

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

EIGHT MILE STYLE, LLC and
MARTIN AFFILIATED, LLC,

Plaintiffs,

vs.

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

Defendants.

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

Exhibit 1b

to

**Defendants Aftermath Records' and Apple Inc.'s
Revised Motion for Summary Judgment**

Filed July 28, 2008

**Revised summary chart of compositions at issue
with citations to the corresponding grant(s) of license**

Revised Exhibit 1b
Summary Chart of Licenses Granted for Distribution of Downloads

The Eminem Albums

<u>No.</u>	<u>Composition¹</u>	<u>Album</u>	<u>Agreement(s) Granting Licenses²</u>	<u>Mechanical License(s)³</u>
1.	Business	The Eminem Show	1998 Agreement, 2003 Agreement, Dr. Dre Recording Agreement (applied by Aftermath JVA)	
2.	Drips	The Eminem Show	1998 Agreement, 2003 Agreement	EMI April Music
3.	My Dad's Gone Crazy	The Eminem Show	1998 Agreement, 2003 Agreement, Dr. Dre Recording Agreement (applied by Aftermath JVA)	Music Of Windswept
4.	Say What You Say	The Eminem Show	1998 Agreement, 2003 Agreement Dr. Dre Recording Agreement (applied by Aftermath JVA)	WB Music Corp., Music Of Windswept
5.	When the Music Stops	The Eminem Show	1998 Agreement, 2003 Agreement	EMI April Music
6.	Cleaning Out My Closet	The Eminem Show	1998 Agreement, 2003 Agreement	

¹ These are the ninety-three compositions listed on Plaintiffs' Revised Schedule 1, provided in response to Interrogatories. See Ex. 2b. Plaintiffs' Schedule contains some errors. For instance, the composition "Without Me" appears three times, and the composition "Cleaning Out My Closet" appears twice. These single compositions require only one license for their distribution. In the interests of simplicity, Defendants have not eliminated any composition from Plaintiffs' list, even though the multiple listings are unnecessary.

² A key at the end of this chart provides the exhibit citations for the agreements referenced in this column.

³ With one exception ("Lose Yourself"), the mechanical licenses issued are found in Exhibit 6b, in alphabetical order by composition. The issuing copyright claimants are among the copyright claimants identified by Plaintiffs in their Schedule 1, found at Exhibit 2b. See *also* Ex. 3b, Martin Dep. Tr. 115: 11-116:16 (confirming additional claimants in Plaintiffs' Schedule 1 are additional co-owners or co-publishers for the compositions). The mechanical licenses for "Lose Yourself" granted by Plaintiff Eight Mile appears at Ex. 12b (to Aftermath) and 21 (to Zomba Music Corp. for "Couch Potato").

<u>No.</u>	<u>Composition¹</u>	<u>Album</u>	<u>Agreement(s) Granting Licenses²</u>	<u>Mechanical License(s)³</u>
7.	Curtains Up	The Eminem Show	1998 Agreement, 2003 Agreement	
8.	Hailie's Song	The Eminem Show	1998 Agreement, 2003 Agreement	
9.	Say Goodbye To Hollywood	The Eminem Show	1998 Agreement, 2003 Agreement	
10	Sing For The Moment Again	The Eminem Show	1998 Agreement, 2003 Agreement	
11	Soldier	The Eminem Show	1998 Agreement, 2003 Agreement	
12	Square Dance	The Eminem Show	1998 Agreement, 2003 Agreement	
13	Steve Berman (Skit)	The Eminem Show	1998 Agreement, 2003 Agreement	
14	Superman	The Eminem Show	1998 Agreement, 2003 Agreement	
15	The Kiss	The Eminem Show	1998 Agreement, 2003 Agreement	
16	Till I Collapse	The Eminem Show	1998 Agreement, 2003 Agreement	
17	Without Me	The Eminem Show	1998 Agreement, 2003 Agreement	BUG Music Inc.
18	Ass Like That	Encore	1998 Agreement, 2003 Agreement, Dr. Dre Recording Agreement (applied by Aftermath JVA)	Bat Future Music, Inc.
19	Big Weenie	Encore	1998 Agreement, 2003 Agreement, Dr. Dre Recording Agreement (applied by Aftermath JVA)	Bat Future Music, Inc.
20	Encore	Encore	1998 Agreement, 2003 Agreement, Dr. Dre Recording Agreement (applied by Aftermath JVA)	50 Cent Music/Universal Music Corp. Bat Future Music, Inc.
21	Evil Deeds	Encore	1998 Agreement, 2003 Agreement, Dr. Dre Recording Agreement (applied by Aftermath JVA)	Bat Future Music Inc.
22	Just Lose It	Encore	1998 Agreement, 2003 Agreement, Dr. Dre Recording Agreement (applied by Aftermath JVA)	Bat Future Music/Songs of Universal Inc.

<u>No.</u>	<u>Composition¹</u>	<u>Album</u>	<u>Agreement(s) Granting Licenses²</u>	<u>Mechanical License(s)³</u>
23	Mosh	Encore	1998 Agreement, 2003 Agreement, Dr. Dre Recording Agreement (applied by Aftermath JVA)	Bat Future Music, Inc.
24	Never Enough	Encore	1998 Agreement, 2003 Agreement, Dr. Dre Recording Agreement (applied by Aftermath JVA)	50 Cent Music/Universal Music Corp.
25	Rain Man	Encore	1998 Agreement, 2003 Agreement, Dr. Dre Recording Agreement (applied by Aftermath JVA)	Bat Future Music, Inc.
26	Spend Some Time	Encore	1998 Agreement, 2003 Agreement	50 Cent Music/Universal Music Corp., Obie Trice Publishing/Almo Music Yel-Nats
27	Crazy In Love	Encore	1998 Agreement, 2003 Agreement	
28	Curtains Close	Encore	1998 Agreement, 2003 Agreement	
29	Curtains Up	Encore	1998 Agreement, 2003 Agreement	
30	Em Calls Paul	Encore	1998 Agreement, 2003 Agreement	
31	Final Thought	Encore	1998 Agreement, 2003 Agreement	
32	Like Toy Soldiers	Encore	1998 Agreement, 2003 Agreement	
33	Love You More	Encore	1998 Agreement, 2003 Agreement	
34	Mockingbird	Encore	1998 Agreement, 2003 Agreement	
35	My 1st Single	Encore	1998 Agreement, 2003 Agreement	
36	One Shot, 2 Shot	Encore	1998 Agreement, 2003 Agreement	
37	Paul	Encore	1998 Agreement, 2003 Agreement	
38	Puke	Encore	1998 Agreement, 2003 Agreement	
39	Ricky Ticky Toc	Encore	1998 Agreement, 2003 Agreement	

<u>No.</u>	<u>Composition</u> ¹	<u>Album</u>	<u>Agreement(s) Granting Licenses</u> ²	<u>Mechanical License(s)</u> ³
40	We As Americans	Encore	1998 Agreement, 2003 Agreement	
41	Yellow Brick Road	Encore	1998 Agreement, 2003 Agreement	
42	Guilty Conscience	Curtain Call	1998 Agreement, 2003 Agreement, Dr. Dre Recording Agreement (applied by Aftermath JVA)	
43	Role Model	Curtain Call	1998 Agreement, 2003 Agreement, Dr. Dre Recording Agreement (applied by Aftermath JVA)	
44	The Real Slim Shady	Curtain Call	1998 Agreement, 2003 Agreement, Dr. Dre Recording Agreement, applied through Aftermath JVA	
45	Without Me	Curtain Call	1998 Agreement, 2003 Agreement	BUG Music Inc.
46	Cleaning Out My Closet	Curtain Call	1998 Agreement, 2003 Agreement	
47	Just Don't Give a Fuck	Curtain Call	1998 Agreement, 2003 Agreement	
48	Shit On You	Curtain Call	1998 Agreement, 2003 Agreement	
49	Without Me	Curtain Call	1998 Agreement, 2003 Agreement	BUG Music Inc.

The Eight Mile Soundtrack

<u>No.</u>	<u>Composition</u> ¹	<u>Album</u>	<u>Agreement(s) Granting Licenses</u> ²	<u>Mechanical License(s)</u> ³
50	Lose Yourself	8 Mile S/T (Shady)	1998 Agreement, 2003 Agreement, Soundtrack Agreement, Shady-Interscope Amendment	Eight Mile Style LLC (Ex. 12)
51	8 Mile	8 Mile S/T	1998 Agreement, 2003 Agreement, Soundtrack Agreement, Shady-Interscope Amendment	
52	8 Miles & Running	8 Mile S/T	1998 Agreement, 2003 Agreement, Soundtrack Agreement, Shady-Interscope Amendment	

<u>No.</u>	<u>Composition</u> ¹	<u>Album</u>	<u>Agreement(s) Granting Licenses</u> ²	<u>Mechanical License(s)</u> ³
53	Love Me	8 Mile S/T	1998 Agreement, 2003 Agreement, Soundtrack Agreement, Obie Trice Recording Agreements (applied through the Obie Trice-Eight Mile Agreement), Shady-Interscope Amendment	
54	Places To Go	8 Mile S/T	1998 Agreement, 2003 Agreement, Soundtrack Agreement, Shady-Interscope Amendment	
55	Rabbit Run	8 Mile S/T	1998 Agreement, 2003 Agreement, Soundtrack Agreement, Shady-Interscope Amendment	
56	Rap Game	8 Mile S/T	1998 Agreement, 2003 Agreement, Soundtrack Agreement, Shady-Interscope Amendment	
57	Spit Shine	8 Mile S/T	1998 Agreement, 2003 Agreement, Soundtrack Agreement	

The Co-Author Albums

<u>No.</u>	<u>Composition</u> ¹	<u>Album</u>	<u>Agreement(s) Granting Licenses</u> ²	<u>Mechanical License(s)</u> ³
58	Average Man	Cheers (Shady)	1998 Agreement, 2003 Agreement, Obie Trice Recording Agreements, Shady-Interscope Amendment	Obie Trice Publishing/Almo Music Corp.
59	Cheers	Cheers	1998 Agreement, 2003 Agreement, Obie Trice Recording Agreements, Shady-Interscope Amendment	Obie Trice Publishing/Almo Music Corp.
60	Don't Come Down	Cheers	1998 Agreement, 2003 Agreement, Obie Trice Recording Agreements, Shady-Interscope Amendment	Obie Trice Publishing/Almo Music Corp.
61	Follow My Life	Cheers	1998 Agreement, 2003 Agreement,	Obie Trice Publishing/Almo

<u>No.</u>	<u>Composition</u>	<u>Album</u>	<u>Agreement(s) Granting Licenses²</u>	<u>Mechanical License(s)³</u>
			Obie Trice Recording Agreements, Shady-Interscope Amendment	Music Corp.
62	Got Some Teeth	Cheers	1998 Agreement, 2003 Agreement, Obie Trice Recording Agreements, Shady-Interscope Amendment	Obie Trice Publishing/Almo Music Corp., Universal Music Publishing/Polygram International
63	Hands on You	Cheers	1998 Agreement, 2003 Agreement, Obie Trice Recording Agreements, Shady-Interscope Amendment	Obie Trice Publishing/Almo Music Corp.
64	Hoodrats	Cheers	1998 Agreement, 2003 Agreement, Obie Trice Recording Agreements, Shady-Interscope Amendment	Reach Global Inc., Obie Trice Publishing/Almo Music Corp.
65	Lady	Cheers	1998 Agreement, 2003 Agreement, Obie Trice Recording Agreements, Shady-Interscope Amendment	Obie Trice Publishing/Almo Music Corp.
66	Never Forget Ya	Cheers	1998 Agreement, 2003 Agreement, Obie Trice Recording Agreements, Shady-Interscope Amendment	Obie Trice Publishing/Almo Music Corp.
67	Outro	Cheers	1998 Agreement, 2003 Agreement, Obie Trice Recording Agreements, Shady-Interscope Amendment	Obie Trice Publishing/Almo Music
68	Shit Hits the Fan	Cheers	1998 Agreement, 2003 Agreement, Obie Trice Recording Agreements, Dr. Dre Recording Agreement (applied by Aftermath JVA)	WB Music Corp., Obie Trice Publishing/Almo Music
69	Spread Yo Shit	Cheers	1998 Agreement, 2003 Agreement, Obie Trice Recording Agreements	Obie Trice Publishing/Almo Music
70	We All Die One Day	Cheers	1998 Agreement, 2003 Agreement, Obie Trice Recording Agreements,	Obie Trice Publishing/Almo Music

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71	40 Oz.	D12 World (Shady)	Shady-Interscope Amendment 1998 Agreement, 2003 Agreement, D12 Recording Agreements	
72	6 in the Morning	D12 World	1998 Agreement, 2003 Agreement, D12 Recording Agreements, Shady-Interscope Amendment	
73	American Psycho 2	D12 World	1998 Agreement, 2003 Agreement, D12 Recording Agreements, Dr. Dre Recording Agreement (applied by Aftermath JVA)	
74	Bitch	D12 World	1998 Agreement, 2003 Agreement, D12 Recording Agreements, Shady-Interscope Amendment	
75	Dude	D12 World	1998 Agreement, 2003 Agreement, D12 Recording Agreements, Shady-Interscope Amendment	
76	Get My Gun	D12 World	1998 Agreement, 2003 Agreement, D12 Recording Agreements, Shady-Interscope Amendment	
77	Git Up	D12 World	1998 Agreement, 2003 Agreement, D12 Recording Agreements, Shady-Interscope Amendment	
78	How Come	D12 World	1998 Agreement, 2003 Agreement, D12 Recording Agreements	
79	Keep Talkin'	D12 World	1998 Agreement, 2003 Agreement, D12 Recording Agreements	Universal Music Corp.
80	Leave Dat Boy Alone	D12 World	1998 Agreement, 2003 Agreement, D12 Recording Agreements, Shady-Interscope Amendment	

<u>No.</u>	<u>Composition¹</u>	<u>Album</u>	<u>Agreement(s) Granting Licenses²</u>	<u>Mechanical License(s)³</u>
81	Loyalty	D12 World	1998 Agreement, 2003 Agreement, D12 Recording Agreements, Shady-Interscope Amendment	Obie Trice Publishing/Almo Music Corp.
82	My Band	D12 World	1998 Agreement, 2003 Agreement, D12 Recording Agreements, Shady-Interscope Amendment	
83	Steve's Coffee House	D12 World	1998 Agreement, 2003 Agreement, Shady-Interscope Amendment	
84	Gatman and Robbin	The Massacre (Shady)	1998 Agreement, 2003 Agreement, 50 Cent Recording Agreements, Shady-Interscope Amendment	
85	I'm Supposed to Die Tonight	The Massacre	1998 Agreement, 2003 Agreement, 50 Cent Recording Agreements, Shady-Interscope Amendment	50 Cent Music, Universal Music Corp.
86	Don't Push Me	Get Rich or Die Tryin' (Shady)	1998 Agreement, 2003 Agreement, 50 Cent Recording Agreements, Shady-Interscope Amendment	Lloyd Banks Music, Universal Music Publishing/High On Life Music
87	High All the Time	Get Rich or Die Tryin'	1998 Agreement, 2003 Agreement, 50 Cent Recording Agreements, Shady-Interscope Amendment	221 Publishing/Universal Music Corp., Headrush Tunes/Serving You Musically Publishing, Universal Music Publishing, Universal Music Publishing/High On Life Music
88	Many Men (aka Death Wish)	Get Rich or Die Tryin'	1998 Agreement, 2003 Agreement, 50 Cent Recording Agreements, Shady-Interscope Amendment	Universal Music Publishing/High On Life Music

<u>No.</u>	<u>Composition¹</u>	<u>Album</u>	<u>Agreement(s) Granting Licenses²</u>	<u>Mechanical License(s)³</u>
89	Patiently Waiting	Get Rich or Die Tryin'	1998 Agreement, 2003 Agreement, 50 Cent Recording Agreements, Shady-Interscope Amendment	Music Of Windswept, Universal Music Corp./High On Life Music
90	On Fire	Hunger for More	1998 Agreement, 2003 Agreement, Lloyd Banks Recording Agreements	50 Cent Music/Universal Music Corp.
91	Til the End	Hunger for More	1998 Agreement, 2003 Agreement, Lloyd Banks Recording Agreements	
92	Warrior Part 2	Hunger for More	1998 Agreement, 2003 Agreement, Lloyd Banks Recording Agreements	50 Cent Music/Universal Music Corp.
93	Lose Yourself (Parody done by Weird Al "Couch Potato")	Poodle Hat	(Note - Not distributed by UMG, so no liability for Aftermath.)	Nate Dogg Music Eight Mile Style, LLC to Zomba Music Corp. Ex. 21

CITATION KEY

<u>Agreement</u>	<u>Exhibit Citation to Grant of License</u>
1998 Agreement	Ex. 9a (Hoffman Decl. at Ex. A, ¶ 6(a))
2003 Agreement	Ex. 9a (Hoffman Decl. at Ex. D, ¶ 6)
Soundtrack Agreement	Ex. 14, ¶¶ 6, 2
Shady-Interscope Amendment	Ex. 17 ¶ 14, 2(f)(i) and (viii); Ex. 16 ¶ 1(m)

<u>Agreement</u>	<u>Exhibit Citation to Grant of License</u>
Obie Trice Recording Agreements	Ex. 5b (Hoffman Decl. ¶ 5-9, ¶ 13, ¶ 17; Ex. D-1 and Ex. D-2 at ¶ 12.01(a)(1), ¶ 14.13, ¶ 14.05(a), ¶ 14.31); and Ex. 19
Obie Trice-Eight Mile Agreement	Ex. 18 ¶ 2(a)
D12 Recording Agreements	Ex. 5b (Hoffman Decl. ¶ 5-9, ¶ 12, ¶ 16; Ex. C-1 and Ex. C-2 at ¶ 12.01(a)(1), ¶ 14.13, ¶ 14.05(a); Ex. C-2 at ¶ 14.29)
50 Cent Recording Agreements	Ex. 5b (Hoffman Decl. ¶ 5-10, ¶ 15; Ex. A at ¶ 12.01(a)(1), ¶ 14.08, ¶ 14.24(a); ¶ 14.12)
Lloyd Banks Recording Agreements	Ex. 5b (Hoffman Decl. ¶ 5-9, ¶ 14, ¶ 18; Ex. E at ¶ 12.01(a)(1), ¶ 14.08, ¶ 14.24, ¶ 14.12(a)-(d)); and Ex. 20
Dr. Dre Recording Agreement	Ex. 5b (Hoffman Decl. ¶ 5-9, ¶ 11; Ex. B at ¶ 12.01(a)(1); ¶ 14.08, ¶ 14.24(a), ¶ 14.12)
Aftermath JVA	Ex. 5b (Hoffman Decl. Ex. B-1 at ¶ 5(d)(iv))