

**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.**

**CIVIL ACTION NO. 06-431-JJB-CN**

**SECTION "D"**

**JUDGE BRADY**

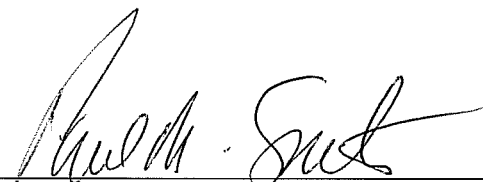
**MAGISTRATE JUDGE NOLAND**

**AFFIDAVIT OF PAUL M. SMITH**

BEFORE ME, the undersigned authority, personally came and appeared Paul M. Smith, who after being duly sworn, did depose and say that he is a member in good standing of the Bar of the District of Columbia and the District of Columbia Court of Appeals (the highest court of the District of Columbia), among others, and further that no disciplinary proceedings or criminal charges have been instituted against him.

In connection with his request to be a Visiting Attorney, Paul M. Smith gave the following oath: I do solemnly swear that I will support the Constitution of the United States and that I will demean myself uprightly and according to law and the recognized standards of ethics of the legal profession. I do further solemnly swear that I have read the Federal Rules of Civil Procedure, 28 USC; the Federal Rules of Criminal Procedure, 18 USC; the Federal Rules of Evidence, 28 USC; and the Uniform Local Rules of the United States District Court for the

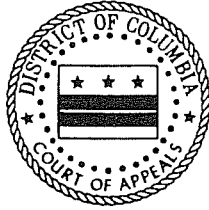
Middle District of Louisiana, and that I am fully prepared to use and abide by them in my practice before this Court.

  
\_\_\_\_\_  
PAUL M. SMITH

SWORN TO AND SUBSCRIBED  
BEFORE ME THIS 13<sup>th</sup> DAY  
OF June 2006.

  
\_\_\_\_\_  
NOTARY PUBLIC  
Affidavit of Paul M. Smith.DOC

**Mary E. Hassine**  
Notary Public, District of Columbia  
My Commission Expires 02-14-2010



District of Columbia Court of Appeals  
Committee on Admissions  
500 Indiana Avenue, N.W. — Room 4200  
Washington, D. C. 20001  
202 / 879-2710

I, GARLAND PINKSTON, JR., Clerk of the District of Columbia Court of Appeals, do hereby certify that

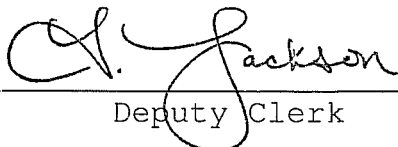
PAUL MARCH SMITH

---

was on the 18<sup>TH</sup> day of DECEMBER, 1981  
duly qualified and admitted as an attorney and counselor and entitled to practice before this Court and is, on the date indicated below, an active member in good standing of this Bar.

In Testimony Whereof, I have hereunto subscribed my name and affixed the seal of this Court at the City of Washington, D.C., on June 12, 2006.

GARLAND PINKSTON, JR., CLERK

By:   
Deputy Clerk