

**EXHIBIT 1**

**DECLARATION OF MARC GUILFORD**

**UNITED STATES DISTRICT COURT  
IN THE EASTERN DISTRICT OF MICHIGAN  
SOUTHERN DIVISION**

**EIGHT MILE STYLE, LLC, and MARTIN  
AFFILIATED, LLC,**

**Plaintiffs,**

vs.

**Case No. 2:07-cv-13164  
Hon. Anna Diggs Taylor  
Magistrate Judge Donald A. Scheer**

**APPLE COMPUTER, INC. and  
AFTERMATH RECORDS d/b/a  
AFTERMATH ENTERTAINMENT**

**Defendant.**

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**DECLARATION OF MARC R. GUILFORD IN SUPPORT OF PLAINTIFFS' MOTION  
IN LIMINE NO. 4 TO EXCLUDE TESTIMONY OF STEVEN MARKS, EXECUTIVE  
VICE PRESIDENT AND GENERAL COUNSEL OF THE RIAA**

I, Marc R. Guilford, having personal knowledge of the facts contained in this declaration, state as follows:

1. I am an attorney and associate in the law firm of King & Ballow, which represents plaintiffs Eight Mile Style, LLC and Martin Affiliated, LLC ("Plaintiffs") in the above-entitled action. I am familiar with the files in this litigation.

2. Attached hereto as **Exhibit A** is a true and accurate copy of the Notice of Issuance for Subpoena served on The Harry Fox Agency, Inc. on July 16, 2009.

3. Attached hereto as **Exhibit B** is a true and accurate copy of an email from Kelly Klaus to Richard Busch dated August 28, 2009.

4. Attached hereto as **Exhibit C** are true and accurate excerpts from the deposition of Maurice Russell taken on August 11, 2008, which counsel for the Harry Fox Agency designated “Confidential.”

Pursuant to 28 U.S.C. § 1746, I declare under penalty of perjury that the foregoing is true and correct. Executed this 14<sup>th</sup> day of September 2009.

/s/ Marc R. Guilford  
Marc R. Guilford

**CERTIFICATE OF SERVICE**

The undersigned hereby certifies that the foregoing document was served via the Court's Electronic Filing System:

Counsel	On behalf of
<p>Daniel D. Quick, Esq. Dickinson Wright PLLC 38525 Woodward Ave Suite 2000 Bloomfield Hills, MI 48304 (t): (248) 433-7200 (e): dquick@dickinsonwright.com</p> <p>Kelly M. Klaus, Esq. Munger, Tolles &amp; Olson LLP 355 South Grand Ave Suite 3500 Los Angeles, CA 90071-1560 (t): (213) 683-9238 (e): kelly.klaus@mto.com</p>	<p>Apple Computer, Inc. and Aftermath Records d/b/a Aftermath Entertainment</p>

this 14<sup>th</sup> day of September 2009.

s/ Richard S. Busch