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Attorney for *Amici Curiae*

**UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK**

-----X  
VIACOM INTERNATIONAL INC.,  
COMEDY PARTNERS,  
COUNTRY MUSIC TELEVISION, INC.,  
PARAMOUNT PICTURES CORPORATION, and  
BLACK ENTERTAINMENT TELEVISION LLC,  
Plaintiffs,

07 Civ. 2103 (LLS)

v.

YOUTUBE INC., YOUTUBE LLC,  
and GOOGLE INC.,  
Defendants.

-----X  
THE FOOTBALL ASSOCIATION PREMIER  
LEAGUE LIMITED, et al., on  
behalf of themselves and all  
others similarly situated,  
Plaintiffs

07 Civ. 3582 (LLS)

v.

YOUTUBE INC., YOUTUBE LLC,  
and GOOGLE INC.,  
Defendants.

-----X

DECLARATION OF FRED VON LOHMANN IN SUPPORT OF MOTION OF NONPARTIES  
AMERICAN LIBRARY ASSOCIATION, ASSOCIATION OF COLLEGE AND RESEARCH  
LIBRARIES, ASSOCIATION OF RESEARCH LIBRARIES, CENTER FOR DEMOCRACY  
AND TECHNOLOGY, COMPUTER AND COMMUNICATIONS INDUSTRY  
ASSOCIATION, ELECTRONIC FRONTIER FOUNDATION, HOME RECORDING RIGHTS  
COALITION, INTERNET ARCHIVE, NETCOALITION, AND PUBLIC KNOWLEDGE TO  
FILE AMICUS BRIEF IN SUPPORT OF DEFENDANT.

I, Fred von Lohmann, declare as follows:

1. I am a staff attorney with the Electronic Frontier Foundation (EFF), duly licensed to practice law in the State of California.

2. Through their counsel, all Defendants in the above-captioned matters have consented to the filing of the *amicus curiae* brief submitted herewith.

3. On April 7, 2010, I contacted Susan J. Kohlmann, counsel for the Viacom Plaintiffs, to inquire whether the Viacom Plaintiffs would consent to the filing of an *amicus curiae* brief. Ms. Kohlmann responded the same day and stated that the Viacom Plaintiffs would not consent.

4. On April 7, 2010, I contacted Charles Sims, counsel for the Class Plaintiffs. Mr. Sims responded the same day and stated that the Class Plaintiffs would not consent.

I declare under penalty of perjury under the laws of the State of California that each of the above statements is true and correct. Executed April 12, 2010, in San Francisco, California.

Dated: April 12, 2010

By: /s/ Fred von Lohmann