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The Complete Las Vegas



Sherman Frederick is a columnist for Stephens Media. His column appears Sunday in the Opinion section of the Review-Journal. In between Sundays, you can find out what's on his mind here.

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Protecting Newspaper Content II: Thieves are thieves

Posted by **Sherman Frederick**
Thursday, Sep. 02, 2010 at 04:39 PM

A reader wrote the following letter to Review-Journal columnist Vin Suprynowicz.

"Dear Mr. Suprynowicz:

"Throughout the years I have enjoyed your columns and have been privileged to hear you speak on more than one occasion. You might call me a "fan" of your work; so please know it will pain me to issue a call to boycott the RJ.

"Unfortunately, given the misguided "greenmail" approach taken by Righthaven to supposed "infringement," I am no longer willing to visit the RJ site and/or to open any email with a link to an RJ piece.

"Further, I will be sharing my opinion of the Review Journal/Righthaven with advertisers, activist groups, and my own close circle in the hopes that we can eventually demonstrate that we no longer wish to follow links to or read the RJ. "With regard and affection for your work -- C. Carter".

To which Vin replied:

"Hi, Mr. Carter --

"CEO Sherm Frederick replies "We will miss him."

"I believe the copyright laws -- authorized in the Constitution -- are still on the books. Although I'm not an attorney, and I have no role in crafting my employer's copyright defense policies, I don't believe that anyone who quotes a few sentences, properly attributed, or "splashes" the first few paragraphs of a copyrighted Review-Journal column and story, and then links back to the R-J Web site, has faced legal action, or would.

"To the best of my knowledge, anyone who believes he's falsely charged with a copyright violation can seek a summary dismissal, asking the court to demand that the complainant present prima facie evidence of theft before a case proceeds. I understand they can even seek attorneys' fees and costs if they can show the action was frivolous. Copyright laws are not obscure; those lifting others' content know full well they need advance permission in writing. In preparing my own books for publication, I allow WEEKS to laboriously seek "permissions" to quote even two lines from a song lyric, and scrupulously delete such material if proper permission cannot be obtained.

"The fact that those so charged, here, instead resort to urging letter-writing campaigns is interesting.

"Perhaps you believe that a news organization that spends millions of dollars per year generating its unique news content has no ownership right to that content, despite the copyright laws, and is legally required to just continue as a money-losing philanthropic venture for another year or two before closing its doors in bankruptcy. If so, your opinions about property rights differ from mine. It's not clear to me whether you are then volunteering to make good said closing newspapers' losses out of your own pocket, or whether you simply believe the country would be better off if we had no more credible professional news gathering companies, allowing the "bloggers" to simply parrot each other's rumors

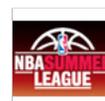
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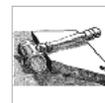
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and inventions.

"How about storekeepers who wrestle thieves to the floor, hold them till the police arrive, and then show up in court to "press charges"? You urge that they all be boycotted, too? I'll bet you'd go further. I'll bet you'd favor the thief being encouraged to sue the storekeeper for "roughing him up."

"With all due respect, I don't know that I agree with Mr. Frederick, above. I don't think I will miss you. I have a far lower opinion of thieves than you appear to have. In fact, watching them copy my columns while interpolating their own content and pretending it's mine, watching them throw small merchants on the verge of bankruptcy by switching price tags and otherwise stealing merchandise below cost, I hate them with a passion. Lawsuits? They should have their goddamned hands cut off and nailed to the wall of City Hall.

"In my very personal, non-corporate, not-cleared-with-anyone opinion -- Vin Suprynowicz "

Vin gets it. Why more reporters and editors and even news executives don't is frankly hard to understand. It is their jobs and their profession is protected. You can read more of my thoughts on the topic [here](#).

This entry was posted on Thursday, Sep. 02, 2010 at 04:39 PM and is filed under The Complete Las Vegas. You can follow any responses to this entry through the RSS 2.0 feed. You can leave a response.

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Note: Comments made by reporters and editors of the Las Vegas Review-Journal are presented with a yellow background.

18 Responses to "Protecting Newspaper Content II: Thieves are thieves"

I think it's pretty telling that Mr. Suprynowicz refers to Sherm Fredrick as "CEO" and not "Publisher." I'm sure it was intentional, as the whole of his response made it clear the R-J prefers to think of itself as a business first, journalistic endeavour second (perhaps third, behind PAC.)

Written by: Mizzougypsy on Thursday, Sep. 02, 2010 at 4:59 PM -- [Report abuse](#)

Someone who works for you agrees with your policy? Now I see the error of my ways. You are absolutly right. Please continue filing frivolous lawsuits against non profit's and working families. By all means.

Puh-lease....

Written by: Scout on Thursday, Sep. 02, 2010 at 7:19 PM -- [Report abuse](#)

I am normally very supportive of Mr. Suprynowicz' writings, and the R-J in general.

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 **mozy**
BY DICHRO

However high opinion I might have had of him in the past, I think he has stepped over the bounds of decency. He hardly qualifies for dictating to God, as to who is to be damned. In a word, "That isn't your call, Sup."

In my humble opinion, his arrogance is unquestioned; it is his apparent lack of command of the English language that I am very suspicious of. Resorting to blasphemous and other types of potty-mouth language is a sure sign of ignorance.

Shame on him.

Written by: Union Dude on Thursday, Sep. 02, 2010 at 11:05 PM -- [Report abuse](#)

It seems you go running to the constitution when it fits you and to the courts when it suits you. When you refer to tort reform; or justify Bush torturing prisoners; well, it seem you change colors. The constitution and laws aren't a buffet, where you pick and choose what you like and ignore the rest.

Written by: Jerry.Sturdivant on Friday, Sep. 03, 2010 at 5:14 AM -- [Report abuse](#)

Kudos to you Vin and Sherm;

No entity, corporate or individual, should go uncompensated for original content. To do otherwise is theft.

Although the line between quoting and theft may sometimes be obscured, the thief knows when it has been crossed.

To be clear, when legitimate, credible, content providers are not paid for their work, that is theft.

Written by: sailinginthedesert on Friday, Sep. 03, 2010 at 7:04 AM -- [Report abuse](#)

gee, I wonder if these partisan hacks whining for the sake of whining would say the same thing if Brian Greenspan wrote this. Ok, Greenspan doesn't have the intellectual firepower to make a strong argument for anything, really, but if he did? The usual gang of idiots would be silent. Partisanship uber alles for those too dim to realize both parties suck.

Written by: bothpartiesuck on Friday, Sep. 03, 2010 at 8:54 AM -- [Report abuse](#)

So Vyn wants to cut off people's hands now? Is that how they handle thieves on Vyn's planet?

BTW who shook Vyn's coffin and woke him up anyway?

Written by: Jack.Sprat on Friday, Sep. 03, 2010 at 3:55 PM -- [Report abuse](#)

Maybe I don't understand. I type in a search topic in Google, and up comes a paragraph of information, with a link I can follow if I am interested. Or I can hit a "cache" button, and see the web page as Google saw it.

Somehow, this "denies the newspaper" money. How? I was never going to buy a copy of the newspaper. The paper has no mechanism for me to purchase anything it has written online.

And if I click the link, I get to see the content online, without cost.

But if some blogger finds something interesting in the paper, and quotes it, and provides a link to the paper so people who are interested can read the entire article, you sue them?

And if someone who doesn't know any better posts the entire article, and gives a link and a citation, you sue the place where the person put the article, when that place doesn't control who posts what, and furthermore asks that anybody who sees anything unauthorized can just contact them and they'll remove it?

One thing is certain. I will never quote anything written by this paper, or provide any links to it. Why touch the content, when any inadvertent action could lead to me being attacked by deep-pocket lawyers?

Written by: CharlesWayne on Friday, Sep. 03, 2010 at 9:35 PM -- [Report abuse](#)

In lieu of not understanding the concepts of asking to use copyrighted material or fair use, I suggest you stick to producing your own unique material.

Written by: Sherm on Saturday, Sep. 04, 2010 at 9:12 AM -- [Report abuse](#)

Sherm,

You shouldn't be taking anyone to task. After all, your own employees copy and paste other people's work and you refuse explain why it's not suit worthy when they do so.

Step up to the plate and share your justification. That is, assuming you

actually have one.

Written by: Jaeger on Saturday, Sep. 04, 2010 at 4:19 PM -- [Report abuse](#)

You lie.

Written by: Sherm on Saturday, Sep. 04, 2010 at 5:19 PM -- [Report abuse](#)

Guess I'll have to buy the copyright to the work and we'll just see then won't we?

Written by: Jaeger on Saturday, Sep. 04, 2010 at 6:19 PM -- [Report abuse](#)

You still lie.

Written by: Sherm on Saturday, Sep. 04, 2010 at 6:23 PM -- [Report abuse](#)

If stopping the use of an entire article is the point, why wouldn't you send a letter or email advising first? The webmasters doing the coding are sometimes the ones building the sites. The policy people are not always aware of the process and rules. A warning would clear that up quickly, and make for less ill will from the public when protecting your legitimate concerns. Most processes involve some stage between a transgression and direct action.

Thanks.

Written by: Alvinjh on Tuesday, Sep. 07, 2010 at 3:11 AM -- [Report abuse](#)

The "problem" at hand is the ease of copying everything. Didn't used to be this way ~ and that "used to be" time was just a handful of years ago.

Current copyright law assumes something that's no longer possible ~ that you can print or press stuff and control the output, or that alternative means of copying (scanners, computers, etc.) are simply too expensive for the average person.

Seems to me the way you want to PROTECT your work is to vend it in a manner that cannot be readily copied. For example, you might create an electronic watermark system that would obliterate the coherence of the image as copying proceeded. I'm sure Treasury Department would like something like that ~ or maybe they already had it but it was still secret. Hmm. Do tell eh.

Once you have an electronic watermark system that works under all regimes, then there would no longer be a need to even bother with copyright law ~ and certainly no need to pay lawyers to hep'

That right there is a good reason to only elect non-lawyers to Congress.

At the same time, a system like that would be a way to maintain good relations with your customers, so instead of suing people for copying your text, while simultaneously praying they'll copy and reproduce freely your advertisements (Righthaven hasn't sued anybody for an advertisement have they? They're so stupid bet they do that) you'd just tag what you wanted to NOT be copyable with your watermark system.

Written by: Muawiyah on Tuesday, Sep. 07, 2010 at 11:33 AM -- [Report abuse](#)

Hmm ~ you say this guy is telling a lie about webmeister types building sites ~ which is very true ~ more than you can imagine. Once an organization gets the site up and going they hand it over to someone who is pretty much ignored until they want a change.

So if there's a "lie" in that statement please point it out (exactly) ~ else I'm forced to believe you don't know bananas about nothing and are just a cheap fraud in a cheaper suit.

Written by: Muawiyah on Wednesday, Sep. 08, 2010 at 2:27 PM -- [Report abuse](#)

is this why you sue your own sources for your stories? can we say money grab? for having 'compelling and unique content' in your newspapers, you sure seem happy to sue the sources that created that 'compelling and unique content'. Why not start suing some of the bigger guys? oh wait, because it is a money grab! by suing smaller websites and bloggers, which have no deep pockets to actually fight back, you are not fighting to protect your journalism. get real. but i don't think any of us can expect you to admit that, considering your conflict of interest in writing these fair and balanced 'editorials'.

Written by: i.freaking.love.bacon on Friday, Sep. 10, 2010 at 10:37 AM -- [Report abuse](#)

Go figure. LVRJ being counter-sued for copying and pasting content they

don't own.

Sherm, according to you (as you said twice), I "lie".

When this one goes to court I hope you've got your apology ready because, you can rest assured, I will collect it from you.

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Written by: Jaeger on Wednesday, Oct. 06, 2010 at 9:02 PM -- [Report abuse](#)

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