

Rubin Reply Exhibit 192



HIGHLY
CONFIDENTIAL VIA-SUPI

-----Original Message-----

From: Cox, James C. [mailto:JamesCox@jenner.com]
Sent: Tuesday, February 09, 2010 2:33 PM
To: Rubin, Michael
Cc: Kohlmann, Susan J.
Subject: Viacom Int'l v. YouTube: Whitelist Documents

Michael:

In response to our conversation yesterday, please find attached a set of documents bearing the Bates numbers VIA-SUPP000004 - VIA-SUPP000016. The documents are designated Highly Confidential pursuant to the parties' protective order. Together with the document Bates numbered VIA-SUPP000001 - VIA-SUPP000003, which we provided as an attachment to Susan Kohlmann's January 25, 2010 letter, these documents are all of the whitelist documents from after January 1, 2008 in the custody of Jenner & Block or Shearman & Sterling.

Regards,
Jay

Housley, Michael

From: Housley, Michael
Sent: Wednesday, April 16, 2008 7:30 PM
To: Pierre-Louis, Stanley; Solow, Warren
Subject: RE: BY on YOU TUBE

Per your request...

ArtisanNewsService
BAAFamily
BadBoyRecords
barelypolitical
BdubEtv
bestweekevertv
blacktreemedia
bpfrecords
bravenewfilms
BroadwayJoe
BroadwayJoe415
bullrunvideo
CBS
ChannelFrederator
cimatics
Damonjohnson
Digitalfilmmaker
fanscapevideos
FanscapeVideos4U
FiveChemical
freeforlife112
FreshTakes
FutureWorld77
HGiantVid
irenemariemodels
Isitfridayet
JackassWorldMTV
jerseymouth1
ladyfragment
Lakeshore Records
laurenceegibbs
LiberalViewer
Menudo
MyDamnChannel
OfficialReno911
Paraccount
Paramount
Paramount Pictures
ParamountPictures
ParentsConnect
ParkMyVibe
PinkStrawberry
PinkStrawberry1
powermadeak47dotcom
powmadeak47
reaction2006
reno911miami
rollingoutTELEVISION
RunsHouseVideos
shishka

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1/22/2010

VIA-SUPP000004

Snackboard
SpikeTV
TDSwriters
thatisalsofunny
thatsfunny
Thatsnotfunny
themoviemonkey
thesparksfly
TNAWrestling
tomato808
TVgasmdotcom
TXCANY
universalmusicgroup
vh1staff
Victorweb
virtualmtv
VLogging
Wiredset

From: Pierre-Louis, Stanley
Sent: Wednesday, April 16, 2008 5:12 PM
To: Housley, Michael; Solow, Warren
Subject: RE: BY on YOU TUBE

can you send me our up-to-date white list? thanks.

From: Housley, Michael
Sent: Wednesday, April 16, 2008 5:10 PM
To: Solow, Warren; Pierre-Louis, Stanley
Subject: RE: BY on YOU TUBE

Addition to white-list has been confirmed.

From: Solow, Warren
Sent: Wednesday, April 16, 2008 4:53 PM
To: Housley, Michael; Pierre-Louis, Stanley
Subject: FW: BY on YOU TUBE

Mike, white list this url

Stan, did you know about this, or did they go rogue

From: Porch, Antonious
Sent: Wednesday, April 16, 2008 4:23 PM
To: Solow, Warren
Subject: FW: BY on YOU TUBE

We are marketing our tour!

From: Vargo, Susan
Sent: Wednesday, April 16, 2008 3:56 PM
To: Porch, Antonious
Cc: Rosenstein, Stuart
Subject: FW: BY on YOU TUBE

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1/22/2010

VIA-SUPP000005

Hi Antonious, I wanted to let you know that we have placed the following B-Roll for the Backyardigans Live tour on youtube. Please let us know if you need any further information.

Thanks!

From: Andy Holland [mailto:andy.holland@broadwayacrossamerica.com]
Sent: Wednesday, April 16, 2008 3:52 PM
To: Amy Gentry
Cc: Rosenstein, Stuart; Vargo, Susan; Stacey Burns; Nunez, Erica - Nick; jennifer.costello@broadwayacrossamerica.com
Subject: Re: BY on YOU TUBE

Hello-

The Backyardigans B-Roll is up on You Tube. You can see it here:
<http://youtube.com/watch?v=SqNAhB5B6-Q>

The keywords I used for searching are:

Backyardigans
Live
Tour
Tale
Mighty
Knights
USA
Nickelodeon
Concert

Please let me know if there are more you'd like me to add.

Thanks!

On 4/15/08, **Amy Gentry** <amy.gentry@broadwayacrossamerica.com> wrote:

Great. Andy is working on this now and will hopefully have this up today. Will keep you posted and send over the different names we're under.

On Tue, Apr 15, 2008 at 8:12 AM, Rosenstein, Stuart <Stuart.Rosenstein@nick.com> wrote:

Hey Amy - Spoke to our online group last night and we are free to post on YouTube as long as we own the rights to the footage which we do . I think we should do that right away as we all know that the Canadian show is on the top of the queue and we should knock them off there

Up to you but I would guess it would be a section of b-roll with multiple similar postings under different names to capture the search engine inquiries

Backyardigans Live USA
Backyardigans Live Show
Backyardigans Live - Nickelodeon

Others?

What ever names you post under should be conveyed to Susan who will send to Antonious Porch in Online Legal for

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VIA-SUPP000006

1/22/2010

their Youtube list

tx

Stuart Rosenstein
Senior Vice President
Resorts & Theatricals
Nickelodeon Recreation
(212) 258 -7764
(212) 846-1833 (F)

--

NOTE NEW EMAIL ADDRESS: amy.gentry@broadwayacrossamerica.com

Amy Gentry
Broadway Across America
Senior Director of Marketing
206-622-2733, ext 20 / 206-622-8749 fx
2033 6th Ave, Suite 995 | Seattle, WA | 98121

GO TO <http://lntpstore.hipcricket.com/> to opt in to receive information about our family shows via text message!

Housley, Michael

From: Sean Ray [seanr@baytsp.com]
Sent: Monday, June 16, 2008 9:24 PM
To: Housley, Michael
Cc: Andrea Cordone; Elliott Kohtz; Evelyn Espinosa; Tim Methenitis
Subject: MTVN white-list
Follow Up Flag: Follow up
Flag Status: Red
Attachments: MTVN white-list.pdf

Attached is a complete list of usernames white-listed for MTVN

The following usernames were in CIMS before Andrea started in a rule called VIRAL PLACEMENT:

Wiredset
thatisalsofunny
thatsfunny

Since then we have added these:

Blunty3000
2008classicawards

The following usernames were in CIMS before Andrea in a rule called MTVN Partners:

BadBoyRecords
bestweekevertv
blacktreemedia
bpfrecords
bravenewfilms
bullrunvideo
CBS
DamonJohnson
digitalfilmmaker
FutureWorld77
irenemariemodels
Isitfridayyet
jerseymouth1
ladyfragment
laurenceegibbs
LiberalViewer
reaction2006
reno911miami
shishka
Snackboard
SpikeTV
thesparksfly
TNAWrestling
TXCANY
universalmusicgroup
vh1staff
Victorweb
Vlogging
Wiredset

If you have any questions or need any further assistance please let us know.

Regards,

Sean Ray
Client Services
BayTSP, Inc.
408-341-2300 (Main)
408-341-2399 (Fax)
AIM Handle: seanray13
seanr@baytsp.com
www.baytsp.com

Save the date! Join us for “One World 2008: Managing Piracy in the Global Village” - BayTSP's 5th Annual Anti-Piracy Conference September 15-17th! Join us!

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From: Elliott Kohtz
Sent: Monday, June 16, 2008 5:28 PM
To: paramount_dailies
Cc: Paramount_dailies_cc; Bryan Mejia; Timothy Methenitis
Subject: Spiderwick Chronicles Daily Report 06-16-08

Tracking and Enforcement Update
This report reflects data gathered yesterday.

RADAR Alerts:

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1/22/2010

VIA-SUPP000009

Discovered - 0
Pending - 25
Verified - 0
Discarded - 0

As of 2 AM on Monday Jun 16, RADAR has detected no new sources claiming to be Spiderwick Chronicles. We have verified no releases, discarded no releases, and are in the process of finding download sources for all other releases. Please refer to individual RADAR Alerts for potential new detections not covered in this report period.

Infringements:

P2P - 1505
Non P2P - 0
Streaming - 0
Cumulative - 205448

Top Protocols:

eDonkey - 1028
BitTorrent - 477

Top Countries:

Germany - 807
United Kingdom - 106
Israel - 81
USA - 50
France - 47

Regards,

Elliott Kohtz
BayTSP, Inc.
Client Service Support
Elliottk@baytsp.com
AIM: elliottbaytsp
Direct: 408.341.2320

Save the date! Join us for “One World 2008: Managing Piracy in the Global Village” - BayTSP’s 5th Annual Anti-Piracy Conference September 15-17th! Join us! The information contained in this email message may be confidential and is intended only for the parties to whom it is addressed. If you are not the intended recipient or an agent of same, please notify us of the mistake by telephone (408-341-2300) or email and delete the message from your system. Please do not copy the message or distribute it to anyone. This message was prepared at the request of counsel.

Attached is a complete list of usernames white-listed for MTVN

The following usernames were in CIMS before Andrea started in a rule called VIRAL PLACEMENT:

Wiredset
thatisalsofunny
thatsfunny

Since then we have added these:

Blunty3000
2008classicawards

The following usernames were in CIMS before Andrea in a rule called MTVN Partners:

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blacktreemedia
bpfrecords
bravenewfilms
bullrunvideo
CBS
DamonJohnson
digitalfilmmaker
FutureWorld77
irenemariemodels
Isitfridayet
jerseymouth1
ladyfragment
laurenceegibbs
LiberalViewer
reaction2006
reno911miami
shishka
Snackboard
SpikeTV
thesparkstly
TNAWrestling
TXCANY
universalmusicgroup
vh1staff
Victorweb
Vlogging
Wiredset

Complete MTVN white-list

ArtisanNewsService
BAAFfamily
BadBoyRecords
barelypolitical
BdubEtv
bestweekevertv
blacktreemedia
bpfrecords
bravenewfilms
BroadwayJoe
BroadwayJoe415
bullrunvideo
CBS
ChannelFrederator
cimatics
Damonjohnson
digitalfilmmaker
duke12085
Edwardtubbs
fanscapevideos
FanscapeVideos4U
FiveChemical
freeforlife112
FreshTakes
FutureWorld77
GossipGirl40
HGiantVid
irenemariemodels
Isitfridayyet
JackassWorldMTV
jerseymouth1
ladyfragment
Lakeshore Records
lakeshoreent
lakeshorerecords
laurenceegibbs
LiberalViewer
livinglegend
menudo
MyDamnChannel
OfficialReno911
Paraccount
Paramount
Paramount Pictures
ParamountPictures
ParentsConnect
ParkMyVibe
PinkStrawberry
PinkStrawberry1
powmadeak47
reaction2006
reno911miami
rollingoutTELEVISION

RunsHouseVideos
selfmag
shishka
Snackboard
spiketv
SpikeTV
TDSwriters
teodorafilm
thatisalsofunny
thatsfunny
Thatsnotfunny
themoviemonkey
thesparksfly
TNAWrestling
tomato808
turningthebig40
TVgasmdotcom
TXCANY
universalmusicgroup
vh1staff
Victorweb
virtualmtv
VLogging
Wiredset
IrenaZilberman
Blunty3000
2008classicawards

Housley, Michael

From: Sean Ray [seanr@baytsp.com]
Sent: Thursday, May 14, 2009 1:06 PM
To: Housley, Michael
Cc: Elliott Kohtz
Subject: RE: White-list
Attachments: Paramount Video White-list.xls

Mike,

Here is the Paramount White-list spreadsheet.

Regards,
Sean Ray
Client Service Manager
BayTSP, Inc.
408-341-2384 (Direct)
[REDACTED] (Mobile)
408-341-2399 (Fax)
AIM Handle: seanray13
seanr@baytsp.com
www.baytsp.com

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From: Housley, Michael [mailto:Michael.Housley@viacom.com]
Sent: Thursday, May 14, 2009 8:28 AM
To: Sean Ray
Cc: Elliott Kohtz
Subject: RE: White-list

Thanks, Sean. When you have a chance, please send me the current Paramount white-list.

From: Sean Ray [mailto:seanr@baytsp.com]
Sent: Tuesday, May 12, 2009 12:44 PM
To: Housley, Michael
Cc: Elliott Kohtz
Subject: RE: White-list

Mike,

YouTube user jimgaffigancomic has been added to the filters in BVM and CIMS. User eutube had already been added.

For your records I have attached the current Cleared User spreadsheet. I know I have not sent you and updated spreadsheet for quite some time.

1/19/2010

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VIA-SUPP0000013

Regards,
Sean Ray
Client Service Manager
BayTSP, Inc.
408-341-2384 (Direct)
[REDACTED] (Mobile)
408-341-2399 (Fax)
AIM Handle: seanray13
seanr@baytsp.com
www.baytsp.com

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From: Housley, Michael [<mailto:Michael.Housley@viacom.com>]
Sent: Tuesday, May 12, 2009 8:52 AM
To: Sean Ray
Cc: Elliott Kohtz
Subject: White-list

Sean,

If we have not already done so, please white-list the following username.

jimgaffigancomic

Thanks,

Mike

Non-Viral & Unknown			Viral list
PinkStrawberry1	fueltv	redrawndog	Paramount 2005
"FXLover"	fueltvoap	reno911miami	Paramount 2010
adultswimdotcoul	FUEL TVSHOWMEYOURID	reyesdelacafe	Wiredset
AlvinDanceSteps	FutureWorld77	senha: senharei	RockYouInc
AlwaysSunnyFX	FXDiri	shishka	alienatepeople
Arkanet	FXTheRiches	Simpsonsmoviechannel	luvinthen
AustinOz06	giagirl	simpsonsofime	ParamountGermany
BadBoyRecords	gossipgirlvofficial	Snackboard	paramountpictureshow
bb0s	gypsyvixen	spiketv	
bestweekevertv	h0mer001	SpikeTV	
blacktreemedia	hapanesegirl	squareguy	
Blip	horrorzone89	Substance001trailers	
bpfrecords	HortonGB	sunshinefan07	
bravenewfilms	nuluDotCom	sunshinemovie	
BroadwayJoe	imagenesdelmasalla	sunspotscompetition	
BroadwayJoe415	imagenesdoalem	superdeluxecomedy	
bufalodelanoche	renemariamodels	Tastefullymine	
cafehopping	Isitfridayyet	tofmexico	
canyouhandleit	JackassWorldMTV	icmclassicshorts	
CBS	jerseymouth1	Thatisalsofunny	
CBSNewsOnline	Jonnysleftfoot	Thatsfunny	
clr1616	julianwlai	Thatsnotfunny	
DamonJohnson	kackylacky	Thegypsyvixen	
Davedore	ladyfragment	themoviemonkey	
Digestor2365	Lakeshore Records	thesparksfly	
Digi80	lakeshoreent	Timmsie	
DMCifamily	lakeshorerecords	TNAWrestling	
dnafilmsltd	laurenceegibbs	tsuetai07	
durodematar4	LiberalViewer	TXCANY	
Eibrandedcontent	madmanonline	vh1staff	
eyeofbeholder	menghsitsa	Victoriwae	
FanscapeVideos4U	michel@10minutos.com.br	VideoNasty	
filmmakerdotcom	minkmcmo	VLogging	
FiveChemical	Miranda4444	WarnerBrosOnline	
foxabulous	mksuperdeluxe	wemakevideonasty	
foxatomic	NBC	Wfox	
FoxBroadcasting	news4uand	wiflits	
foxdigitalcopy	nktomic	wlover	
foxfutvolley	Paracount	JohnMcCain.com	
foxhomede	Paramount	BarakObama.com	
FoxKino	Paramount Pictures	strangewidernessuk	
FoxMovies	ParamountPictures	egamimedia	
Foxrental	ParkMyVibe	StarTrekLeFilm	
foxsearchlight	PinkStrawberry	ParamountFrance	
foxsearchlight1	powermadeak47dotcom		
foxtvdvd	powmadeak47		
Foxwtb	reaction2006		
freeforlife112	reaction2006		

Rubin Reply Exhibit 193

-----Original Message-----

From: Cox, James C. [mailto:JamesCox@jenner.com]
Sent: Tuesday, February 16, 2010 8:06 PM
To: Rubin, Michael
Cc: Kohlmann, Susan J.
Subject: RE: Viacom Int'l v. YouTube: Whitelist Documents

Michael --
That is correct.
Regards,
Jay

From: Rubin, Michael [mrubin@wsgr.com]
Sent: Tuesday, February 09, 2010 9:50 PM
To: Cox, James C.
Cc: Kohlmann, Susan J.
Subject: RE: Viacom Int'l v. YouTube: Whitelist Documents

Jay--

The whitelist documents bearing Bates Nos VIA-SUPP000001 - VIA-SUPP000016 are all designated HIGHLY CONFIDENTIAL pursuant to the parties' Protective Order. Am I to understand that Viacom does not want these disclosed to YouTube? Please advise.

Regards,
Michael.

MICHAEL H. RUBIN
WILSON SONSINI GOODRICH & ROSATI
650 Page Mill Road | Palo Alto, CA 94304 mrubin@wsgr.com | www.wsgr.com
Direct: 650.849.3311 | Office: 650.493.9300

-----Original Message-----

From: Cox, James C. [mailto:JamesCox@jenner.com]
Sent: Tuesday, February 09, 2010 2:33 PM
To: Rubin, Michael
Cc: Kohlmann, Susan J.
Subject: Viacom Int'l v. YouTube: Whitelist Documents

Michael:

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Kohlmann's January 25, 2010 letter, these documents are all of the whitelist documents from after January 1, 2008 in the custody of Jenner & Block or Shearman & Sterling.

Regards,

Jay

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Rubin Reply Exhibits 194-249

Intentionally Left Blank

Rubin Reply Exhibits
250 - 355

**VIDEO EXHIBITS:
FILED MANUALLY**