

1 Benjamin Aaron Shapiro (SBN 254456)
 2 12330 Magnolia Boulevard, No. 114
 3 Valley Village, CA 91607
 Telephone: (818) 620-0137

4 Attorney for Defendants
 5 MICHAEL WEINER aka MICHAEL SAVAGE,
 and ORIGINAL TALK RADIO NETWORK, INC.

6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

UNITED STATES DISTRICT COURT
 NORTHERN DISTRICT OF CALIFORNIA
 SAN FRANCISCO DIVISION

BRAVE NEW FILMS 501(c)(4),

Plaintiff,

v.

MICHAEL WEINER aka MICHAEL
 SAVAGE, and ORIGINAL TALK
 RADIO NETWORK, INC.,

Defendants.

Case No. CV 08-4703 SI

**DEFENDANT MICHAEL WEINER
 AKA MICHAEL SAVAGE'S
 NOTICE OF MOTION AND
 MOTION TO DISMISS**

Date: March 13, 2009
 Time: 9:00 a.m.
 Location: Courtroom

[filed concurrently with Proposed
 Order]

Honorable Susan Illston

1 **TO ALL PARTIES AND THEIR COUNSEL OF RECORD:**

2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

PLEASE TAKE NOTICE that, on March 13, 2009, at 9:00 a.m., in Courtroom 10 of the above-captioned court located at 450 Golden Gate Avenue, San Francisco, California 94102, Defendant Michael Weiner aka Michael Savage (“Savage”) will and hereby does move this Court for an order dismissing this action against Savage.

This Motion is made pursuant to Federal Rule of Civil Procedure 12(b)(6), on the basis that the complaint fails to state a claim upon which relief can be granted against Savage.

This Motion is based upon this Notice, the accompanying Memorandum of Points and Authorities, all records on file with the Court, any reply, and any additional argument or evidence which may be presented at or prior to the hearing on this Motion.

Dated: January 9, 2009

By /s/ Benjamin Aaron Shapiro
Attorneys for Defendants Michael
Weiner aka Michael Savage and
Original Talk Radio Network, Inc.

1 MEMORANDUM OF POINTS AND AUTHORITIES

2
3 Defendant MICHAEL WEINER aka MICHAEL SAVAGE (“Savage” or
4 “Defendant”), hereby moves, in the above-captioned action (this “Action”),
5 brought by plaintiff BRAVE NEW FILMS 501(C)(4) (“Plaintiff”), for dismissal of
6 this Action against Savage, pursuant to FRCP 12(b)(6), on the grounds that the
7 complaint in this Action (the “Complaint”) fails to state a claim upon which relief
8 can be granted against Savage. Defendant requests that the motion be submitted on
9 the papers and without oral argument.

10
11 **I. THE COURT SHOULD DISMISS THIS ACTION AS TO SAVAGE**
12 **BECAUSE IT FAILS TO STATE A CLAIM UPON WHICH RELIEF**
13 **CAN BE GRANTED**

14
15 **A. The Legal Standard**

16 A court should grant a motion to dismiss under Rule 12(b)(6) when a
17 plaintiff’s complaint does not provide grounds establishing that he is entitled to
18 relief. See Bell Atlantic Corp. v. Twombly, 127 S. Ct. 1955, 1964 (2007).
19 Allegations of material fact are taken as true and construed in the light most
20 favorable to the plaintiff. See Lee v. City of Los Angeles, 250 F.3d 668, 679 (9th
21 Cir. 2001). Nonetheless, unwarranted inferences are insufficient to defeat a motion
22 to dismiss for failure to state a claim. See In Re VeriFone Sec. Litig., 11 F.3d 865,
23 868 (9th Cir. 1993). Similarly, “[f]actual allegations must be enough to raise a right
24 to relief above the speculative level.” See Bell Atlantic Corp., 127 S.Ct. at 1965.

1 **B. Plaintiff Has Not Alleged Any Acts or Omissions by Defendant that**
2 **State a Claim for Relief**

3 Plaintiff has not alleged any relevant acts or omissions by Savage in the
4 Complaint, let alone facts that could state a claim for relief against Savage. At most,
5 Plaintiff alleges in Paragraph 5 of the Complaint that “On information and belief,
6 OTRN has acted as Savage’s agent, and OTRN’s actions as alleged herein were
7 done with Savage’s knowledge and permission”. However, such allegation has no
8 basis in fact, and there is simply no factual basis whatsoever alleged in the
9 Complaint to support such allegation.

10 To the contrary, a copy of the September 29, 2008 letter at issue in this Action
11 (the “**9/29/08 Letter**”), which was sent by Mr. Carter Glahn on behalf of defendant
12 THE ORIGINAL TALK RADIO NETWORK, INC. (“**OTRN**”) to YouTube, with
13 regard to the video at issue in this Action (the “**Video**”) is attached as Exhibit “C” to
14 the Complaint, without the full exhibit thereto, and expressly referenced in
15 Paragraph 23 of the Complaint, with a second, full copy of the exhibit to the 9/29/08
16 Letter attached as Exhibit “D” to the Complaint, and also referenced at Paragraph 23
17 thereof. For convenient reference, a full copy of the 9/29/08 Letter, with a full copy
18 of the exhibit attached, is attached as Exhibit “A” hereto.

19 The 9/29/08 Letter contains the only factual element of the Complaint directly
20 addressing the involvement of Savage as to the relevant issues posed by Plaintiff’s
21 causes of action in this Action, and does not purport to represent Savage in any way.
22 To the contrary, the 9/29/08 Letter in fact states precisely the opposite: “Please also
23 be advised that OTRN does not, by this letter, disclaim, release or speak for the
24 separate rights of Michael Savage.” As a result, the documentation attached by
25 Plaintiff to the Complaint, and referenced therein, demonstrates on its face that the
26 allegation in the Complaint to the effect that OTRN acted as the agent for Savage, or
27
28

1 that Savage was somehow a party to the issuance of the 9/29/08 Notice, is simply
2 baseless speculation on Plaintiff's part.

3
4 **C. The Actual Purported Factual Allegations Asserted Against Savage**
5 **in the Complaint Demonstrate That Plaintiff's Claims Against**
6 **Savage Seek to Retaliate Against Savage For Exercising His Rights**
7 **To Free Speech in a Manner Which Plaintiff Finds Objectionable,**
8 **and For His Pursuit of a Separate Action Which Did Not Involve**
9 **Plaintiff, and Have Nothing to Do With The Causes of Action**
10 **Asserted in the Complaint.**

11 This Action seeks declaratory and injunctive relief and damages for the
12 issuance, by OTRN, through counsel, of the 9/29/08 Letter, demanding removal by
13 YouTube of 259 archived videos of content taken from "The Michael Savage Show"
14 (the "Show"), of which one of the total 259 videos (the "Video") had been posted
15 by Plaintiff, and happened to involve content taken from the same broadcast as was
16 involved in the separate and unrelated litigation between Savage and the Council on
17 American-Islamic Relations (the "CAIR Litigation"). With the exception of the
18 allegations in Paragraph 4 of the Complaint, applicable to the issue of venue, and the
19 unsubstantiated agency allegation addressed above, the factual allegations as to
20 Savage consist of:

21 (i) The allegations in Paragraph 4 of the Complaint to the effect that
22 Savage is the holder of the copyright with respect to the radio broadcast
23 which was the subject of the Video. While such allegation is relevant to the
24 issue of whether Plaintiff had a defense to a demand by OTRN relating to the
25 Video (an issue recognized by OTRN after the underlying broadcast for that 1
26 of 259 videos was identified, and which is addressed of record in OTRN's
27 answer in this Action which Savage requests the Court to take judicial notice
28

1 of), it does not establish that Savage had anything to do with the issuance of
2 the 9/29/08 Letter, or knowledge of its issuance, and certainly does not
3 establish that OTRN sent the 9/29/08 Letter as an agent for Savage.

4 (ii) The allegation in Paragraph 4 of the Complaint that Savage is the
5 host of the Show (and similar references throughout the Complaint to
6 Savage's involvement in the Show – as opposed to involvement with respect
7 to the 9/29/08 Letter). Again, while this alleges a connection between Savage
8 and the Show, it does not create any inference of, or otherwise allege or
9 establish, any connection between Savage and the 9/28/09 Notice, or any
10 knowledge by Savage with respect thereto.

11 (iii) The allegation in Paragraph 14 that “Savage went on an anti-
12 Muslim tirade” on the specific broadcast of the Show placed in issue by
13 Plaintiff in this Action (the “**Program at Issue**”). However, whether or not
14 such characterization of commentary by Savage during the Program at issue is
15 proper has nothing to do with whether the 9/29/08 Letter by OTRN properly
16 included the Video, or whether Plaintiff is or is not entitled to equitable relief
17 or damages with respect to the issuance of the 9/29/08 Letter.

18 (iv) The allegations in Paragraph 16 concerning Savage and the
19 CAIR Litigation. However, the existence of that separate litigation does not
20 create any inference of, or otherwise allege or establish, any connection
21 between Savage and the 9/29/08 Letter or any knowledge by Savage with
22 respect thereto.

23 (v) The allegations in Paragraphs 18 and 19 discuss Savage, but in
24 the context of describing the Video as being negative about Savage and the
25 formation of an anti-Savage website by Plaintiff. While these allegations
26 establish Plaintiff's dislike of Savage and show a desire by Plaintiff to punish
27 Savage for his exercise of his free speech rights and to retaliate against
28

1 Savage for the CAIR Litigation, they again offer no facts showing any
2 connection between Savage and the 9/29/08 Letter.

3 (vi) Paragraphs 20 and 21 address various aspects of the CAIR
4 Litigation, and again offer no facts even remotely tending to show any
5 connection between Savage and the 9/29/08 Letter.

6 (vii) Paragraph 22 alleges similarities between the Video and the
7 “short clip” at issue in the CAIR Litigation, but again offers no facts tending
8 to show any connection between Savage and the 9/29/08 Letter.

9 (viii) In addition to referencing the 9/29/08 Letter attached as an
10 exhibit, as previously addressed above, Paragraph 23 expressly alleges that
11 the 9/29/08 Letter was delivered by “counsel for OTRN”, thus further
12 establishing that the sole relevant allegations in the Complaint bearing on
13 whether there is any factual connection between Savage and the 9/29/08
14 Letter suggest the absence, rather than the presence, of any involvement on
15 the part of Savage with respect to the 9/22/08 Letter.

16 (ix) Paragraph 28 alleges that Savage holds the copyright with
17 respect to the Program at Issue, and the existence of a controversy between
18 Plaintiff and both Savage and OTRN. However, it alleges no
19 communications from or to Savage with respect to such alleged controversy
20 and again alleges/acknowledges that the 9/29/08 Letter was OTRN’s, with no
21 allegation or facts suggesting any involvement by Savage in the issuance of
22 the 9/29/08 Letter.

23 (x) Paragraph 32 also alleges/acknowledges that the 9/29/08 Letter
24 was OTRN’s and that the contents thereof constituted assertions by OTRN,
25 without any allegations of any conduct by Savage.

26 (xi) Paragraph 33 includes an allegation that “Savage had actual or
27 constructive knowledge” with respect to the Video, and of Savage’s copyright
28

1 in the Program at Issue. It does not, however, contain any allegation that
2 Savage had anything to do with the 9/29/08 Letter, but instead makes explicit
3 reference to “the time OTRN issued” the 9/29/08 Letter.
4

5 As such, in a very real sense, the Complaint is in many ways all about Savage
6 and Plaintiff’s disdain for Plaintiff’s view of statements made by Savage in
7 exercising Savage’s free speech rights, and for actions taken by Savage in the CAIR
8 Action, none of which offer a scintilla of factual basis to establish, or even infer, any
9 involvement whatsoever by Savage in the issuance of the 9/29/08 Letter, which is
10 the actual action on which Plaintiff bases claims for equitable relief and damages in
11 this Action. That being the case, and from wholly speculative and conclusory
12 allegations that clearly are unsupported, and indeed contradicted, by the factual
13 allegations of the Complaint, it is abundantly clear, and Savage respectfully submits,
14 indisputable, that the Complaint fails to state any claims against Savage, regardless
15 of the merits, or lack of merits, of the claims asserted against OTRN for the
16 inclusion of the Video in the list of the 259 videos in the YouTube library of
17 archived content from the Show to which OTRN objected in the 9/29/08 Letter.

18 Accordingly, it is also evident from such allegations that Savage has been
19 named in the Complaint as a means of pursuing a vendetta by Plaintiff against
20 Savage to punish Savage, and to retaliate against him, for various statements and
21 actions unrelated to the Video, Plaintiff and/or the 9/29/08 Letter that Plaintiff takes
22 issue with, which clearly constitutes an improper basis for inclusion of Savage as a
23 defendant in this Action.
24

25 **II. CONCLUSION**

26 Accordingly, the Court should dismiss Savage from this Action pursuant to
27 FRCP 12(b)(6).
28

1 Dated: January 9, 2009

2

By /s/ Benjamin Aaron Shapiro

3

Attorneys for Defendants Michael
Weiner aka Michael Savage and
Original Talk Radio Network, Inc.

4

5

6

7

8

9

10

11

12

13

14

15

16

17

18

19

20

21

22

23

24

25

26

27

28

EXHIBIT "A"

FACSIMILE TRANSMITTAL

SENT TO: YouTube, Inc.
Attn: DMCA Complaints

FAX NO. SENT TO: (650)872-8513

FROM: Carter Glahn

DATE SENT: September 29, 2008

RE: Original Talk Radio Network, Inc. - Michael Savage Show

CC:

NO. OF PAGES SENT, INCLUDING THIS TRANSMITTAL COVER SHEET: 19 pages

MESSAGE:

If you do not receive any or all of the pages sent, please call at the number indicated above.

The information contained in this facsimile message is confidential. It is intended only for the use of the individual named above. If the person actually receiving this facsimile or any other reader of the facsimile is not the named recipient or the employee or agent responsible to deliver it to the named recipient, any use, dissemination, distribution or copying of the communication is strictly prohibited. If you have received this communication in error, please immediately notify the sender by telephone and return the original message to sender at the above address via the U.S. Postal Service.

September 29, 2008

VIA E-MAIL, TELEFAX AND FEDERAL EXPRESS

DMCA Complaints
YouTube, Inc.
901 Cherry Ave.
Second Floor
San Bruno, CA 94066
Fax: (650) 872-8513
Email: copyright@youtube.com

Re: The Original Talk Radio Network Inc. v. YouTube, Inc., et al.

Dear YouTube, Inc.:

The information in this notification is accurate, and, under penalty of perjury, I state that this office represents the owner of an exclusive right infringed by the specified material.

This office has been retained by The Original Talk Radio Network ("OTRN") to take such actions as may be appropriate, including without limitation initiation of legal action for all proper relief, with respect to your repeated and ongoing unlawful actions in posting numerous segments from OTRN's "The Michael Savage Show" ("OTRN Content") on your YouTube.com website, including without limitation those certain segments identified in the list of OTRN Content currently posted on your website as of 4 PM Pacific Time on September 26, 2008, which is set forth as Appendix A hereto.

By this letter, OTRN is hereby serving formal notice on you that such actions are in violation of OTRN's exclusive rights with respect to the OTRN Content, and formally demanding that you immediately remove all OTRN Content from your website, and cease and desist all further publications, broadcasts, and/or reproductions of any and all OTRN Content, *immediately*. OTRN further demands that you confirm in writing to OTRN, forthwith, that you have removed all OTRN Content from the YouTube.com website, and that no further OTRN Content will be posted to that website, or any other website under your control, in the future, except, if at all, as shall be expressly permitted under a written license agreement duly executed by an authorized officer of OTRN.

Please be advised that OTRN reserves all of its rights with respect to your wrongful conduct to date in posting OTRN Content without authorization. Please also be advised that OTRN does not, by this letter, disclaim, release or speak for the separate rights of Michael Savage, and/or the separate rights of any other parties,

Youtube.com
September 29, 2008

Severaid & Glahn, PC
Page 2

with respect to any content appearing on your website, and/or their recourse with respect to your actions and conduct.

The nature and substance of the next communication from this office will be dependent, in part, on whether you take immediate actions to eliminate such unlawful actions on a going forward basis.

Respectfully,

Carter Glahn
Carter Glahn

cc: Benjamin Shapiro, Esq.
Ian Boyd, Esq.
The Original Talk Radio Network, Inc.

Michael Savage: Islamborg and Islam Part 2
<http://www.youtube.com/watch?v=6KMVMOdRyS8>

Michael Savage Gets Pissed Off About Islam and Terrorists
<http://www.youtube.com/watch?v=BtpYJI06mcs>

Michael Savage on the Threat of Liberal Fascists Democrats
<http://www.youtube.com/watch?v=1mXoF-wVg>

Michael Savage – Gay Mafia Trying Gods Patience!
http://www.youtube.com/watch?v=eM70_hLaC94

Michael Savage – Designa Vagina
<http://www.youtube.com/watch?v=q83404ewtCl>

Michael Savage Tries to Wake Up a Liberal Jew about Muslims
http://www.youtube.com/watch?v=zmr_PBNtErk

Michael Savage: Kosovo's Independence "Immoral," Part 2 of 2
http://www.youtube.com/watch?v=1cV0_AawP7c

Michael Savage: The Perfect Storm Is Coming
<http://www.youtube.com/watch?v=01SV4rrQK9o>

Michael Savage – 2002 Classic!
<http://www.youtube.com/watch?v=tNBpLXMxfsA>

Michael Savage: The Historical Truth About the Serbs/Kosovo
<http://www.youtube.com/watch?v=JfPKumQHts4>

Michael Savage Monday 28
http://www.youtube.com/watch?v=B_AhCuqKAA0

Michael Savage Hate Speech Exposed
<http://www.youtube.com/watch?v=rWGrqBKoiXY>

Michael Savage on Obama's Women Problems and Mother Issues
<http://www.youtube.com/watch?v=ZtytCT08g-Q>

Michael Savage Talks To an African American Man about James Watson
http://www.youtube.com/watch?v=S_R9Zly2Cc4

Michael Savage 9/11 2001 Broadcast
<http://www.youtube.com/watch?v=3Jx9fgaZSxA>

Michael Savage Rants on Ignorant Black Muslims
<http://www.youtube.com/watch?v=DTjUZI53bFg>

Michael Savage A Day In the Life of Johnny Jihad
<http://www.youtube.com/watch?v=AP18VsZKFec>

<http://www.youtube.com/watch?v=37HqEe8qH3Q>

Michael Savage: Interview with Sylvester Stallone (1 of 2)

<http://www.youtube.com/watch?v=-idL9WUaQwQ>

Michael Savage August 13, 2007

<http://www.youtube.com/watch?v=23Pzbq5Y9hl>

Michael Savage discusses John Edwards – Part 3 of 3

<http://www.youtube.com/watch?v=lbwypCuMn1U>

Michael Savage: The Threat of Islam

<http://www.youtube.com/watch?v=VR69ngd6vrw>

Michael Savage on Masturbation and Prostate Cancer

<http://www.youtube.com/watch?v=5k1RruiKjgU>

Michael Savage on Left Wing Nuts

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

Michael Savage on Marijuana 2-7-07

<http://www.youtube.com/watch?v=ej5DVTi2HTc>

Michael Savage goofs on Paul Newman

<http://www.youtube.com/watch?v=9fjQiRF8bNY>

Live Audio: What Michael Savage Said about Autism

<http://www.youtube.com/watch?v=8gofSizTfJk>

Michael Savage slams Muslim caller for his lies

<http://www.youtube.com/watch?v=6AUbPBONAiw>

Michael Savage and his views on Islam

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

Michael Savage rants on illegals

<http://www.youtube.com/watch?v=05nBE3WQj1U>

Michael Savage August 21, 2007

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

Michael Savage: Benazir Bhutto Assassination

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

Michael Savage Rips Freaks @ White House dinner

<http://www.youtube.com/watch?v=ERc13IWsdNo>

Michael Savage on James Watson and Internet Pornography

<http://www.youtube.com/watch?v=VRv79FVtyZw>

Michael Savage Ripping Holocaust Myth Believer

http://www.youtube.com/watch?v=oQIA_I4X3hM

Michael Savage – Barack Hussein Obama Admits Being a Muslim Plus George Bush as a Fiscal Socialist FannieMae Bail Outs – Aired on September 8, 2008
<http://www.youtube.com/watch?v=tG9-MHFctZU>

Michael Savage – Orthodox Jews & Guns
<http://www.youtube.com/watch?v=Ntov9g1vK00>

Michael Savage on the Muslim Airport Controversy
<http://www.youtube.com/watch?v=6iqczneWu9s>

Listen to Michael Savage Online for Free
<http://www.youtube.com/watch?v=eVBujmFRaog>

Michael Savage: Brain-Dead Sluts and Weak Western Men
<http://www.youtube.com/watch?v=WOLTtuaBLMo>

Michael Savage mimicks Rush Limbaugh
<http://www.youtube.com/watch?v=ihYyLEpEZnk>

Michael Savage on Haditha Caller
<http://www.youtube.com/watch?v=F1Vb47036nY>

Michael Savage on Heath Ledger and the Brainless Liberals
<http://www.youtube.com/watch?v=lu7YX6igxk4>

Michael Savage; Barack Obama lets call it quits talk it out
<http://www.youtube.com/watch?v=vA1UE43vFew>

Michael Savage on Cho Murderer School Shootings
<http://www.youtube.com/watch?v=ggzMSHFK8XY>

Michael Savage on Dennis Kucinich, Cars and Hybrids
<http://www.youtube.com/watch?v=LNWNfc2Jig8>

Michael Savage on California's Gay Marriage – Part 2
<http://www.youtube.com/watch?v=cJQF6sC90Yc>

Michael Savage Rejects Larry King and MSNBC
<http://www.youtube.com/watch?v=poBeWx60V3E>

Michael Savage Has a Frank Conversation About Women
<http://www.youtube.com/watch?v=k16N-Zt2QcE>

Savage Nation: Michael Savage, the best radio personality
<http://www.youtube.com/watch?v=JtirrjHBPXA>

Michael Savage – Biggest Pimp Rap
<http://www.youtube.com/watch?v=nA4Nt4h4EQc>

Michael Savage on the day of September 11, 2001
<http://www.youtube.com/watch?v=7PXNlnx7f0c>

<http://www.youtube.com/watch?v=iXcxvr5lVwM>

Michael Savage – War with Iran Radical Islam Jihadist – Aired on July 10, 2008
<http://www.youtube.com/watch?v=29sgUCOvHP4>

Michael Savage Monologue 9-12-08
<http://www.youtube.com/watch?v=2Pjz4T7cNqA>

Michael Savage – A New American Revolution
<http://www.youtube.com/watch?v=gkcJNBtoIXw>

Michael Savage Autism Remix
<http://www.youtube.com/watch?v=AsPGQNZsPdE>

Michael Savage on Cancer
<http://www.youtube.com/watch?v=WAPLedgnSxA>

Michael Savage on Ultra Tolerance and its Effect on Society
<http://www.youtube.com/watch?v=27qJivQICQQ>

Michael Savage Owns Black Muslim
<http://www.youtube.com/watch?v=T0zbcjWXvDg>

Michael Savage – Psychological Nudity
<http://www.youtube.com/watch?v=s-6cz4mayEU>

Michael Savage Talking to a Conservative on How to Pick Up Liberal Women in New York City
<http://www.youtube.com/watch?v=EKYRB2cLORU>

Michael Savage: Only anger and hatred can save America
<http://www.youtube.com/watch?v=yvsjwF2hmk>

Michael Savage discusses Hollywood Leftists – Part 2
<http://www.youtube.com/watch?v=igl2bmxqPZc>

Michael Savage Monday 19, 2008
<http://www.youtube.com/watch?v=gYlr-w2eyJE>

Michael Savage on Current Events – Part 5 of 7
<http://www.youtube.com/watch?v=s7q9GheEOXU>

Michael Savage – Mein Kampf and its Relativity to The Quran
<http://www.youtube.com/watch?v=McQWM-TAZBI>

Michael Savage – Immorality of Pornography Explicit Sex Kids
<http://www.youtube.com/watch?v=mpFki3dLILQ>

Michael Savage On Lesbians
<http://www.youtube.com/watch?v=wd-l9bYly3E>

Michael Savage – Swearing on the Koran

<http://www.youtube.com/watch?v=Scq61iw30Oc>

Trying to silence Michael Savage

<http://www.youtube.com/watch?v=rWFOnt9oH7U>

Michael Savage on Irrational Confusion About Homosexuals

<http://www.youtube.com/watch?v=OH4gLjSXX-E>

Michael Savage Talks About the Threat of Iran and Islam

<http://www.youtube.com/watch?v=oO BXJNP4u8>

Illegal Alien Murders Family: Michael Savage Interviews Danielle Bologna

<http://www.youtube.com/watch?v=dgulwbSkEq8>

Ultravan #299, First Bath While Listening to Michael Savage

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

Michael Savage on Kosovo independence

<http://www.youtube.com/watch?v=hUJXPXs iP8>

Michael Savage – Danielle Bologna and Family Tragedy Due to Corruption of Law and Illegals

<http://www.youtube.com/watch?v=O7uzEkKqAg0>

Michael Savage: "Bring in 10 million more from Africa."

<http://www.youtube.com/watch?v=jl4cBBLerQm>

Michael Savage discusses America's collapse of it's morals and values

<http://www.youtube.com/watch?v=gbfnl8kQnZ4>

Michael Savage on Why Hollywood is Failing – Part 1 of 4

<http://www.youtube.com/watch?v=Mfi7MIDUcFI>

Michael Savage Argues With a Caller About Obama and His Credentials to be President

<http://www.youtube.com/watch?v=0M44MkHnJBs>

Michael Savage Nation Radio Spots Commercials Part 2

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

Michael Savage on Hitler of Iran and Columbia University

<http://www.youtube.com/watch?v=5xQ6hxlrYHE>

Michael Savage on gay marriage caller

<http://www.youtube.com/watch?v=R7v7OCTMVAA>

Michael Savage predicts the destruction of Israel

<http://www.youtube.com/watch?v=oRHhz28YWXu4>

Michael Savage on the JFK Terror Plot

<http://www.youtube.com/watch?v=Ovi11r-D20>

Michael Savage on Bible Passages and More

<http://www.youtube.com/watch?v=Aia8T2wirk0>

Michael Savage Classic Caller on Health Plus Report on Abortion and Cancer
<http://www.youtube.com/watch?v=my8Cis6mATs>

Michael Savage goes off on Islamo-Fascists
<http://www.youtube.com/watch?v=nkWgSeSc8cA>

Michael Savage discusses the end of America's Liberal Arc
<http://www.youtube.com/watch?v=Erwt4-Pw4aq>

Michael Savage – Generation of Weaklings
<http://www.youtube.com/watch?v=G5WdMHijJ5E>

Michael Savage – Sixty Year Old Woman has Twins
<http://www.youtube.com/watch?v=3-CRP1qx078>

Michael Savage Admits to Taking Lipitor (then quits on 10/29)
<http://www.youtube.com/watch?v=T-7Dqd-zIEs>

Michael Savage on The Homosexual Mafia
<http://www.youtube.com/watch?v=kBPG09D8B-Y>

Michael Savage Here Comes The Judge
<http://www.youtube.com/watch?v=zJNzfRWbUJg>

Michael Savage on bill clintons propoganda against serbs
<http://www.youtube.com/watch?v=wJKtQufrnds>

Michael Savage on Fear of Marriage in Society Today
<http://www.youtube.com/watch?v=JFCzLfsEddQ>

Michael Savage slams a Nancy Pelosi supporter
<http://www.youtube.com/watch?v=X4w39SHqTVA>

Michael Savage on the state of Israel in 2006
<http://www.youtube.com/watch?v=YYxtZ0bQC8o>

Michael Savage discusses today's bizarre political climate
<http://www.youtube.com/watch?v=Xz2FKdi9ktE>

Michael Savage translates liberal Headline
<http://www.youtube.com/watch?v=VjxARbHr6TE>

Michael Savage OWNS pro-Muslim liberal – Liberals SUCK!
<http://www.youtube.com/watch?v=BuOmtQhNwm0>

Duncan Hunter with Michael Savage
<http://www.youtube.com/watch?v=D0gKFEQdJ-E>

Michael Savage KSFO Classic – Savage Matchmaker

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

Michael Savage on Radical Muslims CAIR Future Expectations
<http://www.youtube.com/watch?v=ieiM8emTJW4>

Michael savage on bill clintons war against serbs
<http://www.youtube.com/watch?v=2sURLF83V9A>

Censure Carter Michael Savage
<http://www.youtube.com/watch?v=HvqFih8p25w>

Michael Savage on Iran, weakness, and liberal attack dogs
<http://www.youtube.com/watch?v=yJ40KgkOt8M>

Michael Savage on Barack Hussein Obama as President
http://www.youtube.com/watch?v=Qni_7t_9adM

Michael Savage: Vinnie Calls Part 1
<http://www.youtube.com/watch?v=xdZYe0Z9TSM>

Michael Savage on Sharing Bedrooms Couples Husband and Wife
<http://www.youtube.com/watch?v=a0UQHs6o5bw>

Michael Savage takes a call from Todd in New Hampshire
<http://www.youtube.com/watch?v=ZdJK6varWQE>

Michael Savage on the Power of Man in Good and Evil
http://www.youtube.com/watch?v=JkJy1H7B_vY

Michael Savage hates gays
<http://www.youtube.com/watch?v=8GOEnXp9VnQ>

Michael Savage: A balanced immigration solution (Part 2)
<http://www.youtube.com/watch?v=20U905Z4wIw>

Michael Savage On Obama and What He Wants for America
<http://www.youtube.com/watch?v=x871n28-xNE>

Michael Savage Rants on Illegals
<http://www.youtube.com/watch?v=D0ik1qSNVbA>

Michael Savage on Financial Schemes and Intuitive Intelligence (9/23/08)
http://www.youtube.com/watch?v=5G_MBkIhmQ

Michael Savage: Liberals Want an Illiterate America
<http://www.youtube.com/watch?v=5YDhHh2yoXE>

Michael Savage – Discussion about Lawyers and Doctors in Society Today – Part 1 of 2
<http://www.youtube.com/watch?v=rCjSOAAazW0>

Michael Savage – What Not To Say On The Savage Nation

http://www.youtube.com/watch?v=Vxs_bNcAY4o

Michael Savage Talks About Fahrenheit 451 and Fascism
<http://www.youtube.com/watch?v=sADM1YHej04>

Michael Savage on Shameless Liberals and His Boosted Ratings
<http://www.youtube.com/watch?v=EzBkCPExnD0>

Michael Savage on Nancy Pelosi
<http://www.youtube.com/watch?v=9lbXygLG-4M>

Michael Savage: Vinne Calls Part 2
<http://www.youtube.com/watch?v=ir4T5qlxsq>

Michael Savage – Brainwashing of Global Warming and More
<http://www.youtube.com/watch?v=iwXhmnqtjLE>

Michael Savage – "The Most Important Thing I've Ever Said"
<http://www.youtube.com/watch?v=9G2NfVJjplI>

Michael Savage on Lucky Louie
<http://www.youtube.com/watch?v=soSur400DN4>

Michael Savage Explains Clipped Hair Type's
<http://www.youtube.com/watch?v=3YLYPfzY88c>

St. Michael: Liberal Slayer – Prepare 4 War!
<http://www.youtube.com/watch?v=yi5CLIO6SZ0>

Michael Savage on Celebrating Purim
<http://www.youtube.com/watch?v=N5uYb4viBCU>

Michael Savage Welcome To the Sheocracy
<http://www.youtube.com/watch?v=pXWlQgoYbpbk>

Michael Savage on the new leadership of the Democrats
http://www.youtube.com/watch?v=kpoES0aZtl_8

Michael Savage on How Drugs Spoil Our Spiritual Strengths
<http://www.youtube.com/watch?v=aqDRfiQ8PnQ>

Michael Savage Update on Health and Return to Show (September 17, 2008)
<http://www.youtube.com/watch?v=JCf8cuDCthY>

Michael Savage – Freakshows
<http://www.youtube.com/watch?v=xEOuydrjVzM>

Michael Savage on Why He's Famous – Immigrants and Epidemics
<http://www.youtube.com/watch?v=mkaqujlwDY>

Michael Savage to Question Barack Hussein Obama and his Credentials for Presidency

<http://www.youtube.com/watch?v=mNRbi2RUxOI>

Michael Savage discusses the 2nd Amendment ruling by high court
<http://www.youtube.com/watch?v=6UqdK9gvD84>

Michael Savage talks about the 50's versus today
<http://www.youtube.com/watch?v=uKUAZ0NoSts>

Michael Savage Nation Radio Spots Commercials Part 4
<http://www.youtube.com/watch?v=E6R57DrteeQ>

Michael Savage listening to Kansas City
<http://www.youtube.com/watch?v=501mwwlUd-c>

Michael Savage Censored
<http://www.youtube.com/watch?v=esKn8GaiDM0>

Michael Savage on San Francisco and NutJob Liberals
http://www.youtube.com/watch?v=BKRpbqGw_cq

Michael Savage Marry a Liberal??
<http://www.youtube.com/watch?v=wWc50gaiucs>

Michael Savage Gets Pissed off at John McCain (9/24/08)
<http://www.youtube.com/watch?v=250ocbm2q1c>

Michael Savage on Children and Parenting
<http://www.youtube.com/watch?v=QcW8lyZkq88>

Michael Savage on CNN, Wolf Blitzer & Larry King
<http://www.youtube.com/watch?v=sE6Oai924HQ>

Michael Savage on the insanity of current political trends
<http://www.youtube.com/watch?v=-Pqi-bsvbog>

Michael Savage discusses Tim Russert
<http://www.youtube.com/watch?v=GCU4WuOqG-A>

Michael Savage on just leaving it all one day to live on an island
<http://www.youtube.com/watch?v=mLxFI8ueaoA>

Michael Savage On Lack of Outrage in Financial Crisis (9/23/08)
<http://www.youtube.com/watch?v=ERAP2Jc2h8g>

Michael Savage Endorses TrustedID Identity Theft Protection
<http://www.youtube.com/watch?v=QDnlsOH1kg4>

Michael Savage on corporate corruption and labor practices
<http://www.youtube.com/watch?v=HIGFmRxAsVk>

Dr. Savage on Coronary Artery Disease

http://www.youtube.com/watch?v=VU0b8NE5_NQ

Michael Savage on how the US National Anthem is treated
<http://www.youtube.com/watch?v=QYW3Pfr2aN4>

Savage News Reel
<http://www.youtube.com/watch?v=zhPeJD8zLUU>

Intelligent, Moderate Muslim Calls The Savage Nation
<http://www.youtube.com/watch?v=5BWRAYIBpk4>

Michael Savage on Bosnian muslim shooter
http://www.youtube.com/watch?v=k_0b3KTazu4

Michael Savage on Matt Damon and Sarah Palin
<http://www.youtube.com/watch?v=6ybBqhE3oZ4>

Michael Savage Freaking Out (During my Video Diary)
<http://www.youtube.com/watch?v=7aDisa2m7y8>

Moronic Caller on The Savage Nation 8-9-06
<http://www.youtube.com/watch?v=9fqTAQDyqAg>

Michael Savage: Benazir Bhutto Assassination (Part 2)
<http://www.youtube.com/watch?v=AEVsXII1wWM>

Michael Savage straight talk on Autism
<http://www.youtube.com/watch?v=gOU7HizUe54>

Michael Savage – Radical Islam divine punishment on West
<http://www.youtube.com/watch?v=0tj3L4u1IPM>

Texas Polygamy, Durham Dirtbag, Rocky Mountain White Trash
<http://www.youtube.com/watch?v=vhNWMZJxHuU>

Michael Savage Explains the Fraud of Autism
<http://www.youtube.com/watch?v=WIZBC8II0Ik>

Michael Savage on How to Lower Gas Prices LMFAO!
<http://www.youtube.com/watch?v=bl0U9C3EOdM>

Savage Nation – Sonny Barger Interview
<http://www.youtube.com/watch?v=bfSBGi88SAE>

Jewish Radio Host Michael Savage On Autism
<http://www.youtube.com/watch?v=GWYQqGDaYfY>

Internment Camps In America ? Savage Nation May 30, 2007
<http://www.youtube.com/watch?v=kyzSn2ALZj0>

Obama coddles San Francisco sponsors; drops middle America

Youtube.com
September 29, 2008
18

Severaid & Glahn, PC
Page

<http://www.youtube.com/watch?v=NrZA1oTime4>

EXHIBIT "A"