



June 4, 2002

The Honorable Vaughn R. Walker  
United States District Court  
450 Golden Gate Avenue  
San Francisco, CA 94102

**Re: *Groupe Canal+ S.A., et al. v. NDS Group PLC, et al.***  
**Case No. C02-01178 VRW**

Dear Judge Walker:

We are writing to seek your assistance with an urgent discovery matter that has arisen during the course of the expedited discovery in this case. NDS agreed to produce Abraham Peled (defendants' CEO who is based in London) for deposition on June 4, 2002 in New York City (to be followed promptly by a number of other depositions). We received messages last Friday from counsel for NDS that representatives of our clients had agreed to a standstill of the litigation while the parties discuss settlement. NDS's counsel said it therefore did not intend to produce Mr. Peled for deposition on June 4. I discussed this situation with my client and was informed that while such an agreement had been discussed, it was not final and would not be final unless and until it was agreed to in writing. I immediately notified counsel for NDS that there was no standstill agreement and that the deposition would go forward on June 4.

While it is clear that the parties dispute whether any standstill agreement was reached last Friday, I made it clear to counsel for NDS that there was no ambiguity to my clients' position and they could no longer rely on any such alleged agreement to postpone discovery. After communicating again with counsel for NDS on Monday and today that my clients did not agree to a discovery standstill, and having learned that Mr. Peled is in New York at this time, I again repeated my request that Mr. Peled be produced for deposition in New York before he leaves the country. I indicated to counsel for NDS that I would be flexible on the date for the deposition this week but was informed that NDS still refuses to produce Mr. Peled for deposition this week.

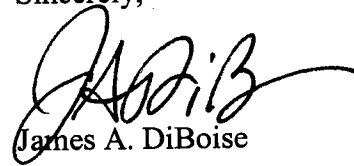
I am prepared to take Mr. Peled's deposition in New York City on June 6 or 7. Mr. Peled is in New York City, the NDS lawyer who was supposed to cover the deposition works in New York City, I am in New York City and I am ready to proceed.

Wilson Sonsini Goodrich & Rosati  
PROFESSIONAL CORPORATION

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I respectfully ask the Court to order NDS to produce Mr. Peled for deposition in New York City on June 6 or 7 and to continue to produce witnesses on the agreed discovery schedule. I am available for a telephone conference at the Court's convenience.

Sincerely,



James A. DiBoise

cc: Pat Lynch  
Darin Snyder