

EXHIBIT 6

Winston & Strawn LLP
101 California Street
San Francisco, CA 94111-5802

1 I, Fred von Lohmann, declare pursuant to 28 U.S.C. § 1746 as follows:

2 1. I am a licensed attorney and a member in good standing of the California State Bar
3 Association. My Bar number is 192657.

4 2. From August 2001 until June of this year, I was a staff attorney employed by the
5 Electronic Frontier Foundation (“EFF”). The positions I held while at EFF were Senior Intellectual
6 Property Attorney and Senior Staff Attorney.

7 3. In 2001, prior to joining EFF, I wrote an article on the state of the law for secondary
8 liability for copyright infringement. A 2001 version of that article was attached to the Boyd
9 Declaration (Dkt. 9-4) as Exhibit 4. Over time, I changed this article as the law changed.

10 4. While working for EFF, I represented various clients, including Lime Wire LLC
11 (“Lime Wire”).

12 5. I believe Mark Gorton first contacted me in or about 2002 seeking legal advice and
13 counsel to Lime Wire, which I provided to Lime Wire at his request.

14 6. I continued to provide legal advice and counsel to Lime Wire from time to time,
15 including to Mr. Gorton and other personnel at Lime Wire, until I left the employ of EFF in June
16 2010.

17 7. While the very nature of the privilege makes it impossible to provide detail, I can
18 attest that:

19 a. My advice to Lime Wire was legal advice in my professional capacity.

20 b. I provided legal advice to Lime Wire in the course of a professional relationship.

21 c. The communications I had with Lime Wire related to the attorney-client
22 relationship, and both Lime Wire and I intended for those communications to be
23 protected by the privilege.

24 d. I have diligently kept confidential the communications between myself and Lime
25 Wire.

26 8. The Amicus Brief that EFF filed together with other interested groups and
27 associations, in *Arista Records v. Lime Wire LLC*, Case No. 06-5936 (KMW) (S.D.N.Y.) was not
28 submitted on behalf of either party in the case.

