 2018 (Utah Bankr., Dkt. 199, filed August 15, 2018)	No objection	
51	Debtor-in-Possession Monthly Financial Report for Filing Period August 1, 2018 through August 31, 2018 (Utah Bankr., Dkt. 215, filed September 17, 2018)	No objection	
52	Draft Declaration of Matt H. Connors (Utah Bankr., Dkt. 222, filed October 10, 2018)	Hearsay	
53	December 5, 2017 Hearing Transcript	No objection	
54	Order to Show Cause Hearing Transcript, January 6, 2017	No objection	
55	Deposition Transcript of Neal Harmon, dated August 11, 2016	Hearsay	FRE 802(d)(2) – Opposing Party’s Statement because Harmon was sitting as 30(b)(6) deponent

56	VidAngel internal workflow technical document (Cal. Dkt. 33, Ex. C to Schulman Decl. ISO Mot. for Prelim. Inj., filed August 23, 2016) HIGHLY CONFIDENTIAL	Relevance	Relevant to the <i>Curtis</i> factors
57	VidAngel internal technical instructions document (Cal. Dkt. 33, Ex. D to Schulman Decl. ISO Mot. for Prelim. Inj., filed August 23, 2016) HIGHLY CONFIDENTIAL	Relevance	Relevant to the <i>Curtis</i> factors
58	Neal Harmon Rule 30(b)(6) deposition exhibit 38, email from Josh Jackson to Neal Harmon, dated February 19, 2015 (Cal. Dkt. 33, Ex. DD to Ehler Decl. ISO Mot. for Prelim. Inj., filed August 23, 2016) HIGHLY CONFIDENTIAL	Relevance	Relevant to the <i>Curtis</i> factors
59	Neal Harmon Rule 30(b)(6) deposition exhibit 21, VidAngel Board Meeting, dated January 9, 2015 (Cal. Dkt. 33, Ex. V to Ehler Decl. ISO Mot. for Prelim. Inj., filed August 23, 2018) HIGHLY CONFIDENTIAL	No objection	
60	Neal Harmon Rule 30(b)(6) deposition exhibit 22, compilation of emails (Cal. Dkt. 33, Ex. W to Ehler Decl. ISO Mot. for Prelim. Inj., filed August 23, 2016) HIGHLY CONFIDENTIAL	Relevance	Relevant to the <i>Curtis</i> factors
61	Neal Harmon Rule 30(b)(6) deposition exhibit 23, email from Neal Harmon to Paul Ahlstrom and Dalton Wright, dated September 29, 2015 (Cal. Dkt. 33, Ex. X to Ehler Decl. ISO Mot. for Prelim. Inj., filed August 23, 2016) HIGHLY CONFIDENTIAL	Relevance	Relevant to the <i>Curtis</i> factors

62	Neal Harmon Rule 30(b)(6) deposition exhibit 26, VidAngel Investor Presentation, dated November 2015 (Cal. Dkt. 33, Ex. Y to Ehler Decl. ISO Mot. for Prelim. Inj., filed August 23, 2016) HIGHLY CONFIDENTIAL	Relevance	Relevant to the <i>Curtis</i> factors
63	VidAngel Litigation Budget for Trial	No objection	
64	Deposition Transcript of Matthew Connors, October 11, 2018		
65	Deposition Transcript of Neal Harmon, October 11, 2018 PORTIONS ARE HIGHLY CONFIDENTIAL		
66	Deposition Transcript of David Quinto, October 11, 2018		
67	Assumptions Chart HIGHLY CONFIDENTIAL		
68	Subscription Chart HIGHLY CONFIDENTIAL		
69	Prepared Alternative Schedule to Matthew Connors Schedule		

OBJECTIONS/RESPONSES TO VIDANGEL'S EXHIBITS

Exhibit	Description	Objection	Response
A	Declaration of Neal Harmon	Rule 802, inadmissible hearsay	Agree
B	Agreement Between VidAngel, Inc. and Harmon Brothers	No objection	

C	Termination Letter from Harmon Brothers to VidAngel, Inc.	No objection	
D	Declaration of Matt H. Connors	Rule 802, inadmissible hearsay	Agree
E	Schedules in Support of Declaration of Matt H. Connors	Rule 402, relevance and Rule 702, reliability	Reliable data for summaries
F	Resume for Matt H. Connors	Rule 702, experience	Parties have stipulated to expertise
G	Opinion Letter from David Quinto to VidAngel, Inc. dated February 25, 2015	No objection	
H	Offer of Judgment from VidAngel, Inc. dated August 25, 2017 in Case No. CV 16-04109-AB	No objection	
I	Pretrial Order in Case No. CV 16-04109-AB	No objection	
J	Plaintiffs' First Set of Requests for Production of Documents to Defendant VidAngel, Inc. dated September 11, 2017 in Case No. CV 16-04109-AB	No objection	
K	Plaintiffs' First Set of Interrogatories to Defendant VidAngel, Inc. dated September 11, 2017 in Case No. CV 16-04109-AB	No objection	
L	VidAngel, Inc.'s Opposition to Motion for Preliminary Injunction dated September 12, 2017 in Case No. CV 16-04109-AB	Rule 402, relevance	If motion is relevant, opposition is as well.

M	Declaration of Neal Harmon in Support of VidAngel, Inc.'s Opposition to Motion for Preliminary Injunction dated September 12, 2017 in Case No. CV 16-04109-AB	Rule 801, hearsay and Rule 402, relevance	Agree to hearsay
N	Declaration of Liz Ellis in Support of VidAngel, Inc.'s Opposition to Motion for Preliminary Injunction dated September 12, 2017 in Case No. CV 16-04109-AB	Rule 801, hearsay and double hearsay with respect to the statements contained within the declaration. VidAngel has not called Ms. Ellis as a witness and refused to produce evidence regarding the underlying out-of-court statements of its customers. Rule 402, relevance	Agree to hearsay

CERTIFICATE OF SERVICE

I hereby certify that on this 30th day of October, 2018, I electronically filed the foregoing ***STIPULATION REGARDING AUTHENTICITY AND ADMISSIBILITY OF EXHIBITS FOR HEARING ON MOTION FOR RELIEF FROM THE STAY*** with the Clerk of Court using the CM/ECF system, which sent notification of such filing to the electronic filing users in this case as follows:

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/s/ Dianne Burton _____