

EXHIBIT D

TO CROWTHER DECLARATION

IN SUPPORT OF ONE 3 TWO, INC.'S

MOTION IN LIMINE NO. 2

PART IV OF IV

EXHIBIT A

“Obama Photo” from the National Press Club Assignment, April 27, 2006

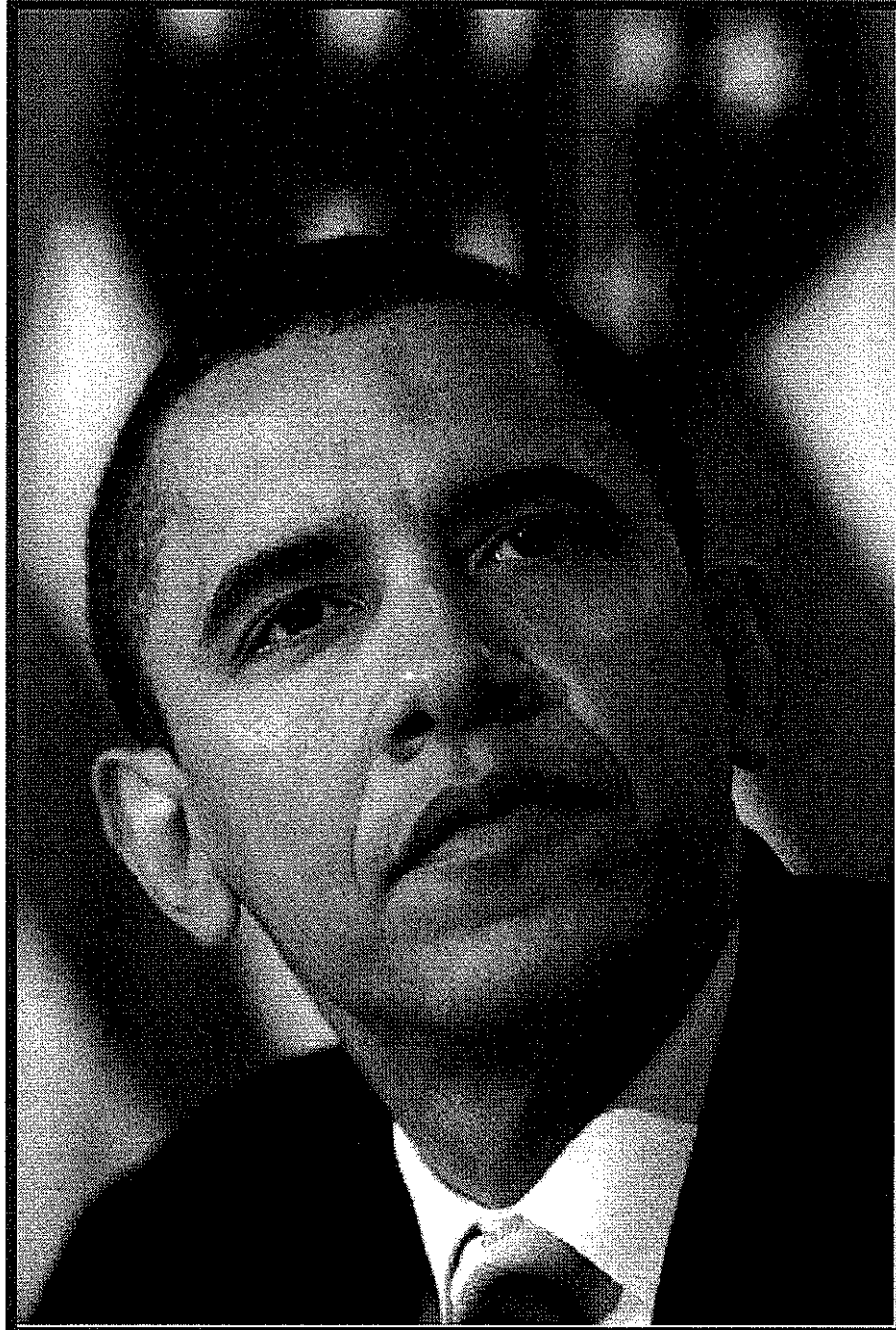


EXHIBIT B
DOCUMENTS CONSIDERED IN PREPARATION OF THIS REPORT

Correspondence:

10/9/2009 Letter from Gratz and Falzone to Counsel

Depositions:

James Danziger Deposition, July 14, 2009 and Exhibits
Laura Malone Deposition, September 15, 2009 and Exhibits
Glen Friedman Deposition, September 17, 2009 and Exhibits
Jim Gerberich Deposition, September 25, 2009 and Exhibits
(John) David Ake Deposition, January 13, 2010 and Exhibits
Mannie Garcia Deposition, March 4, 2010 and Exhibits
Mannie Garcia Deposition, March 5, 2010 and Exhibits
Frank Shepard Fairey Deposition, March 16, 2010 and Exhibits
Frank Shepard Fairey Deposition, March 17, 2010 and Exhibits
Frank Shepard Fairey Deposition, March 18, 2010 and Exhibits
Farah DeGrave Deposition, March 23, 2010 and Exhibits
Kenneth J. Dale Deposition, March 26, 2010 and Exhibits
Jim Gerberich Deposition, March 31, 2010 and Exhibits

Pleadings:

2/9/2009 Complaint for Declarative Judgment and Injunctive Relief
3/11/2009 Answer, Affirmative Defenses and Counterclaims of Defendant,
The Associated Press
4/14/2009 Answer and Affirmative Defenses of Plaintiffs and Counterclaim
Defendants
11/12/2009 AP's 1st Amended Answer, Affirmative Defenses and
Counterclaims
11/13/2009 Amended Answer and Affirmative Defenses of Plaintiffs and
Counterclaim Defendants

11/13/2009 Amended Complaint for Declaratory Judgment and Injunctive Relief
12/14/2009 Answer and Affirmative Defenses of Plaintiffs and Counterclaim Defendants Shepard Fairey, Obey Giant Art Inc., Obey Giant LLC, and Studio Number One, Inc. to The Associated Press's First Amended Answer, Affirmative Defenses and Counterclaims
4/13/2010 Stipulated Protective Order

Expert Reports:

Report of Gabriele Goldaper, September 17, 2010
Report of John C. Jarosz, October 1, 2010
Report of Kathleen Kedrowski, October 1, 2010
Report of Laurie Dahlberg, November 2, 2010
Report of William M. Landes, November 2, 2010

Evidence:

AP0000794-0795
AP0000830
AP0002746-2747
AP0005572-5602
AP0005765-833
AP0006109-6119
AP0006196-6206
AP0006320-6327
AP0006808-6809
AP0006810-6838
AP0008132-8137
AP0008196-8207
AP0010938
AP0011058
FAIREY00039
FAIREY00041
NPC0001
NPC0002
NPC0003
NPC0004

NPC0005
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NPC0033-NPC0035
NPC0036
NPC0037
NPC0038
NPC0039
NPC0040
NPC0041-NPC0042
NPC0043
NPC0044
NPC0045
NPC0046-NPC0048
NPC0049
NPC0050
Freidman - Beastie Boys Comparison images
Israel-Palestine Comparison images
Rockoff Comparison images
Rolling Stone Comparison images
Rolling Stone Italia Comparison images

Interviews:

Interview with (John) David Ake, September 28, 2010

Interview with Scott Applewhite, September 28, 2010

Interview with Farah DeGrave, October 1, 2010

Follow-up Interview with Farah DeGrave, November 1, 2010

Websites:

<http://www.ap.org/pages/about/faq.html>

<http://news.yahoo.com/us>

<http://paidcontent.org/article/419-ap-launching-newspaper-industry-campaign-to-protect-news-content/>

<http://www.ap.org/pages/about/about.html>

<http://paidcontent.org/article/419-ap-and-nfl-kick-off-photo-licensing-deal/>

http://in.reuters.com/article/idINIndia-47001620100317?feedType=RSS&feedName=technologyNews&utm_source=feedburner&utm_medium=feed&utm_campaign=Feed%253A+reuters%252FINtechnologyNews+%2528News+%252F+IN+%252F+Technology+News%2529

<http://www.journalism.org/node/1134>

<http://www.washingtonpost.com/wp-dyn/content/article/2009/10/26/AR2009102603272.html>

<http://newspaperdeathwatch.com/>

<http://www.washingtonpost.com/wp-dyn/content/article/2009/11/24/AR2009112403014.html>

<http://www.globaljournalist.org/stories/2007/01/01/the-end-of-an-era/>

<http://latimesblogs.latimes.com/entertainmentnewsbuzz/2010/02/abc-news-to-cut-half-its-domestic-correspondents-shut-down-all-bureaus-except-washington.html>

http://www.mediabistro.com/tvnewser/cbs-news-london-bureau-cuts-staff_b33187

<http://en.academic.ru/dic.nsf/enwiki/26948>

<http://publishing2.com/2007/07/17/newspaper-online-vs-print-ad-revenue-the-10-problem/>

<http://www.naa.org/TrendsandNumbers/Advertising-Expenditures.aspx>

http://www.huffingtonpost.com/2010/04/26/newspaper-circulation-dow_n_551628.html

<http://www.presort.com/2010/04/declining-newspaper-circulations-contribute-to-financial-woes-of-postal-service/>.

<http://www.latimes.com/business/la-fi-newspaper-circulation-20101025,0,6144394.story>

http://www.broadcastingcable.com/article/116343-Ted_Turner_Chided_CNN_For_Cutbacks_In_Environmental_International_Coverage.php

<http://news.turner.com>

<http://www.ap.org/pages/about/faq.html#2>

http://www.ap.org/oil_spill/birds_60410.html

<http://blogs.sacbee.com/photos/2009/08/-kabul-ap----a.html>

<http://www.ap.org/wallofhonor/index.html>

<http://www.ap.org/relieffund/>

<http://www.apimages.com/uns/splash/?url=about/default.html>

<http://www.gettyimages.com>

http://imagery.gettyimages.com/political/index.html?isource=direct-entry_political

http://www.pdnonline.com/pdn/content_display/photo-news/editorial/e3ie7ae6a91eebf611fb8da55452bab7ff9

Other Sources:

New York Times Advertising Rate Card for Magazines 2010.

EXHIBIT C
RANDOM SAMPLE OF YAHOO! NEWS
Saturday October 9, 10:20 PM

Source: <http://news.yahoo.com/us>

U.S. News Stories	Count	Pct.
The Associated Press	18	90%
Thomson Reuters	1	5%
Washington Post	1	5%
Subtotal	20	

New York News Stories (user selected region)	Count	Pct.
New York Daily News	2	33%
New York Times	2	33%
CBS New York 2	2	33%
Subtotal	6	

U.S. News Photos	Count	Pct.
The Associated Press	17	81%
Agence France Presse	2	10%
Reuters	1	5%
Unknown	1	5%
Subtotal	21	

Video Reports	Count	Pct.
CBS4 Denver	2	50%
The Associated Press	1	25%
FOX News	1	25%
Subtotal	4	

EXHIBIT D
RANDOM SAMPLE OF YAHOO! NEWS
Saturday October 9, 10:20 PM

U.S. National



Obama: GOP plans to 'shortchange' education

AP - Sat Oct 9, 5:32 pm ET
WASHINGTON - Offering voters a reason to keep Democrats in

power on Capitol Hill, President Barack Obama says Republicans would cut education spending and put the country's economic future at risk if they had their way. [Full Story »](#)

Slideshow: President Barack Obama

Related: GOP pulling W.Va. Senate ad with 'hicky' a Washington Post



Hiker freed by Iran appeals for friends' release

AP - 2 hrs 8 mins ago

Slideshow: Iran frees U.S. hiker



NYC officials outraged over anti-gay gang torture

AP - 10 mins ago

Most Popular - U.S. National

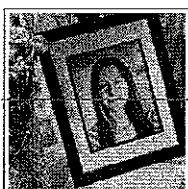
Most Emailed Most Viewed Most Recommended

- 1 Ohio school, 4 bullied teens dead by own hand
- Chinese dissident Liu wins Nobel Peace Prize
- Report: Dems planed NJ tea party House candidate
- Calif school shooting suspect called uncooperative
- US often weighed N.Korea 'nuke option'

[More Most Emailed - U.S. »](#)

U.S. News Slideshows

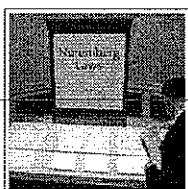
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Suicides prompt soul-searching at Ohio high school



Midnight Grocery Shoppers



Nuremberg Laws

ASK AMERICA
 THE 2010 ELECTION NEWS FORUM

Arizona immigration law: Fair or foul?

LEARN. LISTEN. BE HEARD.

YAHOO! NEWS

THE FAST FIX **THE FASTEST: How to handle a social media crisis**

Suicide surge: Schools confront anti-gay bullying

AP - Sat Oct 9, 1:04 pm ET

NEW YORK - A spate of teen suicides linked to anti-gay harassment is prompting school officials nationwide to rethink their efforts against bullying — and in the process, risk entanglement in a bitter ideological debate. [Full Story »](#)

Report: Candidate in Ohio wore German SS uniform

AP - 12 hrs 10 mins ago

Featured



Learn. Listen. Be heard
 Join the Web's social-media hub for the 2010 election.
[» Cast your votes](#)



Social media politics
 Krystal Ball's racy pictures: How to handle a social media crisis.
[» More from The Fast Fix](#)



Who's linked in?
 7% of babies boast their own email address.
[» More from Time](#)

TOLEDO, Ohio - A report says a Republican candidate for the U.S. House in Ohio dressed up in a German SS uniform to participate in Nazi reenactments. [Full Story »](#)

Dying communities see salvation in new prisons

AP - Sat Oct 9, 2:30 pm ET



AP

BERLIN, N.H. - Mike Secinare is pinning his hopes on prison. [Full Story »](#)

America moves on from spill; coast feels abandoned

AP - Sat Oct 9, 12:16 pm ET



AP

BIRMINGHAM, Ala. - About 800 miles from the Gulf of Mexico, Dave Edmonds is struggling to remind people about the BP oil spill. [Full Story »](#)

Space double: Astronaut twins to join up in orbit

AP - 1 hr 54 mins ago



AP

CAPE CANAVERAL, Fla. - The stars may have finally aligned for the world's only space sibling team. [Full Story »](#)

John Lennon's 70th celebrated in NY's Central Park

AP - 2 hrs 8 mins ago



AP

NEW YORK - A crush of fans circled a flower-graced mosaic in Central Park's Strawberry Fields and sang lyrics from "Imagine" on Saturday to honor Beatles legend John Lennon on his 70th birthday. [Full Story »](#)

[Video: The World Celebrates John Lennon's 70th Birthday](#) ABC News

[Slideshow: John Lennon's 70th birthday](#)



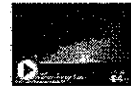
Parenting controversies

Are moms too mean to their daughters?
[» More from The Week](#)

U.S. Video



Feds touting National Guard mission in Arizona
AP



Wildfire Continues To Burn In Jefferson County CBS4 Denver



Gold Hill Fire Department Victim Of Theft CBS4 Denver



School Reform Movement Gets a Boost FOX News

[More U.S. Video »](#)

U.S. News

SEE ONLY U.S. NEWS FROM:

- AP
- Reuters
- AFP
- Time.com
- NPR

Crimes and Trials News

- NYC officials outraged over anti-gay gang torture AP - 19 mins ago
- Ohio man pleads guilty in dating-service scam AP - 2 hrs 15 mins ago
- British aid worker killed in botched Afghan rescue AP - Sat Oct 9, 4:35 pm ET

[More Crimes and Trials News »](#)

Education News

- Calif school shooting suspect called uncooperative AP - 1 hr 14 mins ago
- Obama: GOP plans to 'shortchange' education AP - Sat Oct 9, 6:52 pm ET
- Johnny Depp makes surprise school visit in pirate gear Reuters - Fri Oct 9, 7:22 pm ET

[More Education News »](#)

Religion News

- LDS leader's speech on gays modified on website AP - Sat Oct 9, 6:26 pm ET
- Pope has received letter from Ahmadinejad AP - Sat Oct 9, 2:27 pm ET
- Vt. man wins religious vanity plates case appeal AP - Fri Oct 9, 5:23 pm ET

[More Religion News »](#)

Politics News

- Hoping to cut House losses, Dems try for

AP source: Grand jury probing anti-abortion murder

AP — Sat Oct 9, 4:28 am ET

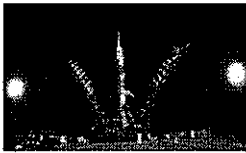


AP

WICHITA, Kan. - A federal grand jury is investigating whether the murder last year of Dr. George Tiller, one of the nation's few late-term abortion providers, was connected to a broader case involving radical anti-abortion activists, according to a federal law enforcement official familiar with the case. [Full Story »](#)

Capsule docks at space station with 3 new arrivals

AP — 1 hr 25 mins ago



AP/Foto

CAPE CANAVERAL, Fla. - A Russian capsule has arrived at the International Space Station, bringing three new residents. [Full Story »](#)

[Sideshow: International Space Station](#)

Ca. school shooting suspect called uncooperative

AP — Sat Oct 9, 4:05 pm ET

CARLSBAD, Calif. - The suspect in a San Diego-area grade school shooting that left two young girls injured was not cooperating with investigators, police said, and the man's neighbors described strange behavior in the months before the shooting. [Full Story »](#)

Major balloon race gets under way in Albuquerque

AP — Sat Oct 9, 8:31 am ET



AP

ALBUQUERQUE, N.M. - Racers lifted off early Saturday in one of ballooning's most prestigious events, but without two pilots considered to be among the fiercest competitors at the annual America's Challenge gas balloon race. [Full Story »](#)

[Sideshow: Hot Air Balloons](#)

News & Politics

Reid to Nevada: Remember my good deeds

Reuter - Fri Oct 8, 3:33 pm ET

Will Dems regret focus on first-time voters?

Reuter - Fri Oct 9, 7:01 pm ET

[More Politics News »](#)

Business News

Fed to run the show despite big earnings

Reuter - Fri Oct 8, 7:19 pm ET

China currency must rise to fix imbalances:

Soros Reuter - Sat Oct 9, 6:45 am ET

JPMorgan commodities operation falling short:

report Reuter - Sat Oct 9, 4:14 am ET

[More Business News »](#)

Education



Careers With Staying Power
Expens weigh in on five in-demand careers that are here to stay. One pays \$67,000!



Achieve Work-Life Balance
These jobs make balancing work with personal life a cinch. One pays \$58,000!

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Mexico opens probe into reported lake shooting

AP — Fri Oct 9, 1:07 am ET



AP

ZAPATA, Texas - The Mexican government said Friday it has opened a federal investigation into the reported shooting of an American tourist on a border lake plagued by Mexican pirates and strongly denied delaying action on finding the man or his attackers. [Full Story »](#)

[Slideshow: Mexico Drug War](#)

Minn. terror suspect deported to Canada

AP — Fri Oct 9, 7:38 pm ET

MINNEAPOLIS - A Somali-born Canadian citizen who admitted he attended al-Qaida training camps in Afghanistan and lectures by Osama bin Laden was released from federal prison Friday after nearly seven years in custody and deported to Canada. [Full Story »](#)

NJ gov. agrees to rethink rail tunnel cancellation

AP — Fri Oct 9, 11:29 pm ET



AP

TRENTON, N.J. - Under pressure from the Obama administration, Republican Gov. Chris Christie agreed Friday to rethink his decision to cancel construction of a \$9 billion rail tunnel connecting New Jersey and New York City. [Full Story »](#)

U.S. News Slideshows

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Charlotte Motor Speedway Sinkhole



Plum Island



Ahmed Khalifa Ghailani



Tornadoes tear across N. Arizona, damage ...

More Yahoo! News

WORLD NEWS

 Minister says Wednesday rescue likely in Chile

AP — 45 mins ago

Chile's trapped miners cheered and embraced Saturday when a drill punched an escape shaft into an underground chamber in a spray of rock and dust on the 66th day of their agonizing entombment, opening the way for rescuers to set plans to begin lifting the men out by midweek. [Full Story »](#)

BUSINESS NEWS

Fed to run the show despite big earnings

Reuters — Fri Oct 9, 7:10 pm ET

Not even earnings from big names like Google and GE next week will be able to pull Wall Street's focus away from the possibility of more cheap cash flowing in from the Federal Reserve. [Full Story »](#)

POLITICS NEWS

 Hoping to cut House losses, Dems try for firewall

AP — Fri Oct 9, 11:40 pm ET

Struggling to build a firewall against a Republican takeover, congressional Democrats are pouring money into roughly two dozen tight races around the country in the campaign's closing weeks while pulling it back from others where their chances seem slimmer. [Full Story »](#)

Elsewhere on the Web


ABC News: WATCH: Nobel Peace Prize Awarded to Liu Xiaobo


NPR: Up Close: How Three Vulnerable Democratic Freshmen Are Faring


McClatchy Newspapers: British aid worker held in Afghanistan killed in rescue attempt


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George W. Bush
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New York News

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Subway report card: Trains cleaner, few breakdowns, clearer announcements *New York Daily News* - Wed Oct 5, 11:06 am ET

New York State incomes drop for first time in 70 years *New York Daily News* - Wed Oct 5, 1:46 am ET

Coffee, Tea and a Goddess *New York Times* - Fri Oct 5, 7:56 pm ET

Diary of Anne Frank Staged at Westport Playhouse *New York Times* - Fri Oct 5, 7:46 am ET


NYC Officials Outraged Over Anti-Gay Gang Torture *CBS New York* - 55 min ago

Brett Favre Embroiled in Alleged Sexting Scandal *CBS New York* - Sat Oct 5, 10:42 am ET

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EXHIBIT E

AP Images (www.apimages.com)

