

SHUKAT ARROW HAFER WEBER
 & HERBSMAN, LLP
 111 West 57th Street, Suite 1120
 New York, New York 10019
 212-245-4580
 Peter S. Shukat, Esq. (PS 8078)
 Dorothy M. Weber, Esq. (DW 4734)
 Attorneys for Plaintiffs

UNITED STATES DISTRICT COURT
 SOUTHERN DISTRICT OF NEW YORK

-----X	:	
YOKO ONO LENNON, SEAN ONO LENNON,	:	08 CV 3813 (SHS)(FM)
JULIAN LENNON, and EMI BLACKWOOD	:	
MUSIC, INC.,	:	
	:	
Plaintiffs,	:	
	:	
-against-	:	
	:	
PREMISE MEDIA CORPORATION, L.P., C&S	:	
PRODUCTION L.P. <i>d/b/a</i> RAMPANT FILMS,	:	
PREMISE MEDIA DISTRIBUTION L.P. AND	:	
ROCKY MOUNTAIN PICTURES, INC.,	:	
	:	
Defendants.	:	
-----X		

DECLARATION OF DOROTHY M. WEBER

DOROTHY M. WEBER declares:

1. I am a member of the firm Shukat Arrow Hafer Weber & Herbsman, LLP, attorneys for the Plaintiffs Yoko Ono Lennon, Sean Ono Lennon, Julian Lennon and EMI Blackwood Music, Inc. ("Plaintiffs") herein in the above-captioned action. I am fully familiar with the facts and circumstances contained herein.

2. The purpose of this declaration is to place before the court documents referred to in connection with Plaintiff's instant application, by Order to Show Cause, for a temporary restraining order, preliminary injunction and order for expedited discovery.

3. Annexed hereto as Exhibit A is a true and accurate copy of the Complaint herein, dated April 22, 2008, Index No. 08 CV 3813 (SHS).

4. Annexed hereto as Exhibit B is a composite exhibit consisting of true and accurate copies of articles appearing on various Internet websites since the Complaint was filed on April 22, 2008, wherein the Defendants have defended their use of the song "Imagine" in connection with their Movie as, *inter alia*, a "fair use."

5. Annexed hereto as Exhibit C is a true and accurate copy of the Complaint dated April 22, 2008, together with the Order to Show Cause for a preliminary injunction filed by EMI Records, Ltd. And Capitol Records, LLC v. Premise Media Corporation, L.P., C&S Production L.P. d/b/a Rampant Films, Premise Media Distribution, L.P. and Rocky Mountain Pictures, Inc, Index No. 601209/08 seeking *inter alia*, an injunction and damages for use of the Master Recording of the song "Imagine" under New York State's common law copyright covering recordings "fixed" pre-February, 1972.


6. Annexed hereto as Exhibit D is a composite exhibit consisting of true and accurate copies of the theatre distribution listing published on the Movie's official Website www.expelledthemovie.com.

7. Plaintiffs will suffer irreparable harm without the relief requested herein.

8. There is no adequate remedy at law to satisfy the relief requested herein.
9. There has been no prior request made for this relief.

I declare under penalty of perjury under the laws of the United States of America that the foregoing is true and correct to the best of my knowledge.

Dated: New York, New York
April 30, 2008

By: 
Dorothy M. Weber