

IN THE UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF LOUISIANA

ENTERTAINMENT SOFTWARE
ASSOCIATION AND ENTERTAINMENT
MERCHANTS ASSOCIATION,

Plaintiffs,

vs.

CHARLES C. FOTI, JR., in his official
capacity as Attorney General of the State of
Louisiana; and DOUG MOREAU, in his
official capacity on behalf of himself as
District Attorney for the Parish of East
Baton Rouge, and on behalf of a class of
similarly situated individuals in their official
capacities.

Defendants.

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CIVIL ACTION NO. 06-431

SECTION D

Judge Brady

DECLARATION OF MATTHEW S. HELLMAN

Pursuant to 28 U.S.C. § 1746, I, Matthew S. Hellman, under penalty of perjury state as follows:

1. I am an attorney at Jenner & Block LLP, 601 13th Street NW, Washington D.C. I make this declaration to support Plaintiffs' Motion for a Preliminary Injunction.
2. Attached as Exhibit A is a true and correct copy of the PlayStation 2 version of *God of War*, a videogame manufactured and received from Sony Computer Entertainment, in its entirety and final form.
3. Attached as Exhibit B is a videotape that contains a true and accurate sample of *God of War* being played.

4. Attached as Exhibit C is a true and correct copy of the PlayStation 2 version of *Medal of Honor: Frontline*, a videogame manufactured and received from Electronic Arts, Inc., in its entirety and final form.

5. Attached as Exhibit D is a videotape that contains a true and accurate sample of *Medal of Honor: Frontline* being played.

6. Attached as Exhibit E is a true and correct copy of the Xbox version of *Tom Clancy's Rainbow Six 3*, a videogame manufactured and received from Ubisoft, Inc., in its entirety and final form.

7. Attached as Exhibit F is a videotape that contains a true and accurate sample of *Tom Clancy's Rainbow Six 3* being played.

8. Attached as Exhibit G is a true and correct copy of the PlayStation 2 version of *Resident Evil 4*, a videogame manufactured and received from Capcom Entertainment, Inc., in its entirety and final form.

9. Attached as Exhibit H is a videotape that contains a true and accurate sample of *Resident Evil 4* being played.

10. Attached as Exhibit I is a true and correct copy of the Xbox version of *Full Spectrum Warrior*, a videogame manufactured and received from THQ, Inc., in its entirety and final form.


11. Attached as Exhibit J is a videotape that contains a true and accurate sample of *Full Spectrum Warrior* being played.

12. Attached as Exhibit K is a true and correct copy of the Xbox version of *Jade Empire*, a videogame manufactured and received from Microsoft, Inc., in its entirety and final form.

13. Attached as Exhibit L is a videotape that contains a true and accurate sample of *Jade Empire* being played.

I declare under penalty of perjury that the foregoing is true and correct.

EXECUTED on June 11 2006



Matthew S. Hellman

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CIVIL ACTION NO. 06-431-JJB-CN

SECTION "D"

JUDGE BRADY

MAGISTRATE JUDGE NOLAND

NOTICE OF MANUAL ATTACHMENT

EXHIBITS A, B, C, D, E, F, G, H, I, J, K, L TO THE

DECLARATION OF MATTHEW B. HELLMAN

Exhibit A is a true and correct copy of the PlayStation 2 version of *God of War*, a videogame manufactured and received from Sony Computer Entertainment, in its entirety and final form.

On file with the Clerk's office.

Exhibit B is a videotape that contains a true and accurate sample of *God of War* being played.

On file with the Clerk's office.

Exhibit C is a true and correct copy of the PlayStation 2 version of *Medal of Honor:*

Frontline, a videogame manufactured and received from Electronic Arts, Inc., in its entirety and final form. On file with the Clerk's office.

Exhibit D is a videotape that contains a true and accurate sample of *Medal of Honor: Frontline* being played. On file with the Clerk's office.

Exhibit E is a true and correct copy of the Xbox version of *Tom Clancy's Rainbow Six 3*, a videogame manufactured and received from Ubisoft, Inc., in its entirety and final form. On file with the Clerk's office.

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Exhibit K is a true and correct copy of the Xbox version of *Jade Empire*, a videogame manufactured and received from Microsoft, Inc., in its entirety and final form. On file with the Clerk's office.

Exhibit L is a videotape that contains a true and accurate sample of *Jade Empire* being played. On file with the Clerk's office.