

Exhibit D

Ex. D

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July 15, 2015

VIA ELECTRONIC MAIL

Adam I. Kaplan, Esq.
MUNGER TOLLES & OLSON LLP
355 South Grand Avenue
Thirty-Fifth Floor
Los Angeles, CA 90071-1560

Re: *Good Morning To You Productions Corp., et al. v.*
Warner/Chappell Music, Inc., et al.
Lead Case No.: CV 13-04460-GHK (MRWx)

Dear Adam:

Thank you for your July 9, 2015 letter and the enclosed documents, which we have now reviewed for the first time. We will leave unaddressed at this time how it is that you did not locate, identify, or produce these documents until now, as any further discussion of the untimely disclosure will not materially advance the matter at hand. That said, however, we do not consent to your proposed 13th-hour supplementation of the record. In directing the parties to submit a supplemental joint brief on abandonment, Judge King ordered that the "Parties shall *not* submit any new evidence." Judge King's Order thus made it abundantly clear that the summary judgment factual record is closed.

In light of Judge King's Order, there is no justification for adding any documents from the British Library (which you have not clearly identified in any event) to the summary judgment record. If you proceed with such a motion, we reserve all our rights, including the right to conduct discovery on the circumstances around which you sought and obtained *any* of the recently-produced documents, and the right to ask the Court to add additional documents (such as WC002239-41) to the summary judgment record in order to place your argument in context.

Very truly yours,


Betsy C. Manifold

BCM:meb

cc: Mark Rifkin
Randall Newman
WARNERCHAPPELL:21943.LTR

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