**IN THE UNITED STATES DISTRICT COURT**
**FOR THE DISTRICT OF DELAWARE**

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| TV GUIDE ONLINE, INC. AND TV GUIDE ONLINE, LLC<br><br>Plaintiffs,<br><br>v.<br><br>TRIBUNE MEDIA SERVICES, INC.<br><br>Defendant. | Civil Action No. 05-725-KAJ<br><br>**JURY TRIAL DEMANDED** |

**INTERIM STATUS REPORT**

This is the parties' joint interim status report, provided pursuant to the Court's March 10, 2006 Scheduling Order.

BACKGROUND

This is a patent infringement action brought by plaintiffs TV Guide Online, Inc. and TV Guide Online, LLC (collectively "TV Guide") against defendant Tribune Media Services, Inc. ("TMS"). TV Guide asserts that TMS's operation of its www.zap2it.com website and related affiliate sites infringe claims of TV Guide's United States Patent Nos. 5,988,078 ("the '078 patent").

STATUS OF DISCOVERY

TV Guide has produced over 180,000 pages of documents in this case, and TMS has produced approximately 62,500 pages. Both parties are in the process of completing document production. TV Guide has taken nine fact depositions thus far and TMS has taken six fact depositions. The parties are in the process of completing fact depositions. No expert

depositions have been scheduled or taken. The cut-off date for all discovery is set for January 30, 2007.

At the August 21, 2006 conference, the Court directed TV Guide to file a motion to bifurcate trial on TMS's patent misuse allegations and to stay discovery on that issue. Briefing on that motion was completed on September 21, 2006. Before the Court ruled on the motion, the parties filed a stipulation to bifurcate trial and stay discovery on TMS's patent misuse allegations on October 10, 2006. The Court entered an Order on the stipulation on October 12, 2006.

On October 20, 2006, the Court entered the parties' stipulation for an extension to submit opening and rebuttal expert reports. On November 9, 2006, the Court granted a further extension in response to the parties' stipulation. Initial expert reports are now due on December 8, 2006 and rebuttal expert reports are due on January 9, 2007.

TMS has recently supplemented its production of the source code relating to its accused product, and is presenting a witness for additional deposition testimony regarding the supplemental production. TMS represents that as of November 10, 2006, it has made available all of the underlying code for the previous platform of the www.zap2it.com national site ("Platform A"), all version control information for the source code that is kept in the ordinary course of business, and those portions of the code it is able to provide for the current platform of the www.zap2it.com national site ("Platform B"), which includes the code relating to the television listings feature of the website. TMS also represents that it has made the code available for inspection at an escrow agent in Austin, Texas, and has provided a duplicate copy of the code on a laptop computer in its counsel's New York office for printing limited excerpts of the code for use in court filings submitted under seal and expert reports. The parties are working together

to resolve any issues that relate to this supplemental production and the scheduling of the corresponding deposition.

The parties are currently negotiating dates for the supplementation of interrogatory responses and the exchange of privilege logs.

The parties also are working to resolve issues relating to further production of documents.

The parties are scheduled to serve opening expert reports on December 8, 2006 on the issues for which they have the burden of proof. Thus, TV Guide will serve expert reports on infringement and damages issues, and TMS will serve expert reports on validity issues. Because of the outstanding discovery mentioned above, it may be necessary for TV Guide to serve supplemental expert reports on infringement and damages after it has had additional discovery.

To the extent that the parties are not able to resolve the issues set forth above, the parties reserve their right to raise the issues with the Court at the scheduled November 21, 2006 status conference.

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