

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

ARISTA RECORDS LLC; ATLANTIC RECORDING CORPORATION; ARISTA MUSIC, fka BMG MUSIC; CAPITOL RECORDS LLC fka 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; and M.J.G. LIME WIRE FAMILY LIMITED PARTNERSHIP,

Defendants

06 Civ. 05936 (KMW)
ECF CASE

**SUPPLEMENTAL DECLARATION OF KELLY M. KLAUS IN SUPPORT
OF PLAINTIFFS' OBJECTION TO MAGISTRATE JUDGE FREEMAN'S
REPORT & RECOMMENDATION CONCERNING 17 U.S.C. § 412(2)**

I, Kelly M. Klaus, hereby declare as follows:

1. I am a partner in the law firm of Munger, Tolles & Olson LLP, counsel of record for Plaintiffs. I make this Supplemental Declaration in Support of Plaintiffs' Objection to Magistrate Judge Freeman's Report & Recommendation Concerning 17 U.S.C. § 412(2). 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 hereto as Exhibit 1 is a true and correct copy of a September 29, 2010 letter from Joseph Baio, counsel to Defendants in this action, to the Honorable Kimba M. Wood.

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

Dated: February 7, 2011
Los Angeles, CA

/s/ Kelly M. Klaus

Kelly M. Klaus