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
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# EXHIBIT E

# May

## 2009

### COVER READS

• **25 THINGS YOU DO THAT GUYS SECRETLY LOVE, AND SIX THAT FREAK THEM OUT**  
*page 216*

• **131 LITTLE WAYS TO YOUR BEST BODY!**  
*pages 58 (celeb inspiration), 115 (easy health-you-ups), 196 and 208 (flattery tricks), 220 (our Body by Glamour plan) and throughout the issue*

• **PLUS, WHAT TO EAT TO LOSE EIGHT POUNDS THIS MONTH**  
*Body by Glamour is back! page 220*

• **THE SEXIEST SWIMSUIT FOR YOUR EXACT SHAPE**  
*page 87*

• **AMAZING HAIR: THE 1-2-3 PLANEVERY WOMAN SHOULD KNOW**  
*page 76*

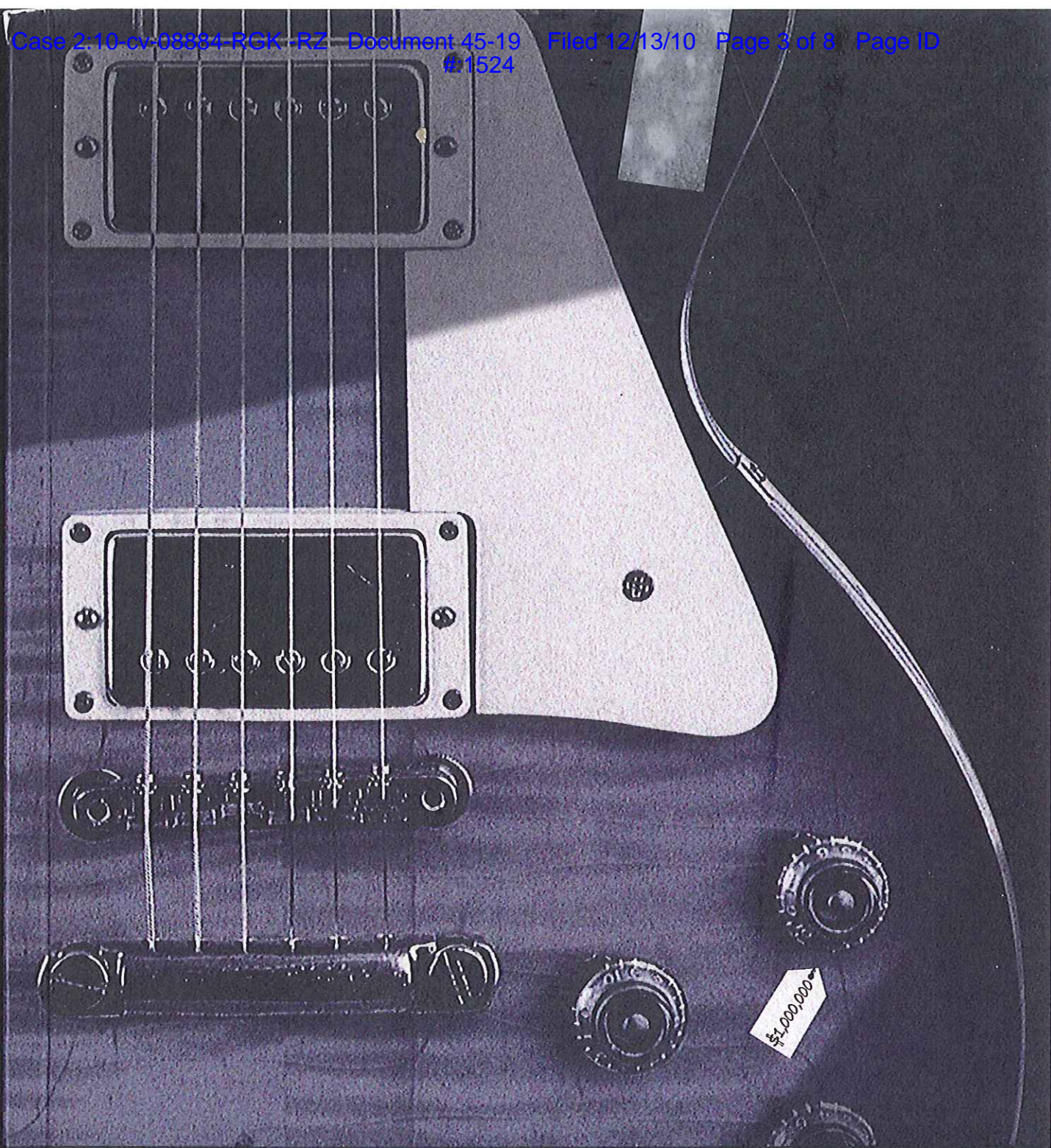
• **TOP PRIORITY: THE QUICK CANCER CHECK THAT SAVED 50 READERS' LIVES**  
*page 123*

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# 180

*Miley Cyrus is definitely not a kid anymore*

Zole



# MILLION DOLLAR LES PAUL

In Search Of The Most Valuable  
Guitar In The World

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TONY BACON



# STAR GUITARS

101 GUITARS THAT ROCKED THE WORLD

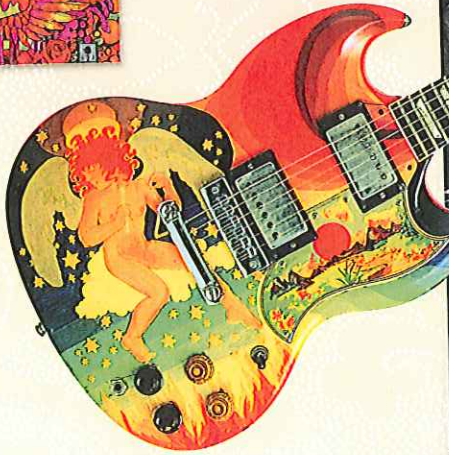
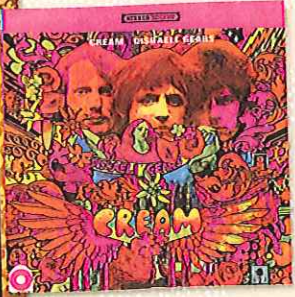
Dave Hunter

208

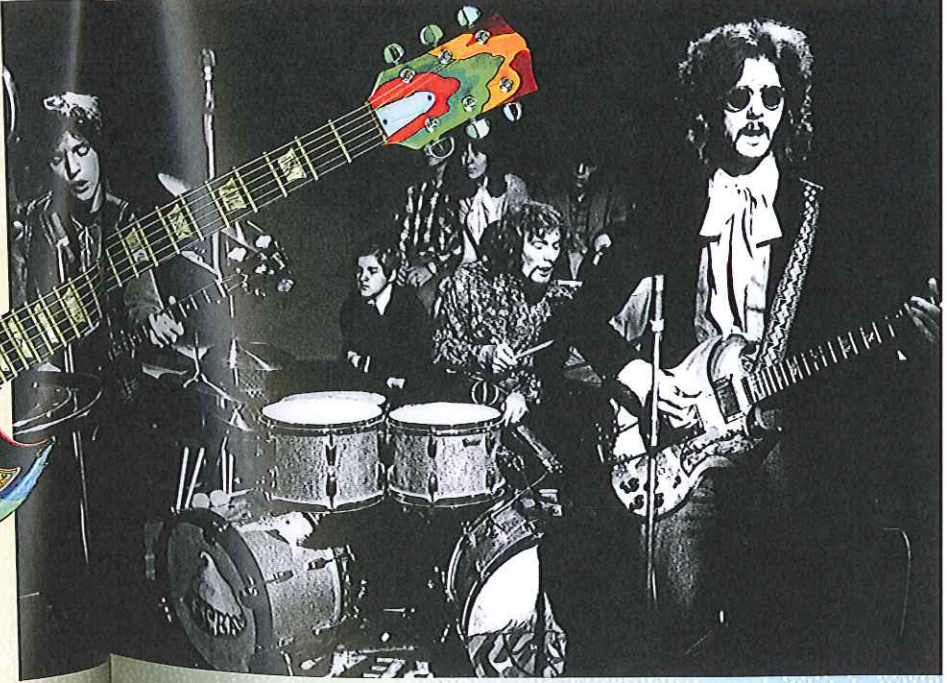
Foreword by Billy F Gibbons

**A**FTER THE BLUES BREAKERS, Clapton gigged and recorded with a few borrowed Les Pauls, but, unable to find one that he liked as much as his lost "Beano" guitar, eventually settled in with a Gibson SG and an ES-335 for the majority of his work with Cream. The SG, a 1964 or '65 model, became famous for the paint job given to it by the Dutch artists collective known as The Fool, a name also given to the guitar itself. When Clapton owned the guitar, the remains of the framework of its original Maestro "lyre" vibrato tailpiece could still be seen. Todd Rundgren acquired the SG in 1974, and its bridge, tailpiece, and paint job were updated sometime after. It is currently on loan to the Hard Rock Café in San Francisco. ♡

Eric Clapton's 1964-65 Gibson SG, "The Fool" Courtesy Nigel Osborne/ Jon-Bone Press



Cream performs on TV in November 1967. From left: bassist Jack Bruce, drummer Ginger Baker, and Clapton playing "The Fool" Jon Persson/WireImage/Getty Images

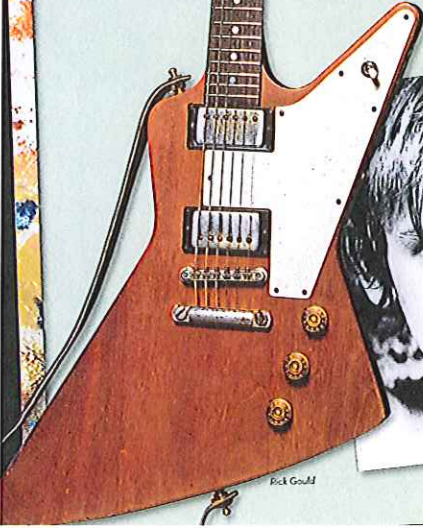


THE FOOL

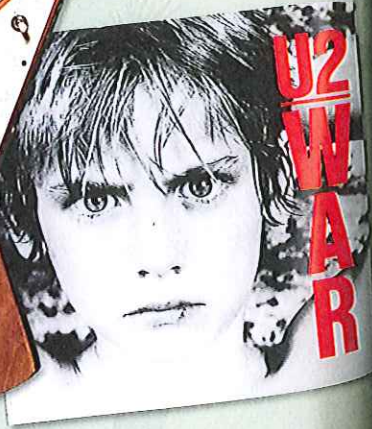
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**C**ALL IT NEW WAVE, POST PUNK, or what you will. The music scene that spawned U2 in the late '70s and early '80s was something of an underground movement (though the band would later move massively, stratospherically *above* ground), and as such it was not an arena that worshiped flashy guitars or overt showmanship. Picture, then, a young Dave Evans returning home to Dublin from a trip to New York City and opening a hard-shell case before his compatriots in an as-yet unnamed band to reveal one of the showiest guitars of all time. "I actually went in to buy a Les Paul, but I just fell in love with this guitar," Evans recounted for BBC's *The Story of the Guitar* in 2008. "I brought it back and was slightly like, 'Oh, shit, it's a little strange looking. Are the guys in the band going to go, 'What? You're out!' ... But everyone just loved the sound of it."

The guitar in question, a 1976 Gibson Explorer, might indeed have embodied an outlandish rock statement in other hands, but as Evans (soon The Edge) bent it to the development of U2's stark, haunting, rhythmic, and utterly original sound,



Rick Gould



It took on the stance of the anti-guitar hero who wielded it and proved a cornerstone in the early career of one of the world's most popular and influential bands.

The Edge used this Explorer on the majority of U2's early recordings, often swapping it for a mid-'70s Fender Stratocaster and partnering the guitars with an Electro-Harmonix Memory Man echo unit and a Vox AC30 amplifier. Not simply either a lead or rhythm guitarist, The Edge's role in the band really incorporated elements of both, often simultaneously, as he set a driving momentum that incessantly propelled songs like "I Will Follow," "Gloria," "Sunday Bloody Sunday," and "New Year's Day" just as much as did Larry Mullen's drums.



As U2 ascended dizzying heights of success, The Edge indulged in every rock star's prerogative to explore a wide number of makes and models of guitars. He has notably been seen cradling instruments such as a Gretsch White Falcon, 6120, and Country Gentleman; several Gibson Les Pauls; numerous Rickenbackers; and myriad Fenders (the total haul for 2009's 360 Tour numbered more than forty guitars). But the 1976 Explorer remains a standout in the minds of many fans and apparently remains dear to the artist as well. While recording 2000's *All That You Can't Leave Behind*, an album that signaled yet another evolution of the band's sound, The Edge found himself seeking just the right tone for a song that didn't quite want to gel. Out came the Explorer, the echo pedal, and the Vox AC30—and the layered, atmospheric guitar parts to "Beautiful Day" fell right into place. ♡

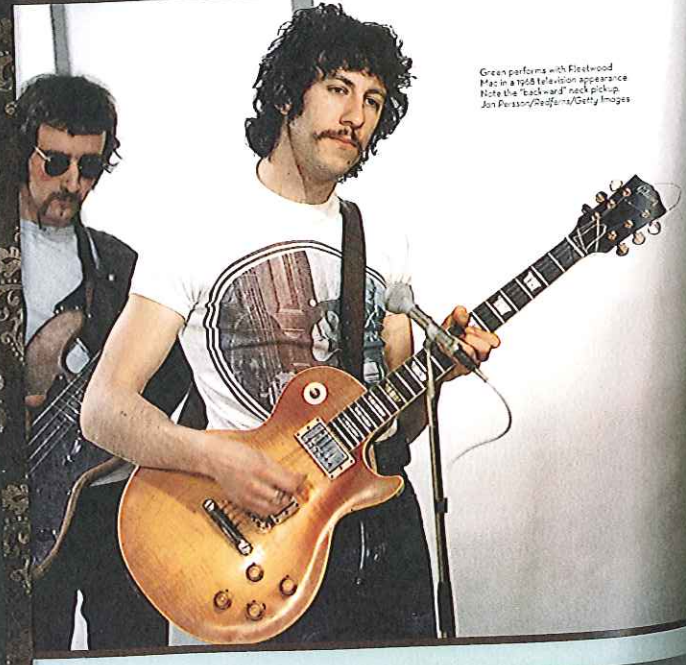
Royal Oak Theater Royal Oak, Michigan, November 1981. Rick Axford

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**M**OST INSTRUMENTS WORTHY of star guitar status are notable for the exemplary tones they put forth in the hands of the artists who made them famous. But in the minds of the fans who idolize them, some guitars have been elevated beyond mere celebrity guitar status. Peter Green's 1959 Les Paul Standard is one example that has been thus elevated, as has the tone he achieved with it in the early incarnation of Fleetwood Mac. In 1967, after leaving John Mayall & the Blues Breakers—that crucible of blues-rock guitar stardom—Green founded Fleetwood Mac alongside Mick Fleetwood, John McVie, and Jeremy Spencer (later replaced by

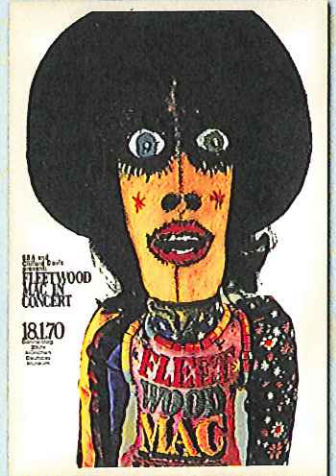
Green performs with Fleetwood Mac in a 1968 television appearance. Note the "backward" neck pickup. Jon Pearson/Redferns/Getty Images



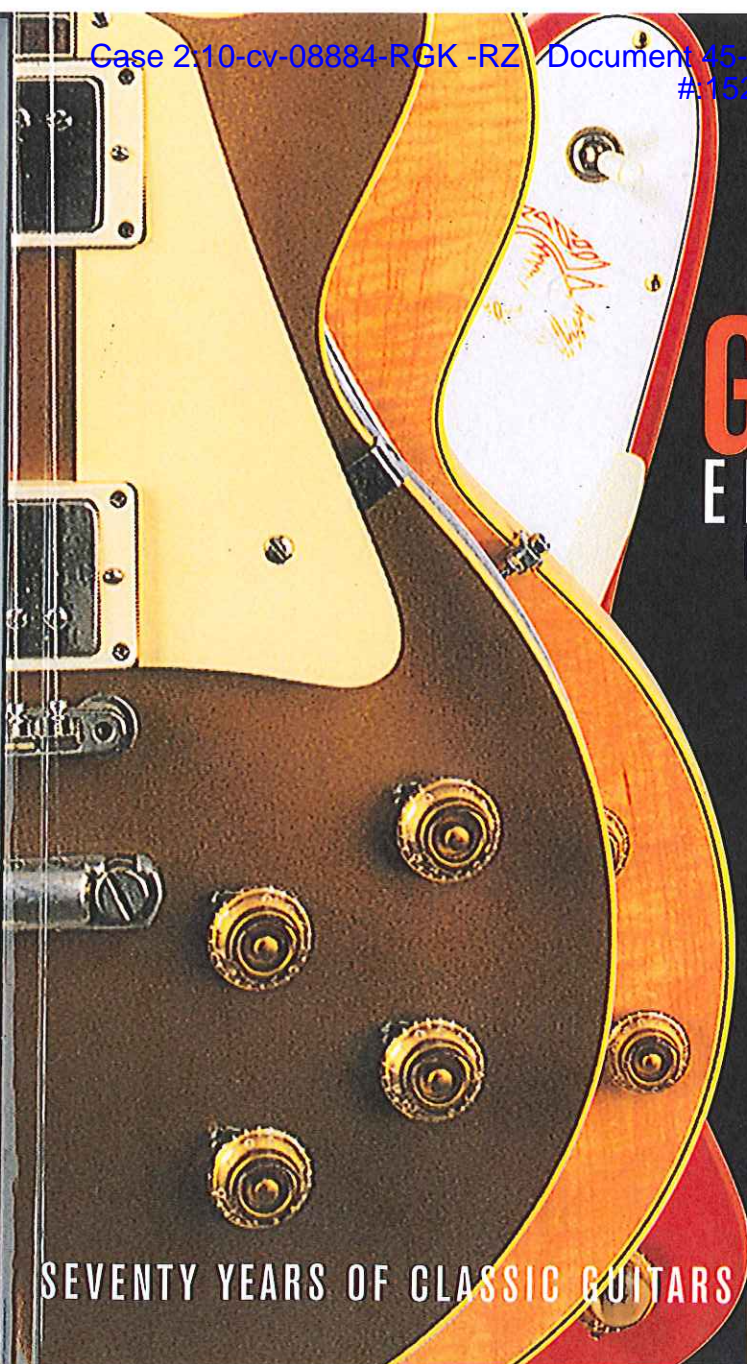
Danny Kirwan) in order to play "pure blues." In their company, Green recorded such classics of tone as "Need Your Love So Bad," "Black Magic Woman," "Albatross," "Oh Well," and several others. Amid a late-'60s scene in which other British blues artists were evolving toward high-gain blues-rock, Green's more purist stance, coupled with his more nuanced and organic tone, delicate touch, and plaintive melodic sense, helped him to stand out from the crowd.

His Les Paul was a standout instrument too, and it quickly drew the eye of many a guitar worshiper. While Green owned it, the guitar still maintained much of the richness of its sunburst finish, as would be expected in a guitar that was then only between eight and eleven years old, but this 1959 'burst is also famous for having faded later to a golden hue that beautifully showed off its gently tiger-striped maple top. Perhaps most notable from early on in Green's stewardship of the instrument, however, is the reversed neck pickup, which not only appears "backward"—with the adjustable pole pieces facing the bridge rather than the fingerboard—but also was rewound to reverse polarity by a misguided repairman. Possibly one of the more fortuitous mistakes in the annals of the electric guitar, the reversed neck pickup gave Green a distinctive out-of-phase tone when both pickups were used together, which helped to cement the mythos of this artist and has been copied by countless other players since.

Peter Green unceremoniously quit Fleetwood Mac in 1970 and faded into an obscurity that bottomed out with the former star being diagnosed with schizophrenia and eventually enduring several bouts of institutionalization. He famously sold his Les Paul to blues-rockers Gary Moore for around £110 (approximately \$200), a paltry sum for a vintage Les Paul Standard even in the mid-'70s. Moore told *Guitarist* magazine in 1995 that Green himself insisted upon the figure because it was the price he had paid for the guitar in the first place. Moore used the Les Paul on several recordings with Thin Lizzy and later as a solo artist, but he eventually sold the guitar. Since the late '90s, Peter Green has reemerged as an artist, recording and performing with his own Peter Green Splinter Group and several collaborative projects. Of his legendary old partner, Green told Rick Batey of *The Guitar Magazine* in 1999, "I'm sick of Les Pauls. . . . You see them everywhere." ♡



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# THE **Gibson** ELECTRIC GUITAR BOOK

SEVENTY YEARS OF CLASSIC GUITARS | *WALTER CARTER*

**THE GIBSON ELECTRIC GUITAR BOOK** presents the definitive story of Gibson's electric guitars over the last 70 years.

Since the 1930s, Gibson electric guitars have been embedded in our culture as some of the most recognizable icons of jazz, blues, and rock'n'roll music.

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Walter Carter is an acknowledged expert on the history of Gibson, and his new book documents the past and the present of these prestigious guitars through a wealth of detailed research and an unsurpassed collection of superb photographs.

As well as the full story of Gibson electrics, the book includes meticulous listings for the player and collector, detailing every Gibson electric guitar model from 1937 to the present day.

Just as Gibson's advertising proudly says, "Only a Gibson is good enough," so *The Gibson Electric Guitar Book* is the only book on the subject you will ever need.

# Exhibit 11

1 ANDREA E. BATES, ESQ, SBN 192491  
Abates@Bates-Bates.com  
2 MICHAEL A. BOSWELL, ESQ. SBN 198994  
MBoswell@Bates-Bates.com  
3 BATES & BATES, LLC  
4 964 DeKalb Avenue, Suite 101  
Atlanta, Georgia 30307  
5 Phone (866)701-0404 and (562) 360-2097  
6 Fax (404)963-6231

7 Attorneys for  
8 Plaintiff  
9 GIBSON GUITAR CORP.,

10 UNITED STATES DISTRICT COURT  
CENTRAL DISTRICT OF CALIFORNIA

11 GIBSON GUITAR CORP., a Delaware )  
12 corporation, )  
13 Plaintiff, )  
14 vs. )  
15 WOWWEE USA, INC., a California )  
16 corporation; WAL-MART STORES, INC., a )  
17 Delaware corporation; AMAZON.COM, INC., )  
18 a Delaware corporation; BIG LOTS STORES, )  
19 INC., an Ohio corporation; K MART )  
20 CORPORATION, a Michigan corporation; )  
21 TARGET CORPORATION, a Minnesota )  
22 corporation; TOYS "R" US-DELAWARE, )  
23 INC., a Delaware corporation; WALGREEN )  
24 CO., an Illinois corporation; BROOKSTONE )  
25 COMPANY, INC., a New Hampshire )  
26 corporation; BEST BUY CO. INC., a )  
27 Minnesota corporation; EBAY INC., a )  
28 Delaware corporation, TOYWIZ, INC., a New )  
York corporation, HSN, Inc. a Delaware )  
corporation, and DOES 1 through 100, )  
Defendants.

) Case No. CV10-8884 RGK (RZx)  
)  
) EX PARTE APPLICATION OF PLAINTIFF  
) GIBSON GUITAR CORP. FOR A  
) TEMPORARY RESTRAINING ORDER  
) AND AN ORDER TO SHOW CAUSE RE:  
) PRELIMINARY INJUNCTION;  
) MEMORANDUM OF POINTS AND  
) AUTHORITIES IN SUPPORT THEREOF

) LOCAL RULES 7-19, 7-19.1

) Dept.: 805  
) Judge: Judge R. Gary Klausner

EX PARTE APPLICATION OF PLAINTIFF GIBSON GUITAR CORP. FOR A TEMPORARY  
RESTRAINING ORDER AND AN ORDER TO SHOW CAUSE RE: PRELIMINARY  
INJUNCTION; MEMORANDUM OF POINTS AND AUTHORITIES IN SUPPORT THEREOF

**STANDING ORDER ¶ 11**

Pursuant to the Standing Order For Newly Cases Assigned To Judge R. Gary Klausner, ¶9 (Ex Parte Applications), Plaintiff has electronically served all the Defendants via facsimile the Application and Notice of the Ex Parte Application For A Temporary Restraining Order And An Order To Show Cause Re: Preliminary Injunction to the Defendants, including notifying Defendants that an opposition shall be filed no later than 3 p.m. on the first business day following service.

**MEMO OF KNOWN COUNSEL/DEFENDANT'S CONTACT INFORMATION**

**WOWWEE USA, INC.**

Counsel: Kim Landsman, Patterson Belknap, 1133 Ave. of the Americas,  
NY, NY 10036  
Fax: 212-336-2985  
Phone: 212-336-2980.

Address: 5963 La Place Court, Suite 207  
Carlsbad, CA 92008

Registered Agent: National Registered Agents, Inc.  
2875 Michelle Drive, Suite 100  
Irvine, CA 92606  
Phone: 800-562-6439  
Fax: 800-562-6504

**WAL-MART STORES, INC.**

Counsel: Rosalyn Mitchell (in house)  
Fax: 479-277-5991

Address: 702 SW 8th Street  
Bentonville, AR 72716

Registered Agent: The Corporation Trust Company  
Corporation Trust Center

1 1209 Orange Street  
2 Wilmington, DE 19801  
3 Phone: 302-658-7581  
4 Fax: 302-655-5049

4 **AMAZON.COM, INC.**

5 Counsel: Not known at this moment

6 Address: 410 Terry Avenue North  
7 Seattle, WA 98109-5210

8 Registered Agent: Corporation Service Company  
9 2711 Centerville Road, Suite 400  
10 Wilmington, DE 19808  
11 Phone: 800-927-9800  
12 Fax: 302-636-5454

11 **BIG LOTS STORES, INC.**

12 Counsel: Not known at this moment

13 Address: 300 Phillipi Road  
14 PO Box 28512  
15 Columbus, OH 43228-5311

16 Registered Agent: CSC-Lawyers Incorporating Service  
17 50 W. Broad Street, Suite 1800  
18 Columbus, OH 43215  
19 Phone: 800-927-9800  
20 Fax: 302-636-5454

20 **KMART CORPORATION**

21 Counsel: Not known at this moment

22 Address: 3333 Beverly Road  
23 Hoffman Estates, IL 60179  
24 Phone: 847-286-2500  
25 Fax: 847-286-5500

25 Registered Agent: The Corporation Company  
26 30600 Telegraph Road, Suite 2345

-iii-

Bingham Farms, MI 48025

**TARGET CORPORATION**

Counsel: Michael S. Kroll,  
Phone: 612-696-2249  
Fax: 612-696-3399  
Michael.kroll@target.com.

It is unknown whether he is acting as counsel for this litigation.

Address: 1000 Nicollet Mall  
Minneapolis, MN 55403  
Phone: 612-304-6073  
Fax: 612-696-5400

Registered Agent: No Agent on File With Secretary of State

**TOYS”R”US DELAWARE, INC**

Counsel: Not known at this moment

Address: One Geoffrey Way  
Wayne, NJ 07470-2030

Registered Agent: The Prentice-Hall Corporation System, Inc.  
2711 Centerville Road, Suite 400  
Wilmington, DE 19808  
Phone: 302-636-5440  
Fax: 302-636-5454

**WALGREEN CO.**

Counsel: Not known at this moment

Address: 200 Wilmot Road  
Deerfield, IL 60015

Registered Agent: Illinois Corporation Service Company  
801 Adlai Stevenson Drive  
Springfield, IL 62703

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Phone: 888-690-2882  
Fax: 302-636-5454

**BROOKSTONE COMPANY, INC.**

Counsel: Not known at this moment  
Address: One Innovation Way  
Merrimack, NH 03054  
Registered Agent: Thomas P. Manson, Esq.  
1000 Elm Street, 20FI  
Manchester, NH 03101  
Phone: 603-621-7100  
Fax: 603-621-7111

**BEST BUY CO., INC.**

Counsel: Not known at this moment  
Address: 7601 Penn Avenue South  
Richfield, MN 55423  
Registered Agent: C T Corporation System Inc.  
100 South 5<sup>th</sup> Street, Suite 1075  
Minneapolis, MN 55402  
Phone: 612-333-4315  
Fax: 612-333-2524

**EBAY INC.**

Counsel: Not known at this moment  
Address: 2145 Hamilton Avenue  
San Jose, CA 95125  
Registered Agent: National Registered Agents, Inc.  
160 Greentree Drive, Suite 101  
Dover, DE 19904  
Phone: 302-674-4089  
Fax: 302-674-5266

**TOYWIZ, INC.**

-v-

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EX PARTE APPLICATION OF PLAINTIFF GIBSON GUITAR CORP. FOR A TEMPORARY  
RESTRAINING ORDER AND AN ORDER TO SHOW CAUSE RE: PRELIMINARY  
INJUNCTION; MEMORANDUM OF POINTS AND AUTHORITIES IN SUPPORT THEREOF



1 Counsel: Not known at this moment

2 Address: 363 Spook Rock Rd. Building K  
3 Suffern, NY 10901

4 Registered Agent: Barr, Post & Associates  
5 664 Chestnut Ridge Road  
6 Spring Valley, NY 10977  
7 Phone: 845-352-4080  
8 Fax: 845-352-6777

8 **HSN, INC.**

9 Counsel: Not known at this moment

10 Address: 1 HSN Drive  
11 St. Petersburg, FL 33729

12 Registered Agent: National Registered Agents, Inc.  
13 160 Greentree Drive, Suite 101  
14 Dover, DE 19904  
15 Phone: 302-674-4089  
16 Fax: 302-674-5266

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