

EXHIBIT 4

In The Matter Of:

*ARISTA RECORDS LLC; v.
LIME WIRE LLC;*

MARK GORTON

April 14, 2008

***CONFIDENTIAL
ATTORNEYS' EYES ONLY
MERRILL LEGAL SOLUTIONS***

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GORTON, MARK - Vol. 1

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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

Plaintiffs,

-against-

Civil Action No.
06 CIV 05936
(GEL)

LIME WIRE LLC; LIME GROUP LLC;
MARK GORTON; GREG BILDSON, and
MJG LIME WIRE FAMILY LIMITED
PARTNERSHIP,

Defendants.

-----x

April 14, 2008
9:33 a.m.

CONFIDENTIAL - ATTORNEY'S EYES ONLY

Videotaped Deposition of MARK GORTON, taken
by Plaintiffs, pursuant to notice, at the
offices of Cravath, Swaine & Moore, LLP, 825
Eighth Avenue, New York, New York, before
SUZANNE PASTOR, a Shorthand Reporter and Notary
Public within and for the State of New York.

1 MARK GORTON - ATTORNEYS' EYES ONLY

12:25:07 2 were there about \$13 million and change of
12:25:10 3 distributions to LimeWire investors in 2007?

12:25:18 4 A. Again, I don't really know what
12:25:20 5 amount was dividended. But that strikes me as a
12:25:23 6 plausible number.

12:25:25 7 Q. Turn back if you would, please,
12:25:26 8 then to the second page of Exhibit number 600.
12:25:30 9 Have you ever seen spreadsheets of the type that
12:25:32 10 are contained at pages 677 to 688 insofar as
12:25:38 11 they relate to distributions?

12:25:40 12 A. No.

12:25:41 13 Q. Have you ever seen a series --
12:25:46 14 strike that. The very first entry says 9/28/05
12:25:50 15 and it has MJG LimeWire Family Partnership. Do
12:25:54 16 you see that?

12:25:54 17 A. Yes.

12:25:55 18 Q. And it's got some distributions and
12:25:57 19 some information about the North Fork Bank and
12:25:59 20 it's got some amounts. Do you see that?

12:26:01 21 A. Yes.

12:26:01 22 Q. And there's a total number of
12:26:04 23 \$23,602,375 under the amount --

12:26:07 24 A. Yes.

12:26:08 25 Q. -- column.

1 MARK GORTON - ATTORNEYS' EYES ONLY

12:26:09 2 A. Yes.

12:26:09 3 Q. To the best of your recollection,
12:26:12 4 has the MJG LimeWire Family Partnership received
12:26:15 5 about \$23,602,375 worth of distributions from
12:26:20 6 the LimeWire company?

12:26:23 7 A. Again, I don't have any sort of net
12:26:27 8 number in my head, so I don't have any
12:26:29 9 recollection. This strikes me as -- I don't see
12:26:37 10 anything obviously wrong about this page in
12:26:39 11 front of me.

12:26:43 12 Q. Now, if you turn to Bates numbered
12:26:46 13 page 681, it has a series of entries for Lime
12:26:52 14 Group. Do you see that?

12:26:54 15 A. Yup.

12:26:55 16 Q. And do you see that the very last
12:26:57 17 entry in terms of the chronology is June 24th,
12:27:02 18 2005?

12:27:03 19 A. Yes.

12:27:04 20 Q. Do you recall there being any
12:27:05 21 distributions to Lime Group after June 24th,
12:27:09 22 2005?

12:27:10 23 A. Again, I don't think I ever recall
12:27:12 24 any of these distributions at all, so I don't
12:27:16 25 recall the entire class you're asking about, and

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1 MARK GORTON - ATTORNEYS' EYES ONLY

2 C E R T I F I C A T E

3 STATE OF NEW YORK)

4 : ss.

5 COUNTY OF NEW YORK)

6

7 I, SUZANNE PASTOR, a Shorthand
8 Reporter and Notary Public within and for the
9 State of New York, do hereby certify:

10 That MARK GORTON, the witness whose
11 deposition is hereinbefore set forth, was duly
12 sworn by me and that such deposition is a true
13 record of the testimony given by the witness.

14 I further certify that I am not
15 related to any of the parties to this action by
16 blood or marriage, and that I am in no way
17 interested in the outcome of this matter.

18 IN WITNESS WHEREOF, I have hereunto
19 set my hand this ____ day of _____, 2008.

20

21

22

23

24

SUZANNE PASTOR

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