

## **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](mailto: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](mailto:seanr@baytsp.com)  
[www.baytsp.com](http://www.baytsp.com)

**Save the date! Join us for “One World 2008: Managing Piracy in the Global Village” - BayTSP's 5<sup>th</sup> Annual Anti-Piracy Conference September 15-17<sup>th</sup>! 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](mailto: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 5<sup>th</sup> Annual Anti-Piracy Conference September 15-17<sup>th</sup>! 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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bestweekevertv  
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  
BAAFamily  
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](mailto:seanr@baytsp.com)  
[www.baytsp.com](http://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	
Broadway.Joe	imagenesdelmasalla	sunspotscompetition	
BroadwayJoe415	imagenesdoalem	superdeluxecomedy	
bufalodelanoche	renemariamodels	Tastefullymine	
cafehopping	Isitfridayyet	tofmexico	
canyouhandleit	JackassWorldMTV	icmclassichorts	
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	
foxbomede	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-----

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Sent: Tuesday, February 09, 2010 2:33 PM  
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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:  
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