

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

Defendants.

Case No. 06 CV 5936 (KMW)

ECF Case

**DECLARATION OF
VANESSA HAMER**

I, Vanessa Hamer, the undersigned, hereby declare:

1. I am over twenty-one (21) years of age and am of sound mind. I have never been convicted of a felony or a misdemeanor involving moral turpitude. I have personal knowledge of the facts stated herein, I am competent to testify thereto, and if called to testify, I could and would testify to the following.

2. I am currently the Director of Operations of The Open Planning Project ("OpenPlans"), a 510(c)(3) non-profit organization located in New York, New York, that helps cities work better. OpenPlans was incorporated in April 2000, and currently has a staff of forty-seven people. We use journalism and open source software to give individuals better ways to shape their communities and to facilitate openness and transparency in government. OpenPlans maintains a website at <http://openplans.org>.

3. One example of our work is our focus on building a strong and inclusive movement for transportation policy reform, which can create sustainable, safe, and connected

neighborhoods and cities. Our websites dedicated to transportation policy reform, Streetsblog.org and Streetfilms.org, reach a wide community: Streetsblog.org has over 175,000 readers every month, and our informational videos on Streetfilms.org have been viewed over 2.5 million times. In New York City, Streetsblog built public and agency support for the addition of separated bike lanes, bus rapid transit, and the development of new pedestrian plazas. And a popular video on Streetfilms has inspired large-scale pedestrian events called "Ciclovias" in more than a dozen cities worldwide.

4. Our technology work allows citizens to access more civic data – from water quality readings to pothole locations – and to use that data to improve their communities. Open source software projects, such as the OpenGeo Suite, allow governments around the world to share and better use their data. And we have helped municipal agencies in San Francisco and New York to make their data useful and accessible to the public.

5. Mark Gorton has funded OpenPlans since its inception, and his contributions currently comprise over half of our total annual income. His funding is crucial to our success and even our basic functioning. If Mr. Gorton was unable to continue funding our organization, our operations would be severely crippled. We would have to shut down one or more projects, and many of our remaining projects would be severely cut back. And we would likely have to terminate dozens of employees.

I HEREBY DECLARE and certify under penalty of perjury under the laws of the United States of America that the foregoing is true and correct, and that this Declaration was executed this 30 day of June 2010 in New York, New York.

A handwritten signature in black ink, appearing to be "V. Gorton", is written over a horizontal line.