

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

ARISTA RECORDS LLC; ATLANTIC RECORDING CORPORATION; ARISTA MUSIC, fka 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 GROUP LLC; LIME WIRE LLC; MARK GORTON; GREG BILDSON; and M.J.G. LIME WIRE FAMILY LIMITED PARTNERSHIP,

Defendants.

ECF Case

06 CV 5936 (KMW)(DF)

DECLARATION OF MARY EATON

I, MARY EATON, hereby declare as follows:

1. I am admitted to practice before this Court and am a partner with the law firm of Willkie Farr & Gallagher LLP, counsel of record for Lime Group LLC, Lime Wire LLC, Mark Gorton, and M.J.G. Lime Wire Family Limited Partnership (collectively, "Defendants") in the above-captioned action. I submit this Declaration in opposition to Plaintiffs' Objection to Magistrate Judge Freeman's Report & Recommendation Concerning 17 U.S.C. § 412(2).

2. Attached hereto as Exhibit 1 is a true and correct copy of Defendants' Interrogatories sent to Plaintiffs on August 9, 2010.

3. Attached hereto as Exhibit 2 is a true and correct copy of Plaintiffs' Letter Brief sent to Judge Wood on August 20, 2010.

4. Attached hereto as Exhibit 3 is a true and correct copy of a copyright certificate of registration for the song "Silver Lining," dated January 7, 2010.

5. Attached hereto as Exhibit 4 is a true and correct copy of a September 8, 2010 letter from Glenn Pomerantz to Judge Wood.

6. Attached hereto as Exhibit 5 is a true and correct copy of a transcript of a June 7, 2010 hearing before Judge Wood.

7. Attached hereto as Exhibit 6 is a true and correct copy of an Amended Report and Recommendation from Magistrate Judge Theodore H. Katz to Judge Harold Baer, Jr., *Arista Records LLC v. Usenet.com, Inc.*, No. 1:07-cv-08822 (S.D.N.Y. Feb. 2, 2010), ECF No. 306.

8. Attached hereto as Exhibit 7 is a true and correct copy of Plaintiffs' Response to Reynolds' Objections to the Report and Recommendation of the Magistrate Judge, *Arista Records LLC v. Usenet.com, Inc.*, No. 1:07-cv-08822 (S.D.N.Y. Mar. 4, 2010), ECF No. 309.

9. Attached hereto as Exhibit 8 is a true and correct copy of a Memorandum of Law for Pre Trial Order by Sony BMG Music Entertainment Inc, Loud Records, LLC, Wesley Weston and Lucky Publishing Company, *Granville v. Suckafree Records, Inc.*, No. 4:03-cv-03002 (S.D. Tex. Aug. 2, 2005), ECF No. 22.

I declare under penalty of perjury under the laws of the United States of America that the foregoing is true and correct. Executed on January 31, 2011.



Mary Eaton