

## A-501

22

1 09:41:29 MS. KOHLMANN: Objection as to form.

2 09:41:31 You can answer.

3 09:41:31 THE WITNESS: For the film Transformers we

4 09:41:40 uploaded the official approved trailer to YouTube.

5 09:41:44 BY MR. VOLKMER:

6 09:41:48 Q. Did you upload any other materials besides

7 09:41:50 the official trailer to YouTube?

8 09:41:52 A. We always only upload approved materials

9 09:41:56 that have been routed through the marketing

10 09:41:59 executives, talent and filmmakers VIA approved upload

11 09:42:04 account.

12 09:42:08 MR. VOLKMER: Move to restrike the response

13 09:42:10 as nonresponsive.

14 09:42:11 Q. Did you upload any other materials besides

15 09:42:13 the official trailer to YouTube with respect to the

16 09:42:16 Transformers promotional campaign?

17 09:42:19 MS. KOHLMANN: Objection.

18 09:42:20 You can answer.

19 09:42:24 THE WITNESS: For Transformers 2, which is

20 09:42:26 the film I was referencing, we uploaded the official

21 09:42:31 trailer and the official approved clips from the EPK.

22 09:42:37 BY MR. VOLKMER:

23 09:42:37 Q. What about for the original Transformers

24 09:42:40 movie, did Paramount's interactive marketing

25 09:42:43 department engage in any viral marketing of that film

1 09:42:46 using YouTube?

2 09:42:47 A. I don't recall.

3 09:43:00 Q. How long ago did Paramount upload the

4 09:43:03 Transformers 2 trailer to YouTube?

5 09:43:09 A. The Transformers 2 final trailer was earlier

6 09:43:16 this year. I don't recall specifically.

7 09:43:20 Q. So Paramount's interactive marketing

8 09:43:25 department has continued to use YouTube for

9 09:43:28 promotional purposes after this lawsuit was filed; is

10 09:43:31 that correct?

11 09:43:31 MS. KOHLMANN: Objection as to form.

12 09:43:33 You can answer.

13 09:43:34 THE WITNESS: Can you repeat the question,

14 09:43:37 please.

15 09:43:37 BY MR. VOLKMER:

16 09:43:37 Q. Sure. Paramount's interactive marketing

17 09:43:39 department has continued to use YouTube for

18 09:43:41 promotional purposes after this lawsuit was filed; is

19 09:43:44 that correct?

20 09:43:45 A. We use YouTube as we do any other website

21 09:43:48 that we're in business with, which is to upload

22 09:43:51 approved materials for the marketing of our films.

23 09:43:55 Q. Right. And my question was, did Paramount's

24 09:43:59 interactive marketing department continue to use

25 09:43:59 YouTube for promotional purposes after this lawsuit

1 09:44:01 was filed?

2 09:44:02 MS. KOHLMANN: Objection; asked and

3 09:44:02 answered.

4 09:44:12 You can answer.

5 09:44:13 THE WITNESS: As I said, YouTube is one of

6 09:44:15 many websites that we use to market our films with

7 09:44:17 approved materials.

8 09:44:19 BY MR. VOLKMER:

9 09:44:22 Q. That doesn't respond to the question though.

10 09:44:24 The question was, after this lawsuit was filed, did

11 09:44:28 Paramount continue to use YouTube to promote its

12 09:44:31 films?

13 09:44:31 MS. KOHLMANN: Objection; asked and answered

14 09:44:33 and getting argumentative.

15 09:44:35 You can answer.

16 09:44:36 THE WITNESS: We use YouTube to upload

17 09:44:41 approved marketing materials as we do any other

18 09:44:44 website that we're in business with.

19 09:44:46 BY MR. VOLKMER:

20 09:44:46 Q. And that practice of using YouTube to upload

21 09:44:49 approved marketing materials has taken place after

22 09:44:53 the filing of this lawsuit which is in March of 2007?

23 09:44:57 A. That is correct.

24 09:44:58 Q. The materials that Paramount's employees and

25 09:45:19 agents have uploaded to YouTube for promotional

1 09:45:22 purposes, those materials are authorized to be on the

2 09:45:25 YouTube service; is that right?

3 09:45:27 MS. KOHLMANN: Objection as to form.

4 09:45:33 BY MR. VOLKMER:

5 09:45:33 Q. You can answer.

6 09:45:34 A. I can only speak on behalf of my team.

7 09:45:37 Q. Sure. So the materials that were uploaded

8 09:45:41 by your team or by agents of Paramount at the

9 09:45:45 direction of your team, those materials that have

10 09:45:48 been uploaded to YouTube, they are authorized to be

11 09:45:51 on the YouTube service, correct?

12 09:45:52 MS. KOHLMANN: Objection as to form.

13 09:45:55 You can answer.

14 09:45:55 THE WITNESS: To the best of my knowledge,

15 09:45:58 my team has always had the direction of only

16 09:46:02 uploading approved materials.

17 09:46:06 BY MR. VOLKMER:

18 09:46:07 Q. Would you say that everything that your team

19 09:46:09 has uploaded or has approved to be uploaded, that set

20 09:46:14 of materials are authorized?

21 09:46:15 MS. KOHLMANN: Objection; vague.

22 09:46:19 You can answer.

23 09:46:20 THE WITNESS: I'm not sure I know what you

24 09:46:21 mean by "authorized."

25

1 10:19:04 A. Uh-huh.

2 10:19:05 Q. Were there any other instances in which a

3 10:19:08 Paramount marketing employee or agent uploaded clips

4 10:19:12 from that film to YouTube to promote the film?

5 10:19:15 MS. KOHLMANN: Objection.

6 10:19:17 THE WITNESS: To the best of my knowledge,

7 10:19:18 all materials were uploaded VIA the same destination

8 10:19:22 within YouTube.

9 10:19:23 BY MR. VOLKMER:

10 10:19:28 Q. And how about the film Blades of Glory, did

11 10:19:31 Paramount use YouTube to promote that film?

12 10:19:33 MS. KOHLMANN: Objection.

13 10:19:34 THE WITNESS: I believe so.

14 10:19:36 BY MR. VOLKMER:

15 10:19:36 Q. And how did Paramount use YouTube to promote

16 10:19:40 that film?

17 10:19:40 A. Uploading approved materials, clips, trailer

18 10:19:45 to YouTube.

19 10:19:45 Q. Was there a promotion or marketing campaign

20 10:19:59 on YouTube that you thought was more successful than

21 10:20:03 the others?

22 10:20:03 MS. KOHLMANN: Objection as to form; vague.

23 10:20:05 You can answer.

24 10:20:06 THE WITNESS: Not necessarily.

25

1 10:20:07 BY MR. VOLKMER:

2 10:20:18 Q. Are you aware of all the account names and  
3 10:20:21 user names that Paramount has used to upload  
4 10:20:23 materials to YouTube?

5 10:20:26 MS. KOHLMANN: Objection as to form.

6 10:20:30 THE WITNESS: No, I wouldn't say that I am.

7 10:20:32 BY MR. VOLKMER:

8 10:20:36 Q. Is there anyone in your department that  
9 10:20:38 would know all of the account names and user names  
10 10:20:41 that Paramount has used to upload materials to  
11 10:20:44 YouTube?

12 10:20:44 MS. KOHLMANN: Objection as to form.

13 10:20:46 THE WITNESS: No, it's a large company.

14 10:20:48 BY MR. VOLKMER:

15 10:21:07 Q. In the ordinary course of your job, would  
16 10:21:09 you or someone working for you keep a list of all the  
17 10:21:13 user names that have been used to upload materials to  
18 10:21:16 YouTube?

19 10:21:16 MS. KOHLMANN: Objection as to form.

20 10:21:21 THE WITNESS: For my specific department the  
21 10:21:26 team member who is leading a campaign would have  
22 10:21:31 knowledge of the accounts that he or she is using.

23 10:21:34 BY MR. VOLKMER:

24 10:21:43 Q. So is the answer to that question no?

25 10:21:45 MS. KOHLMANN: Objection.

1 10:21:47 THE WITNESS: Can you repeat the question?

2 10:21:48 BY MR. VOLKMER:

3 10:21:48 Q. Sure. In the ordinary course of your job,  
4 10:21:50 would you or someone who worked for you keep a list  
5 10:21:53 of all the YouTube user names or account names that  
6 10:21:57 have been used to upload materials to the YouTube  
7 10:22:00 service?

8 10:22:01 MS. KOHLMANN: Objection as to form.

9 10:22:04 You can answer.

10 10:22:04 THE WITNESS: My team members would keep  
11 10:22:07 track of the user names that they specifically would  
12 10:22:10 use.

13 10:22:15 BY MR. VOLKMER:

14 10:22:15 Q. And you said that Paramount was a big  
15 10:22:16 company earlier. Are there circumstances in which  
16 10:22:20 there were uploads of Paramount material to YouTube  
17 10:22:23 for promotional reasons that occurred outside of the  
18 10:22:28 purview of your department?

19 10:22:30 MS. KOHLMANN: Objection as to form.

20 10:22:32 THE WITNESS: I wouldn't know.

21 10:22:33 BY MR. VOLKMER:

22 10:22:42 Q. You never heard of any other departments at  
23 10:22:46 Paramount uploading materials to YouTube for  
24 10:22:51 promotional or marketing purposes?

25 10:22:53 MS. KOHLMANN: Objection as to form.

1 10:22:56 THE WITNESS: No.

2 10:22:56 BY MR. VOLKMER:

3 10:23:03 Q. Didn't you have occasion to view materials

4 10:23:05 on YouTube and make determinations about whether they

5 10:23:07 were authorized marketing material or not?

6 10:23:12 MS. KOHLMANN: Objection.

7 10:23:14 You can answer.

8 10:23:14 THE WITNESS: Can you repeat the question?

9 10:23:15 BY MR. VOLKMER:

10 10:23:15 Q. Sure. Didn't you have occasion in the

11 10:23:17 course of your employment to view materials on

12 10:23:20 YouTube and make determinations about whether they

13 10:23:22 were authorized marketing materials or not?

14 10:23:24 MS. KOHLMANN: Same objection.

15 10:23:25 You can answer.

16 10:23:25 THE WITNESS: In specific instances, yes.

17 10:23:28 BY MR. VOLKMER:

18 10:23:29 Q. In the course of performing that task, did

19 10:23:31 you ever come across marketing material that had been

20 10:23:37 uploaded to YouTube by Paramount but did not emanate

21 10:23:40 from your department?

22 10:23:42 A. No, I don't recall so.

23 10:23:50 MS. KOHLMANN: Bart, we've been going about

24 10:23:52 an hour. So if you get to a point you think we can

25 10:23:56 break, can we do that?



1 02:01:17 BY MR. VOLKMER:  
2 02:01:25 Q. Didn't your frustrations with BayTSP  
3 02:01:28 removing approved Paramount marketing material from  
4 02:01:31 YouTube continue for some lengthy period of time?  
5 02:01:35 MS. KOHLMANN: Objection as to form; vague.  
6 02:01:37 You can answer.  
7 02:01:38 THE WITNESS: No, I don't know that I would  
8 02:01:41 say that.  
9 02:01:42 BY MR. VOLKMER:  
10 02:01:43 Q. Didn't that frustration last for months that  
11 02:01:46 Bay continued to remove material that your department  
12 02:01:51 had either uploaded or approved to be on the YouTube  
13 02:01:53 service?  
14 02:01:54 MS. KOHLMANN: Objection; asked and  
15 02:01:54 answered.  
16 02:01:56 You can answer.  
17 02:01:56 THE WITNESS: I don't recall the specific  
18 02:01:59 amount of time we had the disagreement.  
19 02:02:04 BY MR. VOLKMER:  
20 02:02:19 Q. As a result of BayTSP mistakenly removing  
21 02:02:25 marketing material from the YouTube service you asked  
22 02:02:27 that you have an opportunity to review material  
23 02:02:33 before it was taken down from YouTube; is that right?  
24 02:02:36 MS. KOHLMANN: Objection; lacks foundation;  
25 02:02:39 form.

1 02:02:39 You can answer.

2 02:02:40 THE WITNESS: Can you repeat the question?

3 02:02:43 BY MR. VOLKMER:

4 02:02:44 Q. Sure. As a result of BayTSP mistakenly

5 02:02:47 removing marketing material from the YouTube service

6 02:02:51 you asked that you have an opportunity to review

7 02:02:54 material before it was taken down from YouTube; is

8 02:02:57 that right?

9 02:02:58 A. As part of our -- as part of determining how

10 02:03:02 our partnership would work, we did put several

11 02:03:05 practices in place that would help us both be able to

12 02:03:29 intelligently identify approved materials, one of

13 02:03:13 which was for them to call me and ask me, just as we

14 02:03:16 would ask any other party to call and ask me if

15 02:03:19 content was questionable.

16 02:03:42 Q. The reason that you would be called would be

17 02:03:43 to make a determination as to whether the material

18 02:03:45 that was proposed for removal, whether or not that

19 02:03:49 material was approved Paramount marketing?

20 02:03:53 MS. KOHLMANN: Objection as to form.

21 02:03:58 You can answer.

22 02:03:58 THE WITNESS: The process was put in place

23 02:04:00 not only to determine if content should be removed or

24 02:04:03 not, but to identify what our approved marketing

25 02:04:07 materials were so we could all be on the same page in

1 02:04:13 terms of what that material consisted of.

2 02:04:15 BY MR. VOLKMER:

3 02:04:19 Q. Did any other parties besides BayTSP ever

4 02:04:22 call you and ask whether material on online

5 02:04:29 video-sharing services was authorized or

6 02:04:34 unauthorized?

7 02:04:35 A. Yes.

8 02:04:35 Q. Who else called you?

9 02:04:37 A. Either call or e-mail, I should clarify.

10 02:04:40 Q. Sure.

11 02:04:40 A. Many -- all the time webmasters, different

12 02:04:44 websites, end-users, happens frequently.

13 02:04:49 Q. End-users would contact you and ask you

14 02:04:52 whether or not material on the Internet was approved

15 02:04:55 Paramount marketing material?

16 02:04:56 A. Yes.

17 02:04:57 MS. KOHLMANN: Objection; asked and

18 02:04:58 answered.

19 02:04:58 THE WITNESS: Pardon me, yes.

20 02:04:59 BY MR. VOLKMER:

21 02:05:03 Q. And that would take usually an e-mail

22 02:05:06 format; is that right?

23 02:05:07 MS. KOHLMANN: Objection.

24 02:05:08 THE WITNESS: Either e-mail or phone call,

25 02:05:15 depending on how a person could track me down.

1 02:05:33 MR. VOLKMER: Let's mark Exhibit 16.  
2 02:05:34 (Powell Exhibit 16, document bearing  
3 02:05:34 Bates number VIA 003724421, marked for  
4 02:05:46 identification, as of this date.)  
5 02:05:46 MS. KOHLMANN: Thank you.  
6 02:05:47 BY MR. VOLKMER:  
7 02:06:04 Q. Exhibit 16 is a document that was produced  
8 02:06:06 by BayTSP in this litigation. It's an e-mail  
9 02:06:11 exchange from June 26th and 27th, 2006. Al Perry  
10 02:06:21 John Salter, Mark Ishikawa appear in this e-mail  
11 02:06:25 thread.  
12 02:06:25 Do you know who Mr. Perry is?  
13 02:06:27 A. Yes.  
14 02:06:29 Q. And what is his role at Paramount?  
15 02:06:31 A. He works on Scott Martin's team, which is  
16 02:06:36 the Paramount legal team.  
17 02:06:39 Q. And who is Mr. Salter?  
18 02:06:43 A. I'm not sure.  
19 02:06:48 Q. And Mark Ishikawa ran BayTSP; is that right?  
20 02:06:51 A. He works at BayTSP. I'm not sure of his  
21 02:06:56 position.  
22 02:06:56 Q. In Mark Ishikawa's e-mail to Mr. Salter he  
23 02:07:08 writes:  
24 02:07:08 Need to discuss how we get the  
25 02:07:10 marketing people to let us know what

1 02:45:41 In light of all of the additional  
2 02:45:43 focus on infringement on YouTube, I'm  
3 02:45:45 checking with Scott to see if we are  
4 02:45:46 taking down clips.  
5 02:45:49 Do you know what the additional focus on  
6 02:45:50 infringement that Mr. Perry references is?  
7 02:45:54 MS. KOHLMANN: Objection. Are you asking  
8 02:45:57 her as she sits here today?  
9 02:46:00 MR. VOLKMER: Yeah, I'm asking her if she  
10 02:46:02 has any understanding as to what Mr. Perry was  
11 02:46:05 talking about.  
12 02:46:05 MS. KOHLMANN: Objection; it's not on this  
13 02:46:09 document; lacks foundation.  
14 02:46:10 You can answer.  
15 02:46:11 THE WITNESS: I am not clear on what he's  
16 02:46:14 talking about.  
17 02:46:33 MR. VOLKMER: Let's mark Exhibit 20,  
18 02:46:36 (Powell Exhibit 20, document bearing  
19 02:46:36 Bates number VIA 00431656, marked for  
20 02:46:40 identification, as of this date.)  
21 02:46:40 MS. KOHLMANN: Thanks.  
22 02:46:48 BY MR. VOLKMER:  
23 02:47:03 Q. Exhibit 20 is an e-mail exchange produced by  
24 02:47:05 Viacom in this litigation. The e-mail thread took  
25 02:47:11 place on October 15th and 16th, 2006. And the first

1 02:47:18 message in the thread you write to Tamar Teifeld and

2 02:47:23 Mickey Worsnup and you say:

3 02:47:26 Is this one of our approved

4 02:47:27 clips, question mark.

5 02:47:28 There's a YouTube URL and the subject line

6 02:47:32 is Flags of Our Fathers.

7 02:47:34 Do you know why you reached out to

8 02:47:39 Ms. Teifeld and Mr. Worsnup about the authorization

9 02:47:43 status of this clip?

10 02:47:44 A. I don't know specifically. I presume I was

11 02:47:46 in a meeting and asking them if they were in front of

12 02:47:49 a computer.

13 02:47:51 Q. And Ms. Teifeld responds:

14 02:47:55 Yes, these are clips from the

15 02:47:56 EPK.

16 02:47:57 A. Uh-huh.

17 02:47:57 Q. What is the EPK?

18 02:47:59 A. Electronic press kit.

19 02:48:00 Q. And are clips that are included in the EPK

20 02:48:06 that are uploaded to YouTube authorized to be on

21 02:48:09 YouTube?

22 02:48:09 MS. KOHLMANN: Objection.

23 02:48:11 THE WITNESS: On each specific film we put

24 02:48:14 together what's known as an EPK, which is a

25 02:48:18 collection of approved clips and content for any said

1 02:48:21 film. Those are the clips that are approved for  
2 02:48:23 distribution online.

3 02:48:28 BY MR. VOLKMER:

4 02:48:31 Q. So if there's an EPK clip that's appearing  
5 02:48:34 on YouTube, it's authorized to be on the YouTube  
6 02:48:39 service, correct?

7 02:48:39 MS. KOHLMANN: Objection; misstates the  
8 02:48:41 record.

9 02:48:42 THE WITNESS: Not necessarily.

10 02:48:43 BY MR. VOLKMER:

11 02:48:44 Q. Why is that?

12 02:48:45 A. Only the final approved locked color  
13 02:48:50 corrected sound mixed final version of the EPK clips  
14 02:48:53 are approved for distribution across YouTube and  
15 02:48:59 other websites.

16 02:49:00 Q. But all the final versions meeting all the  
17 02:49:10 criteria you just listed, those EPK clips are  
18 02:49:13 authorized to be on the YouTube service, correct?

19 02:49:15 MS. KOHLMANN: Objection as to form.

20 02:49:16 THE WITNESS: Presumably, yes.

21 02:49:21 BY MR. VOLKMER:

22 02:49:28 Q. This is the same YouTube URL that's  
23 02:49:32 referenced in the previous exhibit, Exhibit 19. Do  
24 02:49:38 you know if you told Mr. Perry whether or not this  
25 02:49:43 clip was authorized to be on YouTube?

1 02:49:45 A. I don't recall.

2 02:50:08 Q. The clip that's referenced in the e-mail on  
3 02:50:11 Exhibit 20, that's a clip that was authorized to be  
4 02:50:14 on YouTube, correct?

5 02:50:15 MS. KOHLMANN: Objection.

6 02:50:18 THE WITNESS: I would have to review the  
7 02:50:19 clip to tell you.

8 02:50:20 BY MR. VOLKMER:

9 02:50:24 Q. Ms. Teifeld says, where you wrote to  
10 02:50:27 Ms. Teifeld "Is this one of our approved clips?" And  
11 02:50:30 she wrote back "Yes, these clips are from the EPK."

12 02:50:33 Based on this e-mail, isn't the most logical  
13 02:50:40 inference that the clip being referenced here is one  
14 02:50:43 that was approved by Paramount to appear on YouTube?

15 02:50:45 MS. KOHLMANN: Objection as to form.

16 02:50:47 THE WITNESS: Based on Tamar's e-mail she's  
17 02:50:51 saying, yes, these clips are from the EPK, and hence  
18 02:50:53 we would assume that, yes, they are approved clips.

19 02:50:57 BY MR. VOLKMER:

20 02:50:57 Q. And you had no reason to question  
21 02:51:00 Ms. Teifeld's assessment, correct?

22 02:51:02 A. Correct.

23 02:51:13 Q. You did not ask that this clip be removed  
24 02:51:16 from the YouTube service, did you?

25 02:51:18 A. I don't recall.



1 02:51:19 Q. Based on this e-mail in which Ms. Teifeld  
2 02:51:24 says that they are approved clips that came from the  
3 02:51:29 EPK, do you think that you asked anyone that these --  
4 02:51:33 that this clip be removed?  
5 02:51:34 MS. KOHLMANN: Objection.  
6 02:51:39 THE WITNESS: I do not believe I would have  
7 02:51:41 requested it to be removed, with the understanding it  
8 02:51:43 was an approved clip from the EPK.  
9 02:52:22 MR. VOLKMER: Let's mark Exhibit 21.  
10 02:52:23 (Powell Exhibit 21 VIA11786487,  
11 02:52:23 document bearing Bates number VIA11786487,  
12 02:52:40 marked for identification, as of this date.)  
13 02:52:40 BY MR. VOLKMER:  
14 02:52:56 Q. This is an e-mail exchange from May 8th and  
15 02:52:58 9th, 2007 produced by Viacom in this litigation.  
16 02:53:04 In the first message in this thread Kristina  
17 02:53:08 Tipton asked whether Paramount should leave up a  
18 02:53:13 Transformers clip that appeared on the Ellen  
19 02:53:17 Degeneres show; is that right?  
20 02:53:18 A. Yes.  
21 02:53:18 Q. And it says -- the message from Ms. Tipton  
22 02:53:23 says:  
23 02:53:24 Publicity wouldn't let us post  
24 02:53:26 the clip officially online.  
25 02:53:28 Why wouldn't publicity allow Paramount to

1 03:56:26 down.

2 03:56:28 Why did you need to speak with the publicity

3 03:56:29 department?

4 03:56:30 A. I don't recall.

5 03:56:31 Q. Who would you have checked with in the

6 03:56:35 publicity to determine -- in the publicity department

7 03:56:37 to make determinations about whether materials should

8 03:56:41 be removed from YouTube?

9 03:56:42 MS. KOHLMANN: Objection; calls for

10 03:56:42 speculation.

11 03:56:43 You can answer.

12 03:56:44 THE WITNESS: I would have asked whoever the

13 03:56:48 publicist handling that movie was.

14 03:56:49 BY MR. VOLKMER:

15 03:56:50 Q. And who was the publicist for the film

16 03:56:55 that's being discussed here, Jackass 2?

17 03:56:58 A. I don't recall.

18 03:56:59 Q. So were the publicists for Paramount films

19 03:57:08 engaged in the upload of materials to promote the

20 03:57:14 films?

21 03:57:16 MS. KOHLMANN: Objection.

22 03:57:17 You can answer.

23 03:57:17 THE WITNESS: No, not to the best of my

24 03:57:19 knowledge.

25

1 03:57:20 BY MR. VOLKMER:

2 03:57:22 Q. So why would you need to check with someone  
3 03:57:24 in publicity before confirming which videos should be  
4 03:57:28 taken down?

5 03:57:30 A. On certain films with unique circumstances,  
6 03:57:33 as with the film Jackass, certain clips were approved  
7 03:57:37 for different usages. Some were only approved for  
8 03:57:41 online and some were only approved to live in the  
9 03:57:45 offline world.

10 03:57:47 Q. Are you saying that you needed to check with  
11 03:57:57 publicity to determine whether clips were permitted  
12 03:58:04 to be marketed in the online world in the case of  
13 03:58:07 Jackass 2?

14 03:58:11 MS. KOHLMANN: Objection to form.

15 03:58:12 You can answer.

16 03:58:13 THE WITNESS: To the best of my knowledge,  
17 03:58:16 yes. In the film Jackass 2 we had specific  
18 03:58:21 strategies put in place as to where clips would be  
19 03:58:25 positioned and distributed.

20 03:58:28 BY MR. VOLKMER:

21 03:58:29 Q. And the publicity department was in charge  
22 03:58:30 of that decision?

23 03:58:32 A. I don't know that I would say they were in  
24 03:58:35 charge of it. They were -- it was a collaboration  
25 03:58:38 with the publicity department to make those

1 03:58:40 determinations.

2 03:58:41 Q. But here Jackass 2 clips had been syndicated

3 03:58:45 by the interactive marketing department, right?

4 03:58:48 MS. KOHLMANN: Objection.

5 03:58:49 THE WITNESS: As the e-mail indicates, some

6 03:58:51 of the clips were. All of the clips that we

7 03:58:55 syndicated had an official warning before the clips.

8 03:59:00 BY MR. VOLKMER:

9 03:59:07 Q. Right. So what was the purpose of checking

10 03:59:09 with the publicity department if you knew that your

11 03:59:12 department had engaged in online viral marketing of

12 03:59:18 Jackass 2?

13 03:59:18 MS. KOHLMANN: Objection; asked and

14 03:59:18 answered.

15 03:59:20 You can answer.

16 03:59:21 THE WITNESS: We did not have a viral

17 03:59:23 marketing campaign for Jackass 2. All we had was the

18 03:59:27 syndication of a very specific set of clips, all of

19 03:59:30 which had a warning in front of them.

20 03:59:34 BY MR. VOLKMER:

21 03:59:34 Q. Why did you need to check with publicity if

22 03:59:36 you had engaged in a syndication marketing strategy

23 03:59:42 online with respect to Jackass 2?

24 03:59:44 A. With --

25 03:59:44 MS. KOHLMANN: Objection; asked and

**Schapiro Exhibit 49**

---

From: "Wahtera, Megan - Paramount" <Megan\_Wahtera@Paramount.com>  
Date: Thu, 4 Oct 2007 08:43:17 -0700  
To: "Teifeld, Tamar - Paramount" <Tamar\_Teifeld@Paramount.com>, "  
Powell, Amy - Paramount" [REDACTED]  
Subject: RE: HBK - Farrelly Clips - For Youtube

Hi Amy & Tamar,

I have to send youtube our video link by noon today.

That said, I am personally thinking it's fine to upload it from here via the paraccount (or I can make one up so its less obvious) given there is nothing under the radar about this clip.

The clip is one from the EPK, and will be featured on the homepage of youtube tomorrow with our corresponding ad unit and Farrelly intro. The clip has already been up on Yahoo! sans intro.

Let me know your thoughts, otherwise I have to head to Kinko's asap!

Thanks!  
Megan

-----Original Message-----

From: Teifeld, Tamar - Paramount  
Sent: Wednesday, October 03, 2007 4:50 PM  
To: Wahtera, Megan - Paramount; Powell, Amy - Paramount  
Cc: Worsnup, Mickey - Paramount  
Subject: RE: HBK - Farrelly Clips

True - it will be from us anyway and if it is from our account, it will just live with the rest of our trailers.  
Amy - what do you think?

-----Original Message-----

From: Wahtera, Megan - Paramount  
Sent: Wednesday, October 03, 2007 4:48 PM  
To: Teifeld, Tamar - Paramount; Powell, Amy - Paramount  
Cc: Worsnup, Mickey - Paramount  
Subject: RE: HBK - Farrelly Clips

FYI - this goes with an ad unit on youtube on Friday - so to me, its apparent it's us.

Similar to what you see with Lions for Lambs today.

<http://youtube.com/>

-----Original Message-----

From: Teifeld, Tamar - Paramount  
Sent: Wednesday, October 03, 2007 4:47 PM  
To: Powell, Amy - Paramount; Wahtera, Megan - Paramount  
Cc: Worsnup, Mickey - Paramount  
Subject: RE: HBK - Farrelly Clips

Should I have Scott H upload?

-----Original Message-----

From: Powell, Amy - Paramount  
Sent: Wednesday, October 03, 2007 4:46 PM  
To: Wahtera, Megan - Paramount

---

Cc: Teifeld, Tamar - Paramount; Worsnup, Mickey - Paramount  
Subject: Re: HBK - Farrelly Clips

I think it should be from off lot.....

What do you guys think about the tags?

----- Original Message -----

From: Wahtera, Megan - Paramount  
To: Wahtera, Megan - Paramount; Powell, Amy - Paramount  
Cc: Teifeld, Tamar - Paramount; Worsnup, Mickey - Paramount  
Sent: Wed Oct 03 16:37:51 2007  
Subject: RE: HBK - Farrelly Clips

It's OK to upload this one here from Parracount, correct?

Here are my tags:

The Heartbreak Kid Movie Ben Stiller Carlos Mencia Farrelly Brothers Comedy Funny Clip

---

From: Wahtera, Megan - Paramount  
Sent: Wednesday, October 03, 2007 4:08 PM  
To: Powell, Amy - Paramount  
Cc: Teifeld, Tamar - Paramount; Worsnup, Mickey - Paramount  
Subject: RE: HBK - Farrelly Clips

On it now!

---

From: Powell, Amy - Paramount  
Sent: Wednesday, October 03, 2007 4:04 PM  
To: Wahtera, Megan - Paramount  
Cc: Teifeld, Tamar - Paramount; Worsnup, Mickey - Paramount  
Subject: RE: HBK - Farrelly Clips

I say we do it now... gain some traction?

We should be very careful about what tags we use.

And, I'm assuming scott can help us dramatically....

Amy Powell

Senior Vice President

Interactive Marketing

Paramount Pictures

---

From: Wahtera, Megan - Paramount

---

Sent: Wednesday, October 03, 2007 4:02 PM  
To: Powell, Amy - Paramount  
Cc: Teifeld, Tamar - Paramount; Worsnup, Mickey - Paramount  
Subject: RE: HBK - Farrelly Clips

We will get myspace one up asap!

Youtube is for our Friday buy – but I can upload now so it's live in advance if you if prefer?

Let me know!

---

From: Powell, Amy - Paramount  
Sent: Wednesday, October 03, 2007 3:59 PM  
To: Wahtera, Megan - Paramount  
Cc: Teifeld, Tamar - Paramount; Worsnup, Mickey - Paramount  
Subject: RE: HBK - Farrelly Clips

Approved. When can we get live?

Amy Powell

Senior Vice President

Interactive Marketing

Paramount Pictures

---

From: Wahtera, Megan - Paramount  
Sent: Wednesday, October 03, 2007 3:13 PM  
To: Powell, Amy - Paramount  
Cc: Teifeld, Tamar - Paramount; Worsnup, Mickey - Paramount  
Subject: HBK - Farrelly Clips

Hi Amy,

At long last, here are the clips.

These are web friendly versions for filmmakers to review.

[http://downloads.paramount.com/mp/heartbreak\\_kid/myspace\\_final.mov](http://downloads.paramount.com/mp/heartbreak_kid/myspace_final.mov)

[http://downloads.paramount.com/mp/heartbreak\\_kid/youtube\\_final.mov](http://downloads.paramount.com/mp/heartbreak_kid/youtube_final.mov)

These are not the versions I am uploading to YouTube or MySpace.

I have higher quality ones that would take too long for approvers to load which we will use for the actual sites.

Let us know when we can do so – YouTube needs by 12pm tomorrow and MySpace needs asap.

BIG thanks to Mickey for helping us out on this one!!



Thanks!

Megan Wahtera  
Executive Director  
Interactive Marketing  
Paramount Pictures  
P: 323.956.8516 | F: 323.862.1101

**Schapiro Exhibit 52**

Subject: Re: Fw: Flags of our Fathers  
From: "Teifeld, Tamar" <EX:/O=VIACOM/OU=PARAMOUNT/CN=RECIPIENTS/CN=TEIFELTA>  
To: Powell, Amy - Paramount  
Cc: Worsnup, Mickey  
Date: Mon, 16 Oct 2006 17:11:12 +0000

Yes. These clips are from the EPK.

----- Replied by Tamar Teifeld on 10/16/2006 10:09:43 AM

-----  
From: Amy Powell

10/15/2006 08:32 AM  
To: tamar\_teifeld@paramount.com, mickey\_worsnup@paramount.com  
cc:  
Subject: Fw: Flags of our Fathers

is this one of our approved clips?

<http://www.youtube.com/watch?v=TkswonjOmVQ>

**Schapiro Exhibit 54**

---

**From:** Michelena.hallie@mtvn.com  
**Sent:** Tuesday, October 31, 2006 5:15 PM  
**To:** Deana Arizala  
**Cc:** Morales, Cindy; Mark M. Ishikawa; Evelyn Espinosa; Courtney Nieman  
**Subject:** Re: Fwd: Viral Internet Marketing Clips

Got it. We should be able to authorize you to search a list soon

-----Original Message-----

From: Deana Arizala <deanaa@baytsp.com>  
To: Hallie, Michelena  
CC: Morales, Cindy; Mark M. Ishikawa <marki@baytsp.com>; Evelyn Espinosa <evelyn@baytsp.com>; Courtney Nieman <courtneyni@baytsp.com>  
Sent: Tue Oct 31 12:11:05 2006  
Subject: Fwd: Viral Internet Marketing Clips

Michelena,

I'm not sure if you received the email below, so just in case I am going to forward it.

Best Regards,

Deana Arizala

---

Deana Arizala  
Client Services Manager, BayTSP, Inc  
408.341.2365 (direct)  
408.341.2300 (voice)  
408.341.2399 (fax)

---

---

From: Deana Arizala  
Sent: Monday, October 30, 2006 10:09 AM  
To: Michelena.hallie@mtvn.com  
Cc: Morales, Cindy; Mark M. Ishikawa; Evelyn Espinosa; Courtney Nieman  
Subject: RE: Viral Internet Marketing Clips

6/11/2008

Michelena,

Below is a list of VH1 shows I'm gathered from the links below. I do not have these shows in my list. Please let me know if these titles should be added in Cims.

VH1

The Wendy Williams Experience

Totally Awesome

Flavor of Love

Hogan Knows Best

Freestyle 59

Thanks Michelena.

Best Regards,

Deana Arizala

-----  
Deana Arizala

Client Services Manager, BayTSP, Inc

408.341.2365 (direct)

408.341.2300 (voice)

408.341.2399 (fax)  
-----

6/11/2008

-----Original Message-----

From: Michelena.hallie@mtvn.com  
Sent: Friday, October 27, 2006 3:23 PM  
To: Deana Arizala  
Cc: Morales, Cindy  
Subject: FW: Viral Internet Marketing Clips

Is this sufficient information? If so, you can now take down VH1 clips

2 1/2 minutes or over, other than those noted below.

-----Original Message-----

From: Kadetsky, Deborah  
Sent: Friday, October 27, 2006 6:07 PM  
To: Cheeks, George; Maxwell, Tony  
Cc: Wilson, Adam; Hallie, Michelena; Imm, Tina  
Subject: RE: Viral Internet Marketing Clips

George, are you able to do your sweep of clips according to who's posted them?

If that is the case, the clips that we've authorized to be posted are under the usernames "vh1staff" and "reaction2006"

If you need specific links, here is a list of what we've posted as approved clips to date:

<http://www.youtube.com/watch?v=qVVG7Rfrvk>

<http://www.youtube.com/watch?v=jFoQNdwaGys>

[http://www.youtube.com/watch?v=\\_5vjI.2stAz0](http://www.youtube.com/watch?v=_5vjI.2stAz0)

[http://www.youtube.com/watch?v=M-G\\_NQZb1II](http://www.youtube.com/watch?v=M-G_NQZb1II)

<http://www.youtube.com/watch?v=qvUzUOSbs9Y>

<http://www.youtube.com/watch?v=xPFTPn-eGKk>

<http://www.youtube.com/watch?v=3saVMo96328>

<http://www.youtube.com/watch?v=PjizqOOAipw>

<http://www.youtube.com/watch?v=x1ycbHjePjM>

6/11/2008

<http://www.youtube.com/watch?v=hFoCygnKOaA>

<http://www.youtube.com/watch?v=4CtHP6Ut-zM>

<http://www.youtube.com/watch?v=Dy9lYAELqlE>

<http://www.youtube.com/watch?v=kihSHIoW-Tg>

[http://www.youtube.com/watch?v=yZ1SEdh\\_JPc](http://www.youtube.com/watch?v=yZ1SEdh_JPc)

[http://www.youtube.com/watch?v=ia\\_pl6rVg\\_k](http://www.youtube.com/watch?v=ia_pl6rVg_k)

<http://www.youtube.com/watch?v=zIbL-zhMK8k>

<http://www.youtube.com/watch?v=ynJmXSht2jI>

<http://www.youtube.com/watch?v=uXnx5QxpIRc>

<http://www.youtube.com/watch?v=zgl3l1BKpwjQ>

[http://www.youtube.com/watch?v=pAkp\\_Hr5rN4](http://www.youtube.com/watch?v=pAkp_Hr5rN4)

<http://www.youtube.com/watch?v=BRbM2qfD08U>

<http://www.youtube.com/watch?v=QQxyhtYk3CI>

Do you have a sense of how frequently we'll be doing this takedown sweep? I want to make sure than any future postings through our current process don't get removed accidentally.

Thanks,

deb

-----Original Message-----

From: Cheeks, George

Sent: Friday, October 27, 2006 1:33 PM

To: Kadetsky, Deborah; Maxwell, Tony

Cc: Wilson, Adam

Subject: Re: Viral Internet Marketing Clips

If you could send a copy directly to Michelina Hallie and copy me that would be great!

-----Original Message-----

From: Kadetsky, Deborah

6/11/2008



To: Cheeks, George; Maxwell, Tony  
CC: Wilson, Adam  
Sent: Fri Oct 27 09:48:26 2006  
Subject: RE: Viral Internet Marketing Clips

Hi George,

Did you get my list via Tina Imm? I can send to you directly if not...

Deb

-----Original Message-----

From: Cheeks, George  
Sent: Friday, October 27, 2006 8:47 AM  
To: Maxwell, Tony  
Cc: Wilson, Adam; Kadetsky, Deborah  
Subject: Re: Viral Internet Marketing Clips

We need everything that you have seeded thusfar as we are engaging an outside service to send take down notices for full episodes and clips in excess of 2 minutes and 30 seconds and we don't want to have notices sent for content we seeded. That said, if that is too big a task I would at least hit the stuff that we seeded over the past several months.

Thanks.

-----Original Message-----

From: Maxwell, Tony  
To: Cheeks, George  
CC: Wilson, Adam; Kadetsky, Deborah  
Sent: Wed Oct 25 11:10:26 2006  
Subject: Viral Internet Marketing Clips

Hello George,

6/11/2008

Nigel asked me to follow up with you about your request for a list of viral clips we are currently supplying to websites like youtube.com.

Are you looking for a monthly figure or total amount since a certain date.

Please inform.

Many thanks,

Tony

--

Tony Maxwell

VP Vh1 On Air Promotions

212-846-7867

tony.maxwell@vh1staff.com

6/11/2008

**Schapiro Exhibit 57**

---

**From:** Michelena.hallie@mtvn.com  
**Sent:** Monday, November 06, 2006 8:42 PM  
**To:** Deana Arizala; Morales, Cindy  
**Cc:** Mark M. Ishikawa; Evelyn Espinosa; Cahan, Adam; Courtney Nieman; Morales, Cindy  
**Subject:** RE: Video Takedown

Cindy has to confirm the particular shows. My observations:

Correct on youtube and google subject to Cindy's review.

I don't understand the directives in myspace and Yahoo. My understanding is that we are removing all clips at 2.5 or over except for Colbert and Daily Show which is 3 and over, subject to Cindy confirming the current shows to be reviewed. This looks like you are not removing clips as opposed to full episodes of many of the shows. Cindy, am I correct?

What's the status of moving forward on myspace?

---

**From:** Deana Arizala [mailto:deanaa@baytsp.com]  
**Sent:** Monday, November 06, 2006 1:52 PM  
**To:** Hallie, Michelena  
**Cc:** Mark M. Ishikawa; Evelyn Espinosa; Cahan, Adam; Courtney Nieman; Morales, Cindy  
**Subject:** RE: Video Takedown

Michelena,

Please review the enclosed YouTube, Google Video, Myspace, and Yahoo Video approved notice sent rule. We just want to make sure that we are all in the same page. Please indicate if there are any changes. Thank You.

6/23/2008



6/23/2008

HIGHLY CONFIDENTIAL

BAYTSP 001125565



6/23/2008







6/23/2008





6/23/2008



-  
-  
-  
-  
-  
-  
-  
-  
-

---

**From:** Michelena.hallie@mtvn.com  
**Sent:** Saturday, November 04, 2006 3:59 AM  
**To:** Mark M. Ishikawa; Evelyn Espinosa; Deana Arizala  
**Subject:** Fw: Video Takedown

Just want to make sure this directive got to you: google as well as youtube takedowns should only be full episodes. Myspace and yahoo are ok to take down as originally directed.

-----Original Message-----  
From: Cahan, Adam  
To: Hallie, Michelena  
Sent: Sat Nov 04 02:55:11 2006  
Subject: Fw: Video Takedown

We should still be taking down as much as possible at myspace. It's only google/youtube that has the full episode rule.

-----Original Message-----  
From: Deana Arizala <dcaanaa@baytsp.com>  
To: Hallie, Michelena  
CC: Courtney Nieman <courtneyni@baytsp.com>; Evelyn Espinosa <evelyn@baytsp.com>; Mark M. Ishikawa <marki@baytsp.com>; Cahan, Adam  
Sent: Fri Nov 03 21:16:07 2006  
Subject: Video Takedown

Michelena,

Below are the Notice Sent counts for today, November 3, 2006. Have a good weekend.

Best Regards,

Deana Arizala

Summary:

YouTube: Full Episodes: 149

Myspace: Full Episodes: 23

Yahoo Video: Full Episodes: 0

Google Video: Full Episodes: 115

6/23/2008

P2P: Gnutella: 0, eDonkey: 44 (not sent—just for view)

YouTube

Full Episodes

Country Music Television

Count

CMT Music Awards

0

Country Fired Home Videos

0

Crossroads

0

Foxwothy's Big Night Out

0

6/23/2008

Trick My Truck

0

Comedy Central

South Park

21

The Colbert Report

5

The Daily Show

1

SpikeTV

Carpocalypes

0

King of Vegas

0

Most Xtreme Challenge

0

Pros Vs Joes

0

6/23/2008



Total Nonstop Action

0

Ultimate Fighting Championship

0

Viacom

Andy Milonakis

0

Avatar the Last Airbender

96

Backyardigans

0

Beyond the Break

0

Blue's Room

0

Can't Get A Date

0

Degrassi

6/23/2008

6

Diego

0

Dora The Explorer

0

Drake & Josh

15

Fairly Odd Parents

5

GLAAD Media Awards

0

Greatest TV Quotes and Catch Phrases

0

Hi-Jinks

0

I Pity the Fool

0

Jack's Big Music Show

0

6/23/2008

# A-551

Laguna Beach

0

Naked Brothers Band

0

Noah's Arc

3

Real World

0

Sit Down Comedy with David Steinberg

0

South of Nowhere

0

Spongebob Squarepants

3

TV Land Myths and Legends

0

TV Land Present the 100

0

VMA Awards

0

6/23/2008

Wonder Pets

0

Zoey 101

0

Total

149

Google Video

Full Episodes

Country Music Television

Count

6/23/2008

CMT Music Awards

0

Country Fired Home Videos

0

Crossroads

0

Foxwothy's Big Night Out

0

Trick My Truck

0

Comedy Central

South Park

0

The Colbert Report

0

The Daily Show

4

SpikeTV

6/23/2008

Carpocalypes

0

King of Vegas

0

Most Xtreme Challenge

0

Pros Vs Joes

0

Total Nonstop Action

0

Ultimate Fighting Championship

2

Viacom

Andy Milonakis

0

Avatar the Last Airbender

67

6/23/2008

Backyardigans

0

Beyond the Break

0

Blue's Room

0

Can't Get A Date

0

Degrassi

0

Diego

0

Dora The Explorer

0

Drake & Josh

0

Fairly Odd Parents

1

GLAAD Media Awards

0

6/23/2008

Greatest TV Quotes and Catch Phrases

0

Hi-Jinks

0

I Pity the Fool

0

Jack's Big Music Show

0

Laguna Beach

11

Naked Brothers Band

0

Noah's Arc

0

Real World

0

Sit Down Comedy with David Steinberg

0

South of Nowhere

10

6/23/2008



Spongebob Squarepants

20

TV Land Myths and Legends

0

TV Land Present the 100

0

VMA Awards

0

Wonder Pets

0

Zoey 101

0

Total

115

Yahoo Video

Clips

Full Episodes

Country Music Television

Count

CMT Music Awards

0

Country Fired Home Videos

0

6/23/2008

Crossroads

0

Foxwothy's Big Night Out

0

Trick My Truck

0

Comedy Central

South Park

0

The Colbert Report

0

The Daily Show

0

SpikeTV

Carpocalypes

0

King of Vegas

0

6/23/2008

Most Xtreme Challenge

0

Pros Vs Joes

0

Total Nonstop Action

0

Ultimate Fighting Championship

0

Viacom

Andy Milonakis

0

Avatar the Last Airbender

0

Backyardigans

0

Beyond the Break

0

Blue's Room

6/23/2008

0

Can't Get A Date

0

Degrassi

0

Diego

0

Dora The Explorer

0

Drake & Josh

0

Fairly Odd Parents

0

GLAAD Media Awards

0

Greatest TV Quotes and Catch Phrases

0

Hi-Jinks

0

6/23/2008

I Pity the Fool

0

Jack's Big Music Show

0

Laguna Beach

0

Naked Brothers Band

0

Noah's Arc

0

Real World

0

Sit Down Comedy with David Steinberg

0

South of Nowhere

0

Spongebob Squarepants

0

TV Land Myths and Legends

0

6/23/2008

TV I.and Present the 100

0

VMA Awards

0

Wonder Pets

0

Zoey 101

0

Total

0

MySpace

Full Episodes

6/23/2008

Country Music Television

Count

CMT Music Awards

0

Country Fired Home Videos

0

Crossroads

0

Foxwothy's Big Night Out

0

Trick My Truck

0

Comedy Central

South Park

0

The Colbert Report

0

6/23/2008



The Daily Show

0

SpikeTV

Carpocalypes

0

King of Vegas

0

Most Xtreme Challenge

0

Pros Vs Joes

0

Total Nonstop Action

0

Ultimate Fighting Championship

0

Viacom

Andy Milonakis

0

6/23/2008

Avatar the Last Airbender

0

Backyardigans

0

Beyond the Break

0

Blue's Room

0

Can't Get A Date

0

Degrassi

0

Diego

0

Dora The Explorer

0

Drake & Josh

0

Fairly Odd Parents

2

6/23/2008

GLAAD Media Awards

0

Greatest TV Quotes and Catch Phrases

0

Hi-Jinks

0

I Pity the Fool

0

Jack's Big Music Show

0

Laguna Beach

0

Naked Brothers Band

0

Noah's Arc

0

Real World

0

Sit Down Comedy with David Steinberg

6/23/2008

0

South of Nowhere

10

Spongebob Squarepants

11

TV Land Myths and Legends

0

TV Land Present the 100

0

VMA Awards

0

Wonder Pets

0

Zoey 101

0

Total

23

P2P (Not sent)

Country Music Television

Gnutella

eDonkey

CMT Music Awards

0

0

Country Fired Home Videos

0

0

6/23/2008

Crossroads

0

0

Foxwothy's Big Night Out

0

0

Trick My Truck

0

0

Comedy Central

South Park

0

0

The Colbert Report

0

0

The Daily Show

6/23/2008

0  
0

SpikeTV

Carpocalypes  
0  
0

King of Vegas  
0  
0

Most Xtreme Challenge  
0  
0

Pros Vs Joes  
0  
0

Total Nonstop Action  
0

6/23/2008

0

Ultimate Fighting Championship

0

0

Viacom

Andy Milonakis

0

0

Avatar the Last Airbender

0

0

Backyardigans

0

2

Beyond the Break

0

0

6/23/2008



Blue's Room

0

0

Can't Get A Date

0

0

Degrassi

0

0

Diego

0

0

Dora The Explorer

0

0

Drake & Josh

0

0

6/23/2008

Fairly Odd Parents

0

0

GLAAD Media Awards

0

0

Greatest TV Quotes and Catch Phrases

0

0

Hi-Jinks

0

0

I Pity the Fool

0

0

Jack's Big Music Show

0

0

6/23/2008

Laguna Beach

0

0

Naked Brothers Band

0

0

Noah's Arc

0

0

Real World

0

0

Sit Down Comedy with David Steinberg

0

0

South of Nowhere

0

0

6/23/2008

Spongebob Squarepants

0

0

Hogan Knows Best

0

41

Breaking Bonaduce

0

1

VMA Awards

0

0

Wonder Pets

0

0

Zoey 101

0

0

Total

6/23/2008

0

44

-----  
Deana Arizala  
Client Services Manager, BayTSP, Inc  
408.341.2365 (direct)  
408.341.2300 (voice)  
408.341.2399 (fax)  
-----

6/23/2008

YOUTUBE APPROVED NOTICE SENT

MTVN Agent/Asset/Rule list					
Authorized Agent of ...	Network	F u l l	C l i p	R u l e	Show Title
SpiceTV	Spice TV	X			Total Nonstop Action
		X			Ultimate Fighting Championship
		X			Most Xtreme Challenge
		X			Pros Vs Joes
		X			King of Vegas
		X			Capocalypes
Comedy Central	Comedy Central	X			The Daily Show
		X			The Colbert Report
		X			South Park
Viacom	Nickelodeon	X			Naked Brothers Band
		X			Spongebob Squarepants
		X			Fairly Odd Parents
		X			Zoey 101
		X			Drake & Josh
Viacom	Nick Jr.	X			Backyardigans
		X			Wonder Pets
		X			Diego
		X			Dora The Explorer
		X			Blue's Room
Viacom	Noggin	X			South of Nowhere
		X			Degrassi
		X			Beyond the Break
		X			Jack's Big Music Show
CMT	CMT	X			Crossroads
		X			CMT Music Awards
		X			Country Fired Home Videos
		X			Foxwothy's Big Night Out
		X			Trick My Truck
Viacom	TVLand / Nick at Nite	X			I Pity the Fool
		X			Sit Down Comedy with David Steinberg
					TV Land Present the 100
		X			Greatest TV Quotes and Catch Phrases
		X			TV Land Myths and Legends
Viacom	LOGO	X			Hi-Jinks
		X			Noah's Arc
		X			Can't Get A Date
Viacom	MTV	X			GLAAD Media Awards
		X			Laguna Beach
		X			Real World
Viacom	Unknown	X			Andy Milonakis
					VMA Awards
					Avatar the Last Airbender
Viacom	VHI				Hip Hops Awards (October 24 - November 7, 2006)
					The Wendy Williams Experience
					Totally Awesome
					Hogan Knows Best
			Breaking Bonaduce		

X = ok to send notices

GOOGLE APPROVED NOTICE SENT

**MTVN Agent/Asset/Rule list**

Authorized Agent of ..	Network	F u l l	C l i p	R u l e	Show Title
SpikeTV	Spike TV	X			Total Nonstop Action
		X			Ultimate Fighting Championship
		X			Most Xtreme Challenge
		X			Pros Vs Joes
		X			King of Vegas
Comedy Central	Comedy Central	X			The Daily Show
		X			The Colbert Report
		X			South Park
Viacom	Nickelodeon	X			Naked Brothers Band
		X			Spongebob Squarepants
		X			Fairly Odd Parents
		X			Zoey 101
		X			Drake & Josh
Viacom	Nick Jr	X			Backyardigans
		X			Wonder Pets
		X			Diego
		X			Dora The Explorer
		X			Blue's Room
Viacom	Noggin	X			South of Nowhere
		X			Degrassi
		X			Beyond the Break
		X			Jack's Big Music Show
CMT	CMT	X			Crossroads
		X			CMT Music Awards
		X			Country Fired Home Videos
		X			Foxwothy's Big Night Out
		X			Trick My Truck
Viacom	TVLand / Nick at Nite	X			I Pity the Fool
		X			Sit Down Comedy with David Steinberg
					TV Land Present the 100
		X			Greatest TV Quotes and Catch Phrases
		X			TV Land Myths and Legends
Viacom	LOGO	X			Noah's Arc
		X			Can't Get A Date
		X			GLAAD Media Awards
Viacom	MTV	X			Laguna Beach
		X			Real World
		X			Andy Milonakis VMA Awards
Viacom	Unknown	X			Avatar the Last Airbender
Viacom	VHI				Hip Hops Awards (October 24 - November 7, 2006)
					The Wendy Williams Experience
					Totally Awesome
					Hogan Knows Best Breaking Bonaduce

X = ck to send notices

MYSACE APPROVED NOTICE SENT

**MTVN Agent/Asset/Rule list**

Authorized Agent of	Network	F	C	R	Show Title
		u	l	u	
		i	i	l	
		p	e	e	
SpiceTV	Spike TV	X	X	2.5 or greater	Total Nonstop Action
		X	X	2.5 or greater	Ultimate Fighting Championship
		X	X	2.5 or greater	Most Xtreme Challenge
		X	X	2.5 or greater	Pros Vs Joes
		X	X	2.5 or greater	King of Vegas
		X	X	2.5 or greater	Carpo:alypes
Comedy Central	Comedy Central	X	X	3 or greater	The Daily Show
		X	X	3 or greater	The Colbert Report
		X	X	2.5 or greater	South Park
Viacom	Nickelodeon	X			Naked Brothers Band
		X	X	2.5 or greater	Spongebob Squarepants
		X	X	2.5 or greater	Familly Odd Parents
		X	X	2.5 or greater	Zoey 101
		X			Drake & Josh
Viacom	Nick Jr	X	X	2.5 or greater	Backyardigans
		X	X	2.5 or greater	Wonder Pets
		X			Diego
		X			Dora The Explorer
		X			Blue's Room
Viacom	Nickgn	X			South of Nowhere
		X			Degrassi
		X			Beyond the Break
		X			Jack's Big Music Show
CMT	CMT	X			Crossroads
		X			CMT Music Awards
		X			Country Fired Home Videos
		X			Foxwothy's Big Night Out
		X			Trick My Truck
Viacom	TVLand / Nick at Nite	X			I Pity the Fool
		X			Sit Down Comedy with David Steinberg
		X			TV Land Present: the 100
		X			Greatest TV Quotes and Catch Phrases
		X			TV Land Myths and Legends
Viacom	LOGO	X			Hi-Jinks
		X			Noah's Arc
		X			Can't Get A Date
Viacom	MTV	X			GLAAD Media Awards
		X			Laguna Beach
		X			Real World
Viacom	Unknown	X	X	2.5 or greater	Avatar the Last Airbender
		X			Andy Milonakis
		X			VMA Awards
Viacom	VHI	X	X	2.5 or greater	Hip Hops Awards (October 24 - November 7, 2006)
		X	X	2.5 or greater	The Wendy Williams Experience
		X	X	2.5 or greater	Totally Awesome
		X	X	2.5 or greater	Hogan Knows Best
		X	X	2.5 or greater	Breaking Bonaduce



# A-581

YAHOO APPROVED NOTICE SENT

MTVN Agent/Asset/Rule list					
Authorized Agent of ...	Network	F u l l p	C l i p	R u l e	Show Title
SpikeTV	Spike TV	X	X	2.5 or greater	Total Nonstop Action
		X	X	2.5 or greater	Ultimate Fighting Championship
		X	X	2.5 or greater	Most Xtreme Challenge
		X	X	2.5 or greater	Pros Vs Joes
		X	X	2.5 or greater	King of Vegas
Comedy Central	Comedy Central	X	X	3 or greater	The Daily Show
		X	X	3 or greater	The Colbert Report
		X	X	2.5 or greater	South Park
Viacom	Nickelodeon	X			Naked Brothers Band
		X	X	2.5 or greater	Spongebob Squarepants
		X	X	2.5 or greater	Family Odd Parents
		X	X	2.5 or greater	Zoey 101
Viacom	Nick Jr.	X	X	2.5 or greater	Backyardigans
		X	X	2.5 or greater	Wonder Pets
		X			Diego
		X			Dora The Explorer
		X			Blue's Room
Viacom	Nickgn	X			South of Nowhere
		X			Degrassi
		X			Beyond the Break
		X			Jack's Big Music Show
CMT	CMT	X			Crossroads
		X			CMT Music Awards
		X			Country Fried Home Videos
		X			Foxwothy's Big Night Out
		X			Trick My Truck
Viacom	TVLand/ Nick at Nite	X			I Pity the Fool
		X			Sit Down Comedy with David Steinberg
					TV Land Present the 100
		X			Greatest TV Quotes and Catch Phrases
		X			TV Land Myths and Legends
Viacom	LOGO	X			Noah's Arc
		X			Can't Get A Date
		X			GLAAD Media Awards
Viacom	MTV	X			Laguna Beach
		X			Real World
		X			Andy Milonakis
					VMA Awards
Viacom	Unknown	X	X	2.5 or greater	Avatar the Last Airbender
Viacom	VHI		X	2.5 or greater	Hip Hops Awards (October 24 - November 7, 2006)
			X	2.5 or greater	The Wendy Williams Experience
			X	2.5 or greater	Totally Awesome
			X	2.5 or greater	Hogan Knows Best
			X	2.5 or greater	Breaking Bonafide

X = ck to send notices

# Schapiro Exhibit 58

---

From: "Ganeless, Michele" <Michele.Ganeless@comedycentral.com>  
Date: Fri, 6 Oct 2006 16:02:40 -0400  
To: "Witt, Jason" <Jason.Witt@mtvstaff.com>  
Subject: RE: Please read -- time sensitive

Makes sense.

I don't think they have any full-length stuff of ours. Hopefully that's all we'd c&d. Doug and I feel very strongly that we don't want to stop the colbert and daily clips.

-----Original Message-----

From: Witt, Jason  
Sent: Friday, October 06, 2006 3:59 PM  
To: Ganeless, Michele  
Subject: Re: Please read -- time sensitive

Think we're c&d'ing on full-length regardless.

Complication--i presume--is that if we wait on broader action, we may look like we're c&d'ing google specifically.

My pov was to propose deal we want, and c&d on some stuff if they say f off.

-----  
Sent from my BlackBerry Wireless Handheld

-----Original Message-----

From: Ganeless, Michele  
To: Witt, Jason  
Sent: Fri Oct 06 15:56:20 2006  
Subject: RE: Please read -- time sensitive

But I thought that we didn't want to c&d if we're gonna do a deal with them? Or do we think the deal will be off if they buy them?

-----Original Message-----

From: Witt, Jason  
Sent: Friday, October 06, 2006 3:55 PM  
To: Ganeless, Michele  
Subject: Re: Please read -- time sensitive

Apparently there's one line of reasoning that says don't wait until google acquires in order to c&d.

-----  
Sent from my BlackBerry Wireless Handheld

-----Original Message-----

From: Ganeless, Michele  
To: Witt, Jason  
Sent: Fri Oct 06 15:53:57 2006  
Subject: RE: Please read -- time sensitive

Are you going to be on the call? Is this about C+D?

-----Original Message-----

From: Witt, Jason  
Sent: Friday, October 06, 2006 3:49 PM  
To: Ganeless, Michele

Subject: Fw: Please read -- time sensitive

-----  
Sent from my BlackBerry Wireless Handheld

-----Original Message-----

From: Browning, Nicole - MTVN

To: Witt, Jason

Sent: Fri Oct 06 15:47:30 2006

Subject: FW: Please read -- time sensitive

Hi Jason- I can be on this, but if you want to call in-should be about 45 min call-for any part, below is number. Apparently Google talks are on the wire...

----- Forwarded Message

From: "Ashendorf, Sandy - MTVN" <Sandy.Ashendorf@mtvstaff.com>

Date: Fri, 6 Oct 2006 11:08:19 -0400

To: "Browning, Nicole - MTVN" <Nicole.Browning@mtvstaff.com>

Subject: Please read -- time sensitive

So the You Tube meeting I mentioned earlier has been scheduled today for 4:30. Beth and I are both in a meeting with MediaFLO all afternoon and unless we leave for an hour (not a great idea), will not be able to join. I don't know if you have a conflict at that time but you may want to dial in -- the number is [REDACTED] and the passcode is [REDACTED]. Please let me know and I will act accordingly. Thanks.

FYI, I believe that it will be with Mike Fricklas, Michael Wolf, David Sussman, Bob Bakish, Doug Herzog, Michelena Hallie and Adam Cahan.

----- End of Forwarded Message

**Schapiro Exhibit 59**

---

**From:** Michelena.hallie@mtvn.com  
**Sent:** Friday, October 27, 2006 9:53 PM  
**To:** Cahan, Adam; Deana Arizala  
**Cc:** Mark M. Ishikawa; Evelyn Espinosa; Courtney Nieman; Leland Woo  
**Subject:** RE: YouTube Takedown

The only clips we have not yet taken down are VH1 since we have not yet gotten the complete list of clips we authorized on youtube. Other than that, you are correct.

---

**From:** Cahan, Adam  
**Sent:** Friday, October 27, 2006 5:52 PM  
**To:** 'Deana Arizala'; Hallie, Michelena  
**Cc:** Mark M. Ishikawa; Evelyn Espinosa; Courtney Nieman; Leland Woo  
**Subject:** RE: YouTube Takedown

to be clear this includes all clips/episodes greater than 2:30 across the 38 shows, other than jon stewart/colbert at 5:00 minutes in length. correct?

---

**From:** Deana Arizala [mailto:deanaa@baytsp.com]  
**Sent:** Friday, October 27, 2006 2:32 PM  
**To:** Cahan, Adam; Hallie, Michelena  
**Cc:** Mark M. Ishikawa; Evelyn Espinosa; Courtney Nieman; Leland Woo  
**Subject:** RE: YouTube Takedown  
**Importance:** High

Adam,

Since the inception of this project on 28-September-2006, we have taken down **9,948** clips and clips that represented full episodes. These clips were reportedly viewed **117,596,020** times prior to our takedown effort.

Best Regards,  
Deana Arizala

---

Deana Arizala  
Client Services Manager. BayTSP, Inc  
408.341.2365 (direct)  
408.341.2300 (voice)  
408.341.2399 (fax)

---

---

6/11/2008

# A-587

**From:** Cahan, Adam [mailto:Adam.Cahan@mtvn.com]  
**Sent:** Friday, October 27, 2006 1:37 PM  
**To:** Deana Arizala; Michelena.hallie@mtvn.com  
**Cc:** Mark M. Ishikawa; Evelyn Espinosa; Courtney Nieman; Leland Woo  
**Subject:** RE: YouTube Takedown

is it possible to get a simple summary. Number of clips taken down to date.  
Thanks - Adam

---

**From:** Deana Arizala [mailto:deanaa@baytsp.com]  
**Sent:** Friday, October 27, 2006 1:21 PM  
**To:** Hallie, Michelena  
**Cc:** Cahan, Adam; Mark M. Ishikawa; Evelyn Espinosa; Courtney Nieman; Leland Woo  
**Subject:** YouTube Takedown  
**Importance:** High

Michelena,

Below are the counts that there were taken down today, October 27, 2006. Have a good weekend to you too.

## Clips

We made sure that these clips were 2 ½ minutes or longer.

Viacom	Count
<b>Spongebob Squarepants – Clips</b>	<b>0</b>
<b>Fairly Odd Parents – Clips</b>	<b>0</b>
<b>Zoey 101 – Clips</b>	<b>0</b>
<b>Backyardigans – Clips</b>	<b>0</b>
<b>Wonder Pets – Clips</b>	<b>0</b>
<b>Avatar the Last Airbender – Clips</b>	<b>0</b>
<b>SpikeTV</b>	
<b>Total NonStop Action – Clips</b>	<b>23</b>
<b>Ultimate Fighting Championship – Clips</b>	<b>7</b>
<b>Most Xtreme Challenge – Clips</b>	<b>9</b>
<b>Pros Vs Joes – Clips</b>	<b>1</b>
<b>King of Vegas – Clips</b>	<b>0</b>
<b>Carpocalypes – Clips</b>	<b>0</b>

## Comedy Central

<b>South Park – Clips</b>	<b>646</b>
---------------------------	------------

We made sure that these clips were 5 minutes or longer.

<b>The Daily Show – Clips</b>	<b>888</b>
<b>The Colbert Report – Clips</b>	<b>252</b>

<b>Total</b>	<b>1,826</b>
--------------	--------------

6/11/2008

## Full Episodes

Andy Milonakis - Full Episode	0
Avatar the Last Airbender - Full Episode	1
Backyardigans - Full Episode	0
Beyond the Break - Full Episode	0
Blue's Room - Full Episode	0
Can't Get A Date - Full Episode	0
Carpocalypse - Full Episode	0
CMT Music Awards - Full Episode	0
Country Fried Home Videos - Full Episode	0
Crossroads - Full Episode	0
Degrassi - Full Episode	0
Diego - Full Episode	0
Dora The Explorer - Full Episode	0
Drake & Josh - Full Episode	0
Fairly Odd Parents - Full Episode	0
Foxworthy's Big Night Out - Full Episode	0
GLAAD Media Awards - Full Episode	0
Greatest TV Quotes and Catch Phrases - Full Episode	0
Hi-Jinks - Full Episode	0
Hip Hop Honors Award - Full Episode	0
I Pity The Fool - Full Episode	0
Jack's Big Music Show - Full Episode	0
King of Vegas - Full Episode	0
Laguna Beach - Full Episode	0
Most Xtreme Challenge - Full Episode	0
Naked Brothers Band - Full Episode	0
Noah's Arc - Full Episode	0
Pros vs. Joes - Full Episode	0
Real World - Full Episode	0
Sit Down Comedy with David Steinberg - Full Episode	0
South of Nowhere - Full Episode	0
South Park - Full Episode	0
Spongebob Squarepants - Full Episode	0
The Colbert Report - Full Episode	0
The Daily Show - Full Episode	0
TotalNonstop Action! - Full Episode	0
Trick My Truck - Full Episode	0
TV Land Myths and Legends - Full Episode	0
TV Land Presents The 100 - Full Episode	0
Ultimate Fighting Championship - Full Episode	0
VMA Awards - Full Episode	0
Wonder Pets - Full Episode	0
Zoey 101 - Full Episode	0
<b>Total</b>	<b>1</b>

Best Regards,  
Deana Arizala

---

Deana Arizala

6/11/2008



Client Services Manager. BayTSP, Inc  
408.341.2365 (direct)  
408.341.2300 (voice)  
408.341.2399 (fax)

---

6/11/2008

**Schapiro Exhibit 62**

**From:** Michelena.hallie@mtvn.com  
**Sent:** Wednesday, November 15, 2006 2:36 PM  
**To:** Sarah Cruz  
**Cc:** Evelyn Espinosa; Mark M. Ishikawa; Deana Arizala; Courtney Nieman; Cahan, Adam; Deana Arizala; Allen Chu; Chris Schmalz  
**Subject:** RE: Video Takedown 11/14/06

Could I get some more information on the clips that were passed on? I'm particularly surprised about the small number of videos taken down under and am curious as to the average size of the videos that apparently did not meet our criteria. I'd also like to discuss the take down procedure on Google Video. In conversations with Mark, I thought the agreement was that you would send notices to Google Video requesting that they remove the link to infringing material. Is that not the procedure? Is that something you have done for other clients?

**From:** Sarah Cruz [mailto:sarahc@baytsp.com]  
**Sent:** Tuesday, November 14, 2006 8:12 PM  
**To:** Hallie, Michelena  
**Cc:** Evelyn Espinosa; Mark M. Ishikawa; Deana Arizala; Courtney Nieman; Cahan, Adam; Deana Arizala; Allen Chu; Chris Schmalz; Sarah Cruz  
**Subject:** Video Takedown 11/14/06

## European Music Awards Tracking Update

For November 14, 2006 we have found and sent notices for 8 YouTube infringements. Please look below for a detailed report of :

### Notice Sent

14-Nov	Total
8	8

### Infringement Data

Asset	File Name	Protocol	URL	Username
EMA AWARDS 2006	Borat & Timberlake - MTV EMA 2006	YouTube	http://youtube.com/watch?v=VTBToSmGRoQ	Viestarts
EMA AWARDS 2006	Rihanna - SOS performance - EMA 2006	YouTube	http://www.youtube.com/watch?v=jV2CXkesjdY	Riri69
EMA AWARDS 2006	Muse-sttarlight(live 2006)	YouTube	http://www.youtube.com/watch?v=rmbfXrPtIMs	nisuuno
EMA AWARDS 2006	LoveStoned	YouTube	http://www.youtube.com/watch?v=olkmn-_cgUA	l1v269
EMA AWARDS 2006	Snoop and Pharell - Drop It Like It's Hot (Live)	YouTube	http://youtube.com/watch?v=T_dxVTb6ZSI	jctthree
EMA AWARDS 2006	Nelly Furtado- Maneater in live	YouTube	http://www.youtube.com/watch?v=uWpl0O8EMNc	georgeme
EMA AWARDS 2006	depeche mode EMA	YouTube	http://www.youtube.com/watch?v=p3amIHvI0gg	ClaudiaA
EMA AWARDS 2006	Outlandish	YouTube	http://www.youtube.com/watch?v=xDsEkODg9Gs	awayclos

### MTV Networks Video Takedown Update

6/11/2008

# A-592

Protocol	Episodes	Clips	Passed On
YouTube	22	36	555
MySpace	0	8	37
Yahoo Video	0	2	130
Google Video	17	3	115

Note: Yahoo Video is a reference site only, we have only foundlinks to other sites that is sharing the infringing material. For notice sending: we limited ourselves to only the three video sites we have authority to send notices to; YouTube, Google, and Myspace. We then applied the same rules for each link as if we were enforcing on the original site and as a result sent zero notices: YouTube: 0 , Google Video: 0, MySpace: 0.

P2P	Count
Gnutella	211
eDonkey	537
BitTorrent	7626

(Not sent, just for view.)

## YouTube Results

Content Provider	Asset	Episodes	Clips	Passed On
Country Music Television	CMT Music Awards	0	0	0
	Country Fired Home Videos	0	0	1
	Crossroads	0	0	0
	Foxwothy's Big Night Out	0	0	0
	Trick My Truck	0	0	0

Comedy Central	South Park	0	1	315
	The Colbert Report	0	13	150
	The Daily Show	0	0	0

SpikeTV	Carpocalypes	0	0	0
	King of Vegas	0	0	0
	Most Xtreme Challenge	0	0	5
	Pros Vs Joes	0	0	0
	Total Nonstop Action	0	0	0
	Ultimate Fighting Championship	0	0	0

Viacom	Andy Milonakis	0	0	2
	Avatar the Last Airbender	0	1	2
	Backyardigans	0	0	0
	Beyond the Break	0	0	0
	Blue's Room	0	0	0
	Can't Get A Date	0	0	0
	Degrassi	0		
	Diego	0	0	1
	Dora The Explorer	0	0	1
	Drake & Josh	0	0	0
	Fairly Odd Parents	7	0	0
	GLAAD Media Awards	0	0	2
	Greatest TV Quotes and Catch Phrases	0	0	0
	Hi-Jinks	0	0	0
	I Pity the Fool	0	0	0
	Jack's Big Music Show	0	0	0
	Laguna Beach	0		

6/11/2008

# A-593

	<b>Naked Brothers Band</b>	0	0	7
	<b>Noah's Arc</b>	0	0	16
	<b>Real World</b>	0	0	2
	<b>Sit Down Comedy with David Steinberg</b>	0	0	0
	<b>South of Nowhere</b>	0	21	28
	<b>Spongebob Squarepants</b>	0	0	0
	<b>Hogan Knows Best</b>	0	0	0
	<b>TV Land Myths and Legends</b>	0	0	0
	<b>TV Land Present the 100</b>	0	0	0
	<b>VMA Awards</b>	0	0	0
	<b>Wonder Pets</b>	0	0	0
	<b>Zoey 101</b>	15	0	23
	<b>TOTAL</b>	<b>22</b>	<b>36</b>	<b>555</b>

## MySpace Results

Content Provider	Asset	Episodes	Clips	Passed On
Country Music Television	CMT Music Awards	0	0	0
	Country Fired Home Videos	0	0	0
	Crossroads	0	0	0
	Foxwothy's Big Night Out	0	0	0
	Trick My Truck	0	0	0

Comedy Central	South Park	0	7	27
	The Colbert Report	0	0	0
	The Daily Show	0	0	0

SpikeTV	Carpocalypes	0	0	0
	King of Vegas	0	0	0
	Most Xtreme Challenge	0	0	0
	Pros Vs Joes	0	0	0
	Total Nonstop Action	0	0	0
	Ultimate Fighting Championship	0	1	1

Viacom	Andy Milonakis	0	0	0
	Avatar the Last Airbender	0	0	0
	Backyardigans	0	0	1
	Beyond the Break	0	0	0
	Blue's Room	0	0	0
	Can't Get A Date	0	0	0
	Degrassi	0	0	1
	Diego	0	0	0
	Dora The Explorer	0	0	1
	Drake & Josh	0	0	0
	Fairly Odd Parents	0	0	0
	GLAAD Media Awards	0	0	0
	Greatest TV Quotes and Catch Phrases	0	0	0
	Hi-Jinks	0	0	0
	I Pity the Fool	0	0	1
	Jack's Big Music Show	0	0	0
	Laguna Beach	0	0	1
	Naked Brothers Band	0	0	0
	Noah's Arc	0	0	0
	Real World	0	0	0
	Sit Down Comedy with David			

6/11/2008

# A-594

	<b>Steinberg</b>	0	0	0
	<b>South of Nowhere</b>	0	0	2
	<b>Spongebob Squarepants</b>	0	0	2
	<b>Hogan Knows Best</b>	0	0	0
	<b>TV Land Myths and Legends</b>	0	0	0
	<b>TV Land Present the 100</b>	0	0	0
	<b>VMA Awards</b>	0	0	0
	<b>Wonder Pets</b>	0	0	0
	<b>Zoey 101</b>	0	0	0
	<b>TOTAL</b>	0	8	37

## Google Video Results

Content Provider	Asset	Episodes	Clips	Passed On
<b>Country Music Television</b>	<b>CMT Music Awards</b>	0	0	0
	<b>Country Fired Home Videos</b>	0	0	0
	<b>Crossroads</b>	0	0	0
	<b>Foxwothy's Big Night Out</b>	0	0	0
	<b>Trick My Truck</b>	0	0	0

<b>Comedy Central</b>	<b>South Park</b>	0	1	34
	<b>The Colbert Report</b>	0	1	41
	<b>The Daily Show</b>	0	1	19

<b>SpikeTV</b>	<b>Carpocalypes</b>	0	0	0
	<b>King of Vegas</b>	0	0	0
	<b>Most Xtreme Challenge</b>	0	0	0
	<b>Pros Vs Joes</b>	0	0	0
	<b>Total Nonstop Action</b>	0	0	8
	<b>Ultimate Fighting Championship</b>	0	0	0

<b>Viacom</b>	<b>Andy Milonakis</b>	0	0	0
	<b>Avatar the Last Airbender</b>	16	0	0
	<b>Backyardigans</b>	0	0	2
	<b>Beyond the Break</b>	0	0	0
	<b>Blue's Room</b>	0	0	0
	<b>Can't Get A Date</b>	0	0	0
	<b>Degrassi</b>	0	0	0
	<b>Diego</b>	0	0	0
	<b>Dora The Explorer</b>	0	0	10
	<b>Drake &amp; Josh</b>	0	0	0
	<b>Fairly Odd Parents</b>	1	0	0
	<b>GLAAD Media Awards</b>	0	0	0
	<b>Greatest TV Quotes and Catch Phrases</b>	0	0	0
	<b>Hi-Jinks</b>	0	0	0
	<b>I Pity the Fool</b>	0	0	0
	<b>Jack's Big Music Show</b>	0	0	0
	<b>Laguna Beach</b>	0	0	0
	<b>Naked Brothers Band</b>	0	0	0
	<b>Noah's Arc</b>	0	0	0
	<b>Real World</b>	0	0	0
	<b>Sit Down Comedy with David Steinberg</b>	0	0	0
	<b>South of Nowhere</b>	0	0	0
	<b>Spongebob Squarepants</b>	0	0	1
	<b>Hogan Knows Best</b>	0	0	0

6/11/2008

# A-595

	TV Land Myths and Legends	0	0	0
	TV Land Present the 100	0	0	0
	VMA Awards	0	0	0
	Wonder Pets	0	0	0
	Zoey 101	0	0	0
	<b>TOTAL</b>	<b>17</b>	<b>3</b>	<b>115</b>

## Yahoo Video Results

Content Provider	Asset	Episodes	Clips	Passed On
Country Music Television	CMT Music Awards	0	0	0
	Country Fired Home Videos	0	0	0
	Crossroads	0	0	4
	Foxwothy's Big Night Out	0	0	0
	Trick My Truck	0	0	0

Comedy Central	South Park	0	0	79
	The Colbert Report	0	0	33
	The Daily Show	0	0	1

SpikeTV	Carpocalypes	0	0	0
	King of Vegas	0	0	0
	Most Xtreme Challenge	0	0	0
	Pros Vs Joes	0	0	0
	Total Nonstop Action	0	0	0
	Ultimate Fighting Championship	0	0	0

Viacom	Andy Milonakis	0	0	0
	Avatar the Last Airbender	0	0	0
	Backyardigans	0	0	0
	Beyond the Break	0	0	0
	Blue's Room	0	0	0
	Can't Get A Date	0	0	0
	Degrassi	0	0	7
	Diego	0	0	0
	Dora The Explorer	0	0	0
	Drake & Josh	0	0	1
	Fairly Odd Parents	0	0	0
	GLAAD Media Awards	0	0	0
	Greatest TV Quotes and Catch Phrases	0	0	0
	Hi-Jinks	0	0	0
	I Pity the Fool	0	0	0
	Jack's Big Music Show	0	0	0
	Laguna Beach	0	0	0
	Naked Brothers Band	0	0	0
	Noah's Arc	0	0	0
	Real World	0	0	0
	Sit Down Comedy with David Steinberg	0	0	0
	South of Nowhere	0	0	0
	Spongebob Squarepants	0	0	2
	Hogan Knows Best	0	0	1
	TV Land Myths and Legends	0	0	0
	TV Land Present the 100	0	0	0

6/11/2008

# A-596

	VMA Awards	0	2	2
	Wonder Pets	0	0	0
	Zoey 101	0	0	0
	<b>TOTAL</b>	<b>0</b>	<b>2</b>	<b>130</b>

P2P (Not sent)

Content Provider	Asset	Gnutella	eDonkey	BitTorrent
Country Music Television	CMT Music Awards	0	3	0
	Country Fired Home Videos	0	0	0
	Crossroads	0	5	0
	Foxwothy's Big Night Out	0	0	0
	Trick My Truck	0	2	0

Comedy Central	South Park	72	0	6472
	The Colbert Report	0	0	287
	The Daily Show	6	0	230

SpikeTV	Carpocalypes	11	0	0
	King of Vegas	0	0	0
	Most Xtreme Challenge	0	3	0
	Pros Vs Joes	0	0	0
	Total Nonstop Action	0	0	0
	Ultimate Fighting Championship	3	282	0

Viacom	Andy Milonakis	0	18	0
	Avatar the Last Airbender	4	0	74
	Backyardigans	2	0	0
	Beyond the Break	0	6	0
	Blue's Room	0	0	0
	Can't Get A Date	0	0	0
	Degrassi	4	0	0
	Diego	0	0	0
	Dora The Explorer	10	0	468
	Drake & Josh	0	2	0
	Fairly Odd Parents	23	0	0
	GLAAD Media Awards	0	0	0
	Greatest TV Quotes and Catch Phrases	0	0	0
	Hi-Jinks	0	0	0
	I Pity the Fool	0	0	0
	Jack's Big Music Show	0	0	0
	Laguna Beach	43	0	0
	Naked Brothers Band	0	0	0
	Noah's Arc	0	0	0
	Real World	0	0	0
	Sit Down Comedy with David Steinberg	0	0	0
	South of Nowhere	1	0	51
	Spongebob Squarepants	6	1	41
	Hogan Knows Best	0	81	3

6/11/2008



# A-597

<b>Breaking Bonaduce</b>	<b>0</b>	<b>0</b>	<b>0</b>
<b>VMA Awards</b>	<b>8</b>	<b>134</b>	<b>0</b>
<b>Wonder Pets</b>	<b>0</b>	<b>0</b>	<b>0</b>
<b>Zoey 101</b>	<b>18</b>	<b>0</b>	<b>0</b>
<b>Total</b>	<b>211</b>	<b>537</b>	<b>7626</b>

Sarah Cruz  
Client Services  
BayTSP, Inc.

6/11/2008

HIGHLY CONFIDENTIAL

BAYTSP 001093523

**Schapiro Exhibit 63**

---

**From:** Tipton, Kristina - Paramount [Kristina\_Tipton@Paramount.com]  
**Sent:** Wednesday, February 28, 2007 3:56 AM  
**To:** Courtney Nieman  
**Subject:** RE: Paramount Marketing

Hey Courtney,

Just wanted to let you know that I'm still working on pulling together all our usernames and content. I'll have my big and informative email to you tomorrow :)

Have a good night!

Kristina Tipton  
Paramount Pictures  
Interactive Coordinator, Promotions & Publicity  
323-956-8453

-----Original Message-----

From: Courtney Nieman [mailto:courtneyni@baytsp.com]  
Sent: Tuesday, February 27, 2007 9:41 AM  
To: Perry, Alfred - Paramount; Salter, John - Paramount  
Cc: Mark M. Ishikawa; Evelyn Espinosa; Tipton, Kristina - Paramount  
Subject: Paramount Marketing

Al,

I just finished a wonderful conversation with Kristina Tipton. We discussed how Amy is doing the "viral" marketing and came up with these ground rules...

1. Do not remove anything posted by an approved Paramount Account (Kristina to provide)
2. Do not remove anything reposted by another account that matches something from Rule 1.
3. Remove anything that "misuses" Paramount material in a negative way; mash-ups, re-edited clips, DVD materials
4. If Paramount Marketing does anything in the P2P world, they will try to send us the file so we can watch for it and treat it like "interdicted" material if possible.
5. If a "late" or "surprise" marketing action is taken, Paramount Marketing will make an effort to notify BayTSP to prevent any accidental enforcement action against this material.

Kristina is in the process of putting together materials that BayTSP will use to "filter" out the approved material already on the internet. These filters will be used for Paramount and Viacom (MTVN) activities to prevent accidental enforcement.

I or someone we assign will stay in touch with Kristina going forward.

Courtney Nieman  
Manager Client Services  
BayTSP, Inc.  
408-341-2314  
AIM: BayTSPCanne  
Have you checked out BayTSP's Piracy news web log?  
<http://www.baytsp.com/weblog>

---

The information contained in this email message may be confidential and is intended only

# A-600

for the parties to whom it is addressed. If you are not the intended recipient or an agent of same, please notify us of the mistake by telephone (408-341-2300) or email and delete the message from your system. Please do not copy the message or distribute it to anyone.