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UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

SHEPARD FAIREY and OBEY GIANT
ART, INC.,

Plaintiffs,

v.

THE ASSOCIATED PRESS,

Defendant and Counterclaim
Plaintiff,

v.

SHEPARD FAIREY, et al.,

Counterclaim Defendants

Case No.: 09 CIV 01123 (AKH)

ECF CASE

**DECLARATION OF
CLAUDIA RAY, ESQ., IN
FURTHER SUPPORT OF THE
ASSOCIATED PRESS'S MOTION
FOR SUMMARY JUDGMENT
AGAINST ONE 3 TWO, INC.
(d/b/a OBEY CLOTHING)**

I, CLAUDIA RAY, Esq., hereby declare as follows:

1. I am a member of the firm of Kirkland & Ellis LLP, counsel to the Associated Press ("AP") in this action. I submit this declaration in further support of the AP's Motion for Summary Judgment. I make this declaration based upon my knowledge of matters in this action, and to place before the Court the following documents.

2. Attached hereto as Exhibit 127, are true and correct copies of excerpts from the deposition transcript of Farah DeGrave, dated March 23, 2010.

3. Attached hereto as Exhibit 128, are true and correct copies of excerpts from the deposition transcript of Laura Malone, dated September 15, 2010.
4. Attached hereto as Exhibit 129, are true and correct copies of excerpts from the deposition transcript of Frank Shepard Fairey, dated March 16, 2010.
5. Attached hereto as Exhibit 130, are true and correct copies of excerpts from the deposition transcript of Frank Cost, dated November 18, 2010.
6. Attached hereto as Exhibit 131, are true and correct copies of excerpts from the deposition transcript of Mike Essl, dated November 22, 2010.
7. Attached hereto as Exhibit 132, is a true and correct copy of the article “Clothes Maker Obey Expanding in Irvine” by Kari Hamanaka from the *Orange County Business Journal* website at <http://www.ocbj.com/news/2011/jan/30/clothes-maker-obey-expanding-irvine/?print>, dated January 30, 2011.
8. Attached hereto as Exhibit 133, is a true and correct copy of Exhibit 6 from the deposition transcript of Chris Broders, dated March 16, 2010.
9. Attached hereto as Exhibit 134, are true and correct copies of excerpts from and Exhibit 61 to the deposition of Olivia Perches, dated September 23, 2009.
10. Attached hereto as Exhibit 135, are true and correct copies of OTT 015195 and OTT 027016-17.
11. Attached hereto as Exhibit 136, is a true and correct copy of FAIREY12572-74.
12. Attached hereto as Exhibit 137, is a true and correct copy of FAIREY91006-7.

13. Attached hereto as Exhibit 138, is a true and correct copy of SIGLER000066-73.
14. Attached hereto as Exhibit 139, is a true and correct copy of FAIREY18237-39.
15. Attached hereto as Exhibit 140, is a true and correct copy of FAIREY81309-10.

Executed this 7th day of February 2011 at New York, New York.

/s/Claudia Ray
Claudia Ray, Esq.