

The CBS Parties submit that the video will permit the Court to better appreciate the irreconcilable positions taken by the NAI Parties with respect to Mr. Redstone and his control over NAI.

3. The NAI Parties' motion "to strike" comes way too late in any event. The video was submitted *in camera* on July 27 pursuant to a motion that the NAI Parties advised they did not oppose. Dkt. No. 179 at ¶ 4. After this *in camera* submission, the NAI Parties did not move to strike the video. Instead, on July 31, they filed a lengthy opposition to the CBS Parties' motion in which they explicitly discussed the video. Only *after* Ms. Hagey filed her letter on August 6 did the NAI Parties move "to strike" the video.

4. The NAI Parties' accusations that Mr. Kopelson supposedly broke the law by taking the video in plain view of Mr. Redstone and his nurses are baseless. They are not supported by an affidavit from Mr. Redstone or anyone else. Rather, the record on this issue is clear and confirms that Mr. Kopelson committed no crime: Mr. Kopelson held his iPhone in plain view, with several nurses present, to record an attempted conversation and memorialize the physical condition and speech of his close friend of over 17 years. Kopelson Aff. ¶¶ 4, 13-15. If anything were to be struck, it should be the NAI Parties' unsupported and harassing accusation against Mr. Kopelson.

CONCLUSION

For the foregoing reasons, the NAI Parties' request to strike the video should be denied. The Court should continue to keep the video *in camera*.

ROSS ARONSTAM & MORITZ LLP

/s/ Garrett B. Moritz

Of Counsel:

Theodore N. Mirvis
Jonathan M. Moses
Bradley R. Wilson
Carrie M. Reilly
Kevin M. Jonke
John A. Barker
WACHTELL, LIPTON, ROSEN
& KATZ
51 West 52nd Street
New York, New York 10019
(212) 403-1000

*Attorneys for CBS Corp. and Leslie
Moonves*

David E. Ross (Bar No. 5228)
Bradley R. Aronstam (Bar No. 5129)
Garrett B. Moritz (Bar No. 5646)
S. Michael Sirkin (Bar No. 5389)
Roger S. Stronach (Bar No. 6208)
100 S. West Street, Suite 400
Wilmington, Delaware 19801
(302) 576-1600

*Attorneys for CBS Corp., Gary L.
Countryman, Charles K. Gifford, Bruce
S. Gordon, Linda M. Griego, Martha L.
Minow, Leslie Moonves, Joseph A.
Califano, Jr., William S. Cohen,
Leonard Goldberg, Arnold Kopelson,
and Doug Morris*

Words: 440

Greg A. Danilow
Joseph S. Allerhand
Stacy Nettleton
Seth Goodchild
David P. Byeff
Thomas James
WEIL, GOTSHAL & MANGES LLP
767 Fifth Avenue
New York, New York 10153
(212) 310-8000

*Attorneys for Gary L. Countryman,
Charles K. Gifford, Bruce S. Gordon,
Linda M. Griego, Martha L. Minow,
Joseph A. Califano, Jr., William S.
Cohen, Leonard Goldberg, Arnold
Kopelson, and Doug Morris*

Ronald L. Olson
John W. Spiegel
MUNGER TOLLES & OLSON LLP
350 South Grand Avenue Los Angeles,
CA 90071 (213) 683-9100

Attorneys for Leslie Moonves

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CERTIFICATE OF SERVICE

I, Garrett B. Moritz, hereby certify that on August 7, 2018, I caused a true and correct copy of *The CBS Parties' Response to the NAI Parties' Motion to Strike or to Confirm In Camera Treatment of Kopelson Video* to be served through File & ServeXpress on the following counsel:

Myron T. Steele
Donald J. Wolfe, Jr.
Matthew E. Fischer
Michael A. Pittenger
J. Matthew Belger
Jacqueline A. Rogers
Callan R. Jackson
POTTER ANDERSON
& CORROON, LLP
Hercules Plaza
1313 N. Market Street, 6th Floor
Wilmington, Delaware 19801

Michael Hanrahan
Paul A. Fioravanti, Jr.
Corinne Elise Amato
Eric J. Juray
PRICKETT, JONES
& ELLIOTT, P.A.
1310 N. King Street
Wilmington, Delaware
19801

/s/ Garrett B. Moritz
Garrett B. Moritz (Bar No. 5646)