

# EXHIBIT 1B

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13  
14 UNITED STATES DISTRICT COURT  
15 NORTHERN DISTRICT OF CALIFORNIA  
16 SAN FRANCISCO DIVISION  
17

18 IN RE SUBPOENAS TO ELECTRONIC  
FRONTIER FOUNDATION AND FRED  
19 VON LOHMANN.

CASE NO. 3:10-MC-80276-JSW

Misc. (06 Civ. 05936 (KMW))

20  
21 ARISTA RECORDS LLC, et al.,

22 Plaintiffs,

23 v.

24 LIME WIRE LLC, et al.,

25 Defendants.

**SUPPLEMENTAL DECLARATION OF  
SUSAN T. BOYD IN SUPPORT OF  
PLAINTIFFS' SUPPLEMENTAL BRIEF  
REGARDING EXPEDITED MOTION TO  
QUASH SUBPOENAS AND PLAINTIFFS'  
REQUEST TO COMPEL COMPLIANCE  
WITH SUBPOENAS**

Date: TBD [Per Scheduling Order, Doc. No. 7]

26 **SEALED CONFIDENTIAL VERSION**  
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1 I, SUSAN T. BOYD, hereby declare as follows:

2 1. I am an attorney at the firm of Munger, Tolles & Olson LLP. I make this  
3 Declaration in support of Plaintiffs' Supplemental Brief Regarding Expedited Motion to Quash  
4 Subpoenas And Plaintiffs' Request To Compel Compliance With Subpoenas. The contents of  
5 this Declaration are based upon my own personal knowledge, and if called upon to do so, I could  
6 and would testify competently to the matters stated herein.

7 2. Attached as **Exhibit 1** is a true and correct copy of a document produced in *Arista*  
8 *Records LLC et al. v. Lime Group LLC et al.*, S.D.N.Y. Case No. 06 CV 5936 (KMW), with the  
9 Bates Numbers LW SUPP 000012-013. Lime Wire produced this document to Plaintiffs on  
10 December 8, 2010 in response to Plaintiffs' December 2, 2010 letter challenging certain entries  
11 on Lime Wire's privilege log (*see also* Exhibit 7 herein).

12 3. Attached as **Exhibit 2** is a true and correct copy of a document produced in *Arista*  
13 *Records LLC et al. v. Lime Group LLC et al.*, S.D.N.Y. Case No. 06 CV 5936 (KMW), with the  
14 Bates Numbers LW DE 2352017-020. I have reviewed the custodian list produced by Lime Wire  
15 in this action, and confirmed that, according to that document, LW DE 2352017 was produced  
16 from the files of Greg Bildson.

17 4. Attached as **Exhibit 3** is a true and correct copy of a series of emails produced in  
18 *Arista Records LLC et al. v. Lime Group LLC et al.*, S.D.N.Y. Case No. 06 CV 5936 (KMW),  
19 with the Bates Numbers LW DE 2352303-09 and LW DE 2352323-27. I have reviewed the  
20 custodian list produced by Lime Wire in this action, and confirmed that, according to that  
21 document, each of these emails was produced from the files of Greg Bildson.

22 5. Attached as **Exhibit 4** is a true and correct copy of a document produced in *Arista*  
23 *Records LLC et al. v. Lime Group LLC et al.*, S.D.N.Y. Case No. 06 CV 5936 (KMW), with the  
24 Bates Numbers LW DE 2352077-082. I have reviewed the custodian list produced by Lime Wire  
25 in this action, and confirmed that, according to that document, LW DE 2352077-082 was  
26 produced from the files of Greg Bildson.

27 6. Attached as **Exhibit 5** is a true and correct copy of excerpts of the September 10,  
28 2008 Declaration of Gregory Bildson filed in *Arista Records LLC et al. v. Lime Group LLC et al.*,

1 S.D.N.Y. Case No. 06 CV 5936 (KMW).

2 7. Attached as **Exhibit 6** is a true and correct copy of a November 29, 2010 letter  
3 from Susan Boyd to Andrew Bridges, counsel for EFF and von Lohmann.

4 8. Attached as **Exhibit 7** is a true and correct copy of a December 2, 2010 letter from  
5 Susan Boyd to counsel for the Lime Wire Defendants, and a December 8, 2010 letter from Rita  
6 D. Mitchell to Susan Boyd.

7 9. Attached as **Exhibit 8** is a true and correct copy of excerpts of the deposition of  
8 Adam Fisk in *Arista Records LLC et al. v. Lime Group LLC et al.*, S.D.N.Y. Case No. 06 CV  
9 5936 (KMW).

10 10. Attached hereto as **Exhibit 9** is a true and correct copy of the subpoena Plaintiffs  
11 served on the Electronic Frontier Foundation.

12 11. Attached hereto as **Exhibit 10** is a true and correct copy of a the subpoena  
13 Plaintiffs served on Fred von Lohmann.

14 12. I met and conferred in person with counsel for EFF and von Lohmann on  
15 November 23, 2010 and November 23, 2010, as well as by phone and email. On December 4,  
16 2010, I advised counsel for EFF/von Lohmann via phone that Plaintiffs were willing to narrow  
17 their request for production to seek only documents that constitute or refer to communications  
18 with Lime Wire regarding each of the eight topics detailed in the requests for production.  
19 Counsel for EFF/von Lohmann advised me that they were unwilling to provide responsive  
20 documents unless Plaintiffs further limited their request to seek only documents that constituted  
21 communications with Lime Wire for all custodians other than von Lohmann. EFF and von  
22 Lohmann also refused to produce documents related to communications on the "pho" list.  
23 Plaintiffs and EFF/von Lohmann also did not resolve their disagreement with respect to a  
24 privilege log and depositions.

25 I declare under penalty of perjury under the laws of the United States that the foregoing is  
26 true and correct. Executed this 9th day of December, 2010, at San Francisco, California.

27

28

s/Susan T. Boyd  
SUSAN T. BOYD