

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 KELLY M. KLAUS IN SUPPORT OF PLAINTIFFS' MOTION TO PRECLUDE CERTAIN PURPORTED EXPERT TESTIMONY BY EMIN GÜN SIRER

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

March 2, 2011

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 Declaration in support of Plaintiffs' Motion to Preclude Certain Purported Expert Testimony by Emin Gün Sirer. 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 the September 30, 2010 Report of Dr. Richard Waterman.

3. Attached hereto as Exhibit 2 is a true and correct copy of excerpts of the February 11, 2011 Deposition of Aram M. Sinnreich.

4. Attached hereto as Exhibit 3 is a true and correct copy of the February 14, 2011 Rebuttal Report of Dr. Richard Waterman to the Reports of Emin Gün Sirer and George G. Strong.

5. Attached hereto as Exhibit 4 is a true and correct copy of the January 14, 2011 Expert Report of Professor Emin Gün Sirer

6. Attached hereto as Exhibit 5 is a true and correct copy of excerpts of the February 21, 2011 Deposition of Professor Emin Gün Sirer.

7. Attached hereto as Exhibit 6 is a true and correct copy of an article entitled *Experience with an Object Reputation System for Peer-to-Peer Filesharing*, authored by Kevin Walsh and Emin Gün Sirer.

8. Attached hereto as Exhibit 7 is a true and correct copy of an article entitled *Blindfold: A System to "See No Evil" in Content Discovery*, authored by Ryan S. Peterson, Bernard Wong, and Emin Gün Sirer.

