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 15 PRODUCTIONS LLLP, UNIVERSAL CITY STUDIOS  
 LLLP, AND VIACOM, INC.  
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17 UNITED STATES DISTRICT COURT  
 18 NORTHERN DISTRICT OF CALIFORNIA

20 REALNETWORKS, INC., et al.,  
 21 Plaintiffs,  
 22 vs.  
 23 DVD COPY CONTROL ASSOCIATION,  
 INC., et al.  
 24 Defendants.  
 25

CASE NO. C 08-4548-MHP  
**SUPPLEMENTAL DECLARATION OF DR.  
 JOHN P. J. KELLY IN SUPPORT OF  
 STUDIOS' MOTION FOR SANCTIONS FOR  
 SPOILIATION OF EVIDENCE**  
 Ctrm: 15 (Hon. Marilyn Hall Patel)

26 AND CONSOLIDATED ACTIONS.  
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**SUPPLEMENTAL DECLARATION OF DR. JOHN P. J. KELLY**

I, Dr. John P. J. Kelly, declare as follows:

1. I have previously filed Declarations in this matter, on September 30, 2008; October 6, 2008; and February 25, 2009. I incorporate my background and credentials as summarized in those previous declarations.

2. On March 10, 2009, my staff and I received a file named "ARccOS.zip" (the "Archive File") from Munger, Tolles & Olson, LLP as an attachment to an email. I was informed that the Archive File was produced by RealNetworks. I was also informed that RealNetworks contends that the Archive File is corrupted by computer virus.

3. My testing and use of ARccOS.zip have indicated that neither the Archive File nor any of the files contained therein are infected by a virus or otherwise corrupted. I have seen no evidence that would have supported RealNetworks' contention to the contrary.

4. Upon receiving the Archive File, I scanned it with McAfee Total Protection Service software, version number 4.7.0.538 Patch 003b, for any computer viruses. That software, which was updated as recently as March 8, 2009 at 11:42:31 PM, did not detect any computer virus in the Archive File, nor did it generate any other errors indicating corruption of the Archive File.

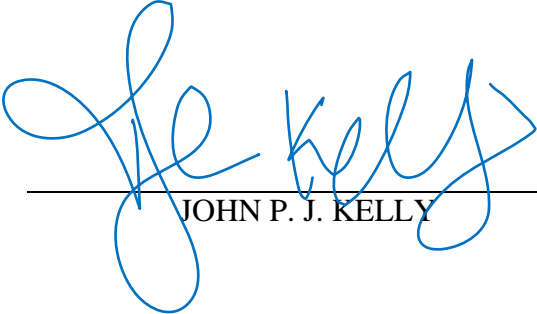
5. After the virus-scanner indicated that the file was not infected with any computer virus or corrupted, I was easily and successfully able to extract all the files from the Archive File to a folder. The resultant folder included several files and subfolders. I scanned the resultant folder again with McAfee Total Protection Service software (mentioned above) for any computer virus. The software did not detect any computer virus in any of the files in the folder, nor did it generate any other errors indicating corruption of such files.

6. I was able to access all the files extracted from the "ARccOS.zip" Archive File. The Archive File consists of several Microsoft-Windows-executable files such as "SetupDVDDecrypter\_3.5.4.0", which is the installer file for the DVD ripper program "DVD Decrypter," as well as "FixVTS", "crc32" and "PgcEditPreview". In addition, there are text files such as "psl2\_install", which contains instructions to install the PSL2 (Anti-ARccOS) plug-in for PgcEdit and DVD Decrypter, and "lgpl" which contains the GNU Lesser General Public License.

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The Archive File also includes “psl2\_plugin.tcl”, a file that appears to be software associated with a PSL2 plug-in written in the TCL scripting language. All of these files, and the others within the Archive, were accessible and/or usable, and showed no signs whatsoever of corruption.

I declare under penalty of perjury under the laws of the United States that the foregoing is true and correct and that this declaration was executed this 17th day of March, 2009 at Santa Barbara, California.

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JOHN P. J. KELLY