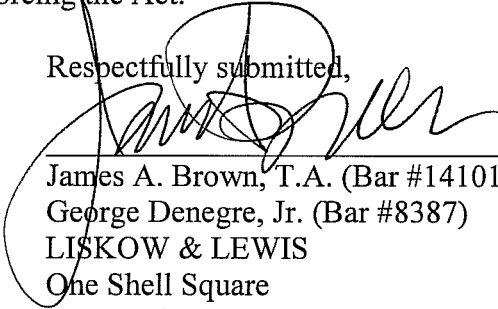


and issue a declaratory judgment against the Attorney General and the class of all District Attorneys in the State of Louisiana finding the Act unconstitutional. Plaintiffs also move the Court to permanently enjoin the class of all District Attorneys in the State of Louisiana from enforcing the Act.¹ Further, Plaintiffs are reserving their right to move for their attorneys' fees and costs pursuant to 42 U.S.C. § 1988, as requested in the Complaint, after entry of summary judgment, in accordance with Federal Rule of Civil Procedure 54(d)(2) and Local Rule 54.

WHEREFORE, Plaintiffs pray that their motion for summary judgment be granted and that the Court issue a declaratory judgment against the Attorney General and the class of all Louisiana District Attorneys finding the Act unconstitutional and permanently enjoin the class of all Louisiana District Attorneys from enforcing the Act.

Respectfully submitted,



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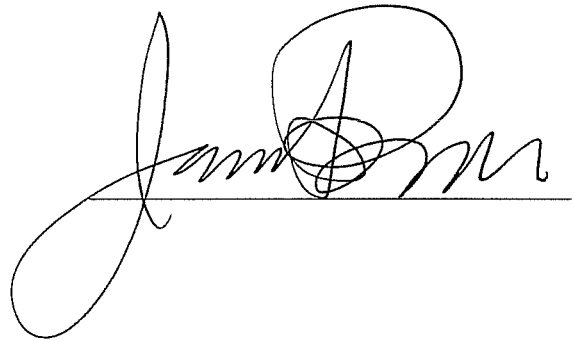
¹ Consistent with Plaintiffs' Motion for Class Certification, Plaintiffs request that declaratory relief and permanent injunction be granted against the class of all District Attorneys in the State of Louisiana.

Facsimile: (202) 639-6066

Attorneys for Entertainment Software Association
and Entertainment Merchants Association

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a copy of the above and foregoing pleading has been served upon Charles C. Foti, Jr., in his official capacity as Attorney General of the State of Louisiana and Doug Moreau, in his official capacity as District Attorney for the Parish of Baton Rouge, by facsimile this 30 day of August 2006.

A handwritten signature in black ink, appearing to read "James M. Moreau", is written over a horizontal line. The signature is stylized and cursive.

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