

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 MUSIC ENTERTAINMENT, fka 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.

06 Civ. 05936 (KMW)
ECF CASE

**DECLARATION OF MELINDA E. LEMOINE IN SUPPORT OF PLAINTIFFS' REPLY
MEMORANDUM IN SUPPORT OF MOTION FOR A PERMANENT INJUNCTION**

I, Melinda E. LeMoine, hereby declare as follows:

1. I am a lawyer with the law firm of Munger, Tolles & Olson LLP, counsel of record for Plaintiffs. I make this Declaration in support of Plaintiffs' Motion for a Permanent Injunction. The contents of this Declaration are based upon my own personal knowledge, and if called upon to do so, I could and would testify competently to the matters stated herein.

2. Attached as Exhibit 1 is a true and correct copy of a chart entitled "Plaintiffs' Response to Defendants' 'Revised' Injunction," which was prepared by me and by others at my

direction. The chart includes a third column responding to the chart submitted by Defendants as Exhibit 1 to the Declaration of Tonia Ouellette Klausner.

3. Attached as Exhibit 2 is a true and correct copy of the transcript from the December 7, 2007 hearing before Judge Gerard Lynch in this matter.

4. Attached as Exhibit 3 is a true and correct copy of a transcript excerpt from the March 29, 2005 oral argument before the United States Supreme Court in *MGM v. Grokster, Ltd.*

5. Attached as Exhibit 4 is a true and correct copy of a January 31, 2008 letter brief from Charles S. Baker to Judge Lynch in this matter.

6. Attached as Exhibit 5 is a true and correct copy of a March 5, 2008 letter brief from Charles S. Baker to Judge Lynch in this matter.

7. Attached as Exhibit 6 is a true and correct copy of a transcript of the March 12, 2008 hearing before Judge Gerard Lynch in this matter.

8. Attached as Exhibit 7 is a true and correct copy of an excerpt from the transcript of the deposition of Samuel A. Berlin taken on March 6, 2008 in this matter.

9. Attached as Exhibit 8 is a true and correct copy of Mark Gorton's July 29, 2009 statement before the U.S. House of Representatives' Committee on Oversight and Government Reform, downloaded on June 16, 2010 from <http://groc.edgeboss.net/download/groc/transfer/testimony.of.mr.mark.gorton.pdf>.

I declare under penalty of perjury under the laws of the United States that the foregoing is true and correct.

Dated: June 28, 2010
Los Angeles, CA

/s/ Melinda E. LeMoine
Melinda E. LeMoine