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Katherine E. Lewis
Attorney at Law

May 26, 2011

Mr. Steven Perreault
16 A Westville Road
Plaistow, New Hampshire 03865
CERTIFIED MAIL, RETURN RECEIPT REQUESTED

**RE: COPYRIGHT INFRINGEMENT
THE BINKY FAIRY, aka PACI PIXIE**

Dear Mr. Perreault:

My name is Katherine E. Lewis. I am a managing partner of Athene Law Group and I represent Ms. Denise R. Fix in the above referenced matter.

It has come to our attention that your illustrated work entitled THE PACI PIXIE is identical to my client's copyrighted Work, THE BINKY FAIRY. THE BINKY FAIRY was registered with the U.S. Copyright Office on July 2, 2007, Registration #PAu003133954 and specifically identifies Denise and Cheryl as co-authors of the Work. Although the title of the work was altered from THE BINKY FAIRY to THE PACI PIXIE, the copyrightable material co-authored between Denise and Cheryl remains the same and includes all lyrics, illustrations, musical compositions, and literary creations. Because permission was neither asked nor granted to reproduce my client's Work, your Work therefore constitutes infringement of my clients' rights.

Your actions against Denise to date, are a violation of Title 17 U.S. Code, Section 106(a) of the Copyright Act of 1976 and a violation of the Unfair Competition Law, Section 93A of the General Laws of Massachusetts.

In addition, your knowing and willful misrepresentation to the public that you are the illustrator of THE PACI PIXIE, aka THE BINKY FAIRY, is a violation of Section 43(a) of the Lanham Act and is a false designation of origin and false advertising under both state and federal statutes.

Furthermore, your registration for THE PACI PIXIE before the U.S. Copyright Office (Registration # VAu001024542) is false and misleading and may constitute a fraud on a Federal Agency.

EXHIBIT K-3

In the circumstances, we demand that you immediately:

1. CEASE AND DESIST the use and distribution of THE PACI PIXIE, aka THE BINKY FAIRY.
2. Make a public statement, to be published in two (2) newspapers of my client's choosing: one local and one national, for a period of eight (8) weeks, announcing and crediting Denise as the illustrator of THE PACI PIXIE, aka THE BINKY FAIRY, and apologizing misrepresenting yourself as illustrator.
3. Correct all advertising relating to THE PACI PIXIE, including information posted on your personal and/or professional website(s), including but not limited to accounts with www.twitter.com, www.facebook.com, Amazon.com, and any other advertising source, crediting Denise as illustrator of THE PACI PIXIE, aka THE BINKY FAIRY.
4. Send written statements, which shall be copied to us, to any parties, individuals, organizations or the like, whom you have published or received media coverage from, giving credit to Denise as illustrator of THE PACI PIXIE, aka THE BINKY FAIRY, and apologizing for misrepresenting yourself as illustrator. This includes, but not limited to, A Touch of Sun (Methuen, MA and Salem, NH locations); Street Team Moms Organization; ParentasMagazine; ABC Network: The Nanny; The Eagle Tribune; and Shaw's Super Market in Methuen, MA.
5. Deliver-up for destruction all unused or undistributed copies;
6. Provide us with prompt, written assurances that you will desist from using and of my client's copyrighted Work without prior written authority from her.

If you do not comply, I am authorized by my client to prosecute you to the furthest extent of the law. The consequences of your lack of cooperation in this matter may result in civil fines, including but not limited to attorney fees, penalties and prosecution by the U.S. Attorney's office for willful violation of Copyright and Trademark Laws. Under 17 U.S.C. 504, the consequences of copyright infringement include statutory damages of between \$750 and \$30,000 per work, at the discretion of the court, and damages of up to \$150,000 per work for willful infringement. If you continue to engage in copyright infringement after receiving this letter, your actions will be evidence of "willful infringement."

We await to hear from you by no later fourteen (14) days from the date of receipt of this letter. This is written without prejudice to our rights, all of which are hereby expressly reserved.

Yours truly,

Katherine E. Lewis, Esq.