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10 Attorneys for Defendant Council on American-Islamic
 11 Relations, Inc., Council on American-Islamic Relations Action Network, Inc.,
 and Council on American-Islamic Relations of Santa Clara, Inc.

12
 13 IN THE UNITED STATES DISTRICT COURT
 14 THE NORTHERN DISTRICT OF CALIFORNIA
 15 SAN FRANCISCO DIVISION

16 MICHAEL SAVAGE,
 17 Plaintiff,

18 v.

19 COUNCIL ON AMERICAN-ISLAMIC
 20 RELATIONS, INC., COUNCIL ON
 AMERICAN ISLAMIC RELATIONS ACTION)
 21 NETWORK, INC., COUNCIL ON AMERICAN)
 ISLAMIC RELATIONS OF SANTA CLARA,)
 22 INC., and DOES 3-100,)

23 Defendants.

) Case No. CV07-06076 SI

) **DECLARATION OF MATTHEW**
) **ZIMMERMAN IN SUPPORT OF**
) **REQUEST FOR JUDICIAL NOTICE**

) Date: March 7, 2008
) Time: 9:00 a.m.
) Courtroom 10, 19th Floor
) Honorable Susan Illston

DAVIS WRIGHT TREMAINE LLP

28

1 I, Matthew Zimmerman, declare and state:

- 2 1. I am an attorney with the Electronic Frontier Foundation, located in San Francisco,
3 California. I am admitted to practice before the California state bar, the Ninth Circuit
4 Court of Appeals, and the United States Supreme Court. The facts stated here are
5 known to me of my own personal knowledge, except where otherwise stated. If called
6 upon to testify thereto I could and would competently do so.
- 7 2. Attached hereto as Exhibit A is a true and correct copy of the United States Copyright
8 Office copyright registration record for the October 29, 2007, episode of the "Savage
9 Nation," the copyrighted work at issue in this case. This registration is identified by
10 copyright registration number SR0000610214, registered December 17, 2007. The
11 registration record was obtained on February 22, 2008, from the United States
12 Copyright Office online catalog, located on the Library of Congress website, at:
- 13 • http://cocatalog.loc.gov/cgi-bin/Pwebrecon.cgi?Search_Arg=michael+savage&Search_Code=TALL&PID=9376&SEQ=20080222035520&CNT=25&HIST=1

14
15
16 I declare under penalty of perjury that the foregoing is true and correct and that this
17 document was executed in San Francisco, California.

18
19 DATED this 22nd day of February 2008.

20 ELECTRONIC FRONTIER FOUNDATION

21 By: */s/ Matthew J. Zimmerman*
22 MATTHEW J. ZIMMERMAN
23 Attorneys for Defendants Council on
24 America-Islamic Relations, Inc.,
25 Council on American-Islamic Relations
26 Action Network, Inc,
27 Council on American-Islamic Relations of
28 Santa Clara, Inc.

EXHIBIT A

Copyright

United States Copyright Office

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Public Catalog

Copyright Catalog (1978 to present)

Search Request: Left Anchored Title = michael savage

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The Michael Savage Show, October 29, 2007.

Type of Work: Sound Recording and Text

Registration Number / Date: SR0000610214 / 2007-12-17

Application Title: The Michael Savage Show, October 29, 2007.

Title: The Michael Savage Show, October 29, 2007.

Description: 3 Compact disks (CD) : identifying material.

Copyright Claimant: Michael A. Weiner. Address: c/o Savage Productions, Inc., 150 Shoreline Highway, Building E, Mill Valley, CA, 94941

Date of Creation: 2007

Date of Publication: October 29, 2007

Nation of First Publication: United States

Authorship on Application: Michael A. Weiner aka Michael Savage, 1942- (author of pseudonymous work);
Citizenship: United States. Authorship: words and performance.

Pre-existing Material: Words and performances of other individuals used with permission.

Basis of Claim: Copyright is claimed only in the words and performance of Michael Weiner.

Copyright Note: C.O. correspondence.

Names: Weiner, Michael A., 1942-

Weiner, Michael A.

Michael Savage

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