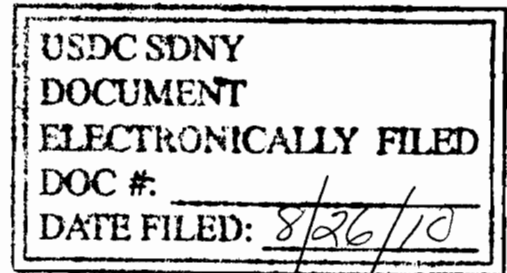


Simmons Jannace, LLP  
115 Eileen Way, Suite 103  
Syosset, New York 11791  
(516) 802-0630  
By: Kevin P. Simmons (ks-7818)  
Attorneys for Defendant  
Best Buy Co., Inc.



UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF NEW YORK

-----X  
SOFTWARE FREEDOM CONSERVANCY, INC.  
and ERIK ANDERSEN,

Civil Action No.:  
09 CIV 10155

Plaintiffs,

STIPULATION TO  
WITHDRAW AS COUNSEL

-against-

BEST BUY CO., INC., SAMSUNG ELECTRONICS  
AMERICA, INC., WESTINGHOUSE DIGITAL  
ELECTRONICS, LLC, JVC AMERICAS  
CORPORATION, WESTERN DIGITAL  
TECHNOLOGIES, INC., ROBERT BOSCH LLC,  
PHOEBE MICRO, INC., HUMAX USA INC.,  
COMTREND CORPORATION, DOBBS-STANFORD  
CORPORATION, VERSA TECHNOLOGY INC.,  
ZYXEL COMMUNICATIONS INC., ASTAK INC.,  
and GCI TECHNOLOGIES CORPORATION,

Scheindlin, J.

Defendants.

-----X

WHEREAS, plaintiffs Software Freedom Conservancy, Inc. and Erik Andersen commenced this action against Best Buy Co, Inc. ("Best Buy") and other defendants based on allegations of copyright infringement;

WHEREAS, Best Buy initially retained Simmons Jannace, LLP ("Simmons Jannace") to serve as temporary counsel for the limited purpose of obtaining a sixty-day extension of Best Buy's time to

answer and to afford Best Buy time to retain counsel that specializes in intellectual property law;

**WHEREAS**, Simmons Jannace obtained a sixty-day extension of Best Buy's time to answer by Stipulation with plaintiffs, so-ordered by the Honorable Shira A. Scheindlin;

**WHEREAS**, Best Buy subsequently retained Robins, Kaplan, Miller, & Ciresi, L.L.P. to serve as Best Buy's counsel of record in this matter;

**WHEREAS**, Best Buy no longer requires the services of Simmons Jannace as counsel in this matter; and

**WHEREAS**, the parties will not be prejudiced by permitting Simmons Jannace to withdraw as counsel.

**IT IS HEREBY STIPULATED AND AGREED**, between Simmons Jannace and Robins Kaplan, as attorneys for Best Buy, that Simmons Jannace is hereby relieved as counsel of record for Best Buy and that the appearances of Kevin P. Simmons and Jason W. Creech of Simmons Jannace as counsel of record for Best Buy are hereby withdrawn; and

**IT IS FURTHER STIPULATED AND AGREED**, that this Stipulation may be executed in counterparts, any of which may be transmitted by facsimile and each of which when so executed and delivered shall be deemed an original, with all which shall together constitute one and the same agreement.

Dated: Syosset, New York  
August 9, 2010

ROBINS KAPLAN MILLER  
& CIRESI, L.L.P.  
Incoming Attorneys for Defendant  
Best Buy Co., Inc.

SIMMONS JANNACE, LLP  
Outgoing Attorneys for  
Defendant Best Buy Co., Inc.

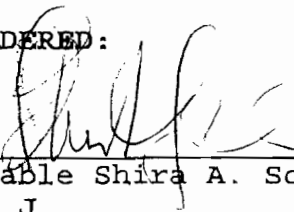
By: /s/ David Lechtman  
David Lechtman (dl-7233)  
Office & P.O. Address:  
499 Park Avenue  
New York, New York 10022-1240  
(212) 935-4724

By: /s/ Kevin P. Simmons  
Kevin P. Simmons (ks-7818)  
Office & P.O. Address:  
115 Eileen Way, Suite 103  
Syosset, New York 11791  
(516) 802-0630

SIMMONS JANNACE, LLP  
Outgoing Attorneys for  
Defendant Best Buy Co., Inc.

By: /s/ Jason W. Creech  
Jason W. Creech (jc-8093)  
Office & P.O. Address:  
115 Eileen Way, Suite 103  
Syosset, New York 11791  
(516) 802-0630

SO ORDERED:

  
\_\_\_\_\_  
Honorable Shira A. Scheindlin  
U.S.D.J.

8/26/10

Stip to withdraw as counsel