

REDACTED VERSION
-COMPLETE VERSION FILED UNDER SEAL

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

**DECLARATION OF ALASDAIR MCMULLAN IN SUPPORT OF REPLY TO
PLAINTIFFS' MOTION FOR PARTIAL SUMMARY JUDGMENT ON PLAINTIFFS'
OWNERSHIP OR CONTROL OF THE WORKS AT ISSUE**

Glenn D. Pomerantz (*pro hac vice*)
Kelly M. Klaus (*pro hac vice*)
Melinda E. LeMoine
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Attorneys for Plaintiffs

Date: March 1, 2011

I, Alasdair McMullan, the undersigned, hereby declare:

1. I am the Executive Vice-President of Legal Affairs of EMI Music North America ("EMI"). In my capacity as in-house counsel for EMI, among other things, I manage and supervise litigation for EMI and its record label affiliates, including but not limited to Capitol Records, LLC (formerly Capitol Records, Inc.), Priority Records, LLC, and Virgin Records America, Inc. Through my employment at EMI since 1995, I am familiar with the books and records of EMI, including documents such as those referenced in this Declaration. If called upon to do so, I could and would competently testify to the matters stated herein.

2. Attached hereto as Exhibit 1 is a true and correct copy of a redacted version of the December 2010 agreement between EMI Records Limited, Pink Floyd Music Limited and Pink Floyd (1987) Limited.

3. Attached hereto as Exhibit 2 is a true and correct copy of a February 25, 2011 letter to EMI Records Ltd from Pink Floyd Music Ltd and Pink Floyd (1987) Ltd.

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

Dated: March 1, 2011
New York, NY



Alasdair McMullan