

UNITED STATES DISTRICT COURT  
DISTRICT OF MASSACHUSETTS

HEARST STATIONS INC., d/b/a WCVB-TV,

Plaintiff,

v.

AEREO, INC.,

Defendant.

C.A. No. 1:13-cv-11649-MBB

**ORAL ARGUMENT REQUESTED  
PURSUANT TO L.R. 7.1(d)**

**DEFENDANT AEREO, INC.'S MOTION TO TRANSFER  
VENUE PURSUANT TO 28 U.S.C. § 1404(a)**

Pursuant to 28 U.S.C. § 1404(a), Defendant Aereo, Inc. (“Aereo”) respectfully moves to transfer venue to the U.S. District Court for the Southern District of New York, where three other suits addressing substantively the same legal and factual questions are already pending.

As grounds for and in support of this Motion, Aereo relies on and incorporates fully herein: (1) Defendant Aereo, Inc.’s Memorandum of Law in Support of Its Motion to Transfer Venue Pursuant to 28 U.S.C. § 1404(a); and (2) the Declaration of R. David Hosp and Exhibits thereto; all of which are filed herewith.

Dated: July 16, 2013

/s/ Frank E. Scherkenbach

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*Attorneys for Defendant Aereo, Inc.*

**LR 7.1 CERTIFICATION**

I certify that Aereo has complied with the provisions of LR 7.1 by meeting and conferring by telephone with counsel for Hearst on July 16, 2013. The parties were unable to agree with respect to the issues raised in this Motion and thus are at impasse and require the Court's assistance to resolve this dispute.

/s/ Frank E. Scherkenbach  
Frank E. Scherkenbach

**REQUEST FOR ORAL ARGUMENT**

Pursuant to Local Rule 7.1(d), Aereo respectfully submits that oral argument may assist the Court in resolving the instant Motion and accordingly requests the opportunity to present this Court with oral argument.

/s/ Frank E. Scherkenbach  
Frank E. Scherkenbach

**CERTIFICATE OF SERVICE**

I hereby certify that Defendant Aereo, Inc.'s Motion to Transfer Venue Pursuant To 28 U.S.C. § 1404(a) and any attachments are being filed through the Court's electronic filing system on July 16, 2013, which serves counsel for other parties who are registered participants as identified on the Notice of Electronic Filing (NEF).

/s/ Frank E. Scherkenbach  
Frank E. Scherkenbach