

**IN THE UNITED STATES OF DISTRICT COURT  
FOR THE DISTRICT OF MINNESOTA**

CAPITOL RECORDS, INC., *et al.*,

Plaintiffs,

Case No.: 06cv1497-MJD/RLE

vs.

**PLAINTIFFS' SECOND AMENDED  
EXHIBIT LIST**

JAMMIE THOMAS,

Defendant.

---

Pursuant to the Third Amended Date Certain Trial Notice (Doc. No. 256, ¶ 1b), Plaintiffs respectfully submit the attached amended trial exhibit list.

Respectfully submitted this 12th day of June 2009.

/s/ Timothy M. Reynolds

Timothy M. Reynolds (pro hac vice)

David A. Tonini (pro hac vice)

Andrew B. Mohraz (pro hac vice)

HOLME ROBERTS & OWEN LLP

1700 Lincoln, Suite 4100

Denver, Colorado 80203

Telephone: (303) 861-7000

Facsimile: (303) 866-0200

Felicia J. Boyd (No. 186168)

Leita Walker (No. 387095)

FAEGRE & BENSON LLP

2200 Wells Fargo Center

90 South Seventh Street

Minneapolis, Minnesota 55402-3901

Telephone: (612) 766-7000

Facsimile: (612) 766-1600

ATTORNEYS FOR PLAINTIFFS

# UNITED STATES DISTRICT COURT

DISTRICT OF MINNESOTA

CAPITOL RECORDS, INC., *et al.*,

V.

JAMMIE THOMAS

## PLAINTIFFS' EXHIBIT LIST

Case Number: 06-cv-1497-MJD/RLE

| PRESIDING JUDGE:<br>Hon. Michael J. Davis |          |              |        |          | PLAINTIFF'S ATTORNEY:<br>Timothy M. Reynolds, Esq.  | DEFENDANT'S ATTORNEY:<br>K.A.D. Camara, Esq.            |
|---|----------|--------------|--------|----------|---|---|
| TRIAL DATE(S):<br>June 15, 2009           |          |              |        |          | COURT REPORTER:   | COURTROOM DEPUTY:                                       |
| PLF. NO.                                  | DEF. NO. | DATE OFFERED | MARKED | ADMITTED | DESCRIPTION OF EXHIBITS* AND WITNESSES  | DEF.'S OBJECTIONS                                       |
| 1   |          |              |        |          | Amended Exhibit A to Complaint (list of Plaintiffs' copyrighted sound recordings)   | 802, 1002, 1006   |
| 2   |          |              |        |          | Amended Schedule 1 (list of additional copyrighted sound recordings of Plaintiffs)  | 802, 1002, 1006   |
| 3   |          |              |        |          | Certified Copies of Certificates of Registration of Sound Recording Copyrights for Sound Recordings listed in Amended Exhibit A and in Amended Schedule 1 | 26, 37, 106, 802, 901, 902, 1002, 1003, 1004, 1005      |
| 4   |          |              |        |          | Chain of Title  |   |
| 5   |          |              |        |          | Legitimate copies of the Compact Disks containing the sound recordings infringed by Defendant   | 26, 37, 402, 403, 802, 901, 902, 1002, 1003, 1004, 1006 |
| 6   |          |              |        |          | Screenshots of Defendant's computer shared folder from February 21, 2005 (attached to Complaint as Exhibit B)   | 402,403, 602, 702, 802                                  |
| 7   |          |              |        |          | Systemlog from February 21, 2005  | 402,403, 602, 702, 802                                  |
| 8   |          |              |        |          | UserLog (compressed) from February 21, 2005   | 402,403, 602, 702, 802, 1006                            |
| 9   |          |              |        |          | UserLog from February 21, 2005  | 402,403, 602, 702, 802                                  |

|    |  |  |  |  |   |                        |
|----|--|--|--|--|---|------------------------|
| 10 |  |  |  |  | Download Logs from February 21, 2005  | 402,403, 602, 702, 802 |
| 11 |  |  |  |  | Trace of February 21, 2005  | 402,403, 602, 702, 802 |
| 12 |  |  |  |  | Copies of the MP3 sound recordings downloaded from Defendant's computer on February 21, 2005  | 402,403, 602, 702, 802 |
| 13 |  |  |  |  | Log of instant messages sent to Defendant's computer and message text   | 402,403, 602, 702, 802 |
| 14 |  |  |  |  | April 18, 2005 Subpoena to Charter Communications, Inc.   | 402,403, 602, 702, 802 |
| 15 |  |  |  |  | April 22, 2005 Important Legal Notice from Charter Communications, Inc. to Defendant  | 402,403, 602, 702, 802 |
| 16 |  |  |  |  | May 19, 2005 Response of Charter Communications, Inc. to April 18, 2005 Subpoena  | 402,403, 602, 702, 802 |
| 17 |  |  |  |  | April 3, 2007 Letter of Charter Communications to Defendant's legal counsel with attached billing records and Charter Communications, Inc. Modem Lease Status | 402,403, 602, 702, 802 |
| 18 |  |  |  |  | Best Buy Sales/Service History for Defendant  | 402,403, 602, 702, 802 |
| 19 |  |  |  |  | Letter from Shook Hardy & Bacon L.L.P. to Defendant, dated August 19, 2005  | 802, 402, 403          |
| 20 |  |  |  |  | Map of Defendant's home   | 402, 802               |
| 21 |  |  |  |  | Curriculum Vitae of Dr. Doug Jacobson   | 403, 802               |
| 22 |  |  |  |  | Supplemental Declaration and Expert Report of Dr. Doug Jacobson, dated May 29, 2007   | 403, 802, 702          |
| 23 |  |  |  |  | Screenshots of Defendant's computer desktop   | 403, 802, 702          |
| 24 |  |  |  |  | Cached Pages from Defendant's computer of EA Sports, Match.com, and Yahoo showing "tereastarr" username   | 403, 802, 702          |
| 25 |  |  |  |  | List of Defendant's CDs compiled by Defendant   | 403, 802, 702          |
| 26 |  |  |  |  | List of Sound Recordings found on the hard drive supplied by Defendant.   | 403, 802, 702          |
| 27 |  |  |  |  | Playlists from Defendant's computer   | 403, 802, 702          |
| 28 |  |  |  |  | Demonstrative exhibits  |                        |
| 29 |  |  |  |  | Any exhibits necessary for impeachment or rebuttal  |                        |

|    |  |  |  |  |   |  |
|----|--|--|--|--|---|--|
| 30 |  |  |  |  | Plaintiffs reserve the right to add additional exhibits depending on Defendant's witness and exhibit designations |  |
|----|--|--|--|--|---|--|

\* Include a notation as to the location of any exhibit not held with the case file or not available because of size.