

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

ARISTA RECORDS LLC; ATLANTIC  
RECORDING CORPORATION; BMG MUSIC;  
CAPITOL RECORDS, INC.; ELEKTRA  
ENTERTAINMENT GROUP INC.;  
INTERSCOPE RECORDS; LAFACE  
RECORDS LLC; MOTOWN RECORD  
COMPANY, L.P.; PRIORITY RECORDS LLC;  
SONY BMG MUSIC ENTERTAINMENT;  
UMG RECORDINGS, INC.; VIRGIN  
RECORDS AMERICA, INC.; and  
WARNER BROS. RECORDS INC.,

Plaintiffs,

v.

LIME GROUP LLC; LIME WIRE LLC; MARK  
GORTON; GREG BILDSON, and M.J.G. LIME  
WIRE FAMILY LIMITED PARTNERSHIP

Defendants.

ECF CASE

CIVIL ACTION NO. 06 CV. 5936  
(GEL)

**DECLARATION OF SUSHEEL M. DASWANI**

1. My name is Susheel M. Daswani. I am over eighteen years of age, of sound mind, and in all ways qualified and competent to make this declaration. I have personal knowledge of the facts contained in this declaration and they are true and correct.


2. I was employed by Lime Wire LLC ("Lime Wire") from July, 2001 to (approximately) October, 2004. I held the position of software engineer during that time frame. My job responsibilities and duties at Lime Wire were software development for the LimeWire P2P software application, and my focus as a software developer at Lime Wire included implementing Gnutella network improvements and adding innovative features to the LimeWire P2P software application. One of my principal responsibilities was to develop the software code for the early versions of the LimeWire P2P software application.

3. During my time at Lime Wire, I worked closely with Adam Fisk, Greg Bildson, Chris Rohrs and Sam Berlin. Our goal as a software development team was to design and build the LimeWire P2P software application.

4. I have reviewed the blog postings of Adam Fisk, which are attached hereto as Exhibits 1, 2 and 3. I do not agree with Mr. Fisk's statements and opinions insofar as he explicitly states or implies that the software development team purposely designed the LimeWire P2P software application to specifically enhance the ability of users to commit copyright infringement.

5. I personally did not design the LimeWire software P2P application to specifically enhance the ability of users to commit copyright infringement. My goal in designing and building the LimeWire P2P software application was to enable it to be the premiere file sharing application that allowed users to efficiently locate and download any type of digital file. During my time of employment at Lime Wire it was and still is my belief the LimeWire P2P software application is a natural innovation of the Internet given the specifications and capabilities of Internet Technologies such as TCP/IP and HTTP. The many innovations and capabilities that I helped create during my employment at Lime Wire were "content agnostic", i.e., they were intended to enable general purpose digital communication, just as TCP/IP and HTTP enable general purpose digital communication.

I declare under penalty of perjury under the laws of the United States of America that the foregoing is true and correct and that this declaration is executed in San Francisco, California on September 11, 2008.

  
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Susheel M. Daswani