

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION**

| | | |
|------------------------------|---|-----------------------------------|
| BERNINA OF AMERICA, INC., |) | |
| |) | |
| Plaintiff, |) | Case Number: 1:10-cv-4917 |
| |) | |
| v. |) | |
| |) | Judge Milton I. Shadur |
| IMAGELINE, INC., ISLANDVIEW |) | |
| TECHNOLOGIES LLC, ISLANDVIEW |) | |
| DESIGNS LLC, and GEORGE |) | Magistrate Judge Martin C. Ashman |
| P. RIDDICK, III, |) | |
| |) | |
| Defendants. |) | |

INDEX OF EXHIBITS

Declaration of Norman K. Beck in Support of Plaintiff’s Motion for
an Amended Final Judgment order and Award of Attorneys’ Fees (and supporting
documentation) Ex. A

7/20/2011 Letter to George P. Riddick, III Ex. B

EXHIBIT A

**Filed
conditionally
under seal.**

EXHIBIT B

KEVIN P. MCCORMICK
(312) 558-5647
kmccormick@winston.com

July 20, 2011

VIA ELECTRONIC MAIL
AND FEDERAL EXPRESS

George P. Riddick, III
319 MacMurdo Street
Ashland, VA 23005
gpaine3@yahoo.com
griddick@imageline2.com
griddick@islandview2.com

Re: *Bernina of America, Inc. v. Imageline, Inc., et al.*, Case No. 1:10-cv-04917

Dear Mr. Riddick:

This letter is written pursuant to Northern District of Illinois Local Rule 54.3. On Monday, July 25, 2011, Plaintiff Bernina of America Inc. ("Bernina") intends to file a motion for an amended final judgment order in the above-captioned matter. As part of this motion, Bernina will be requesting an award of attorneys' fees and expenses pursuant to 17 U.S.C. § 505. According to the Local Rule 54(d), where a party seeks an award of attorneys' fees (and/or related nontaxable expenses), it must confer with the opposing party and attempt to seek agreement as to the appropriate amount of fees that should be awarded, prior to filing a fee motion.

Bernina is hereby providing you with the documentation that it intends to use in support of its fee request. This includes: (1) a draft affidavit by Norman K. Beck, explaining the fees sought; (2) a summary report detailing the named billers for whom Bernina is seeking to recover fees, the hours billed for which fees are sought, the applicable rates and claimed totals for each biller¹; and (3) a detailed time and expense report containing all time entries for which fees are sought. Please note that the time and expense reports are *not* comprehensive lists of all time entries or disbursements billed to Bernina in connection with this matter, but rather includes only those for which fees and costs will be sought. Bernina has been billed and paid *substantially* more than what it will be

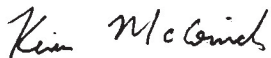
¹ Bernina intends to use this summary in conjunction with any response from you to prepare a joint statement pursuant to Local Rule 54.3(e).

BEIJING
CHARLOTTE
CHICAGO
GENEVA
HONG KONG
HOUSTON
LONDON
LOS ANGELES
MOSCOW
NEW YORK
NEWARK
PARIS
SAN FRANCISCO
SHANGHAI
WASHINGTON, D.C.

requesting in this motion. These materials are strictly confidential and we intend to move for a protective order precluding disclosure or use of the documents and information therein for purposes other than this litigation.

Please advise as to your position regarding Bernina's request for fees, including any objections you have to the request and any alternative positions you have as to the appropriate amount for Bernina to recover. Please ensure that Bernina is in possession of your response by **Friday, July 22, 2011**. If you have any questions, do not hesitate to contact me.

Very truly yours,



Kevin P. McCormick

Enclosures

cc: Norman K. Beck
Marc H. Trachtenberg