

Dale M. Cendali
 Claudia Ray
 Brendan T. Kehoe
 KIRKLAND & ELLIS LLP
 601 Lexington Avenue
 New York, New York 10022
 Tel: (212) 446-4800
 Fax: (212) 446-4900

Michael F. Williams
 KIRKLAND & ELLIS LLP
 655 15th Street, NW
 Washington, DC 20005
 Tel: (202) 879-5000
 Fax: (202) 879-5200

Attorneys for the Associated Press

**IN THE UNITED STATES DISTRICT COURT
 FOR THE SOUTHERN DISTRICT OF NEW YORK**

SHEPARD FAIREY and OBEY GIANT ART, INC.,
 Plaintiffs,

v.

THE ASSOCIATED PRESS,
 Defendant/Counterclaim Plaintiff,

v.

SHEPARD FAIREY, et al.,
 Counterclaim Defendants,

And

MANNIE GARCIA,
 Defendant, Counterclaim Plaintiff &
 Cross Claim Plaintiff/Defendant,

v.

SHEPARD FAIREY and OBEY GIANT ART, INC.,
 Counterclaim Defendants,

And

THE ASSOCIATED PRESS,
 Cross Claim Plaintiff/Defendant.

Case No.: 09-CV-01123 (AKH)

ECF Case

**THE ASSOCIATED PRESS'S
 NOTICE OF MOTION IN LIMINE
 NO. 4 TO EXCLUDE CERTAIN
 TESTIMONY OF NEIL
 ZOLTOWSKI**

TO ALL PARTIES AND THEIR COUNSEL OF RECORD:

PLEASE TAKE NOTICE that upon the accompanying memorandum of law, Counterclaim Plaintiff the Associated Press will move, before the Honorable Alvin K. Hellerstein, United States District Judge at the Daniel Patrick Moynihan United States Courthouse, 500 Pearl St., Courtroom 14D, New York, New York 10007, on March 16, 2011 at 10:00 a.m., to exclude evidence certain testimony of Neil Zoltowski.

Respectfully submitted,

Dated: March 10, 2011

/s/Dale M. Cendali

Dale M. Cendali
Claudia Ray
Brendan T. Kehoe

KIRKLAND & ELLIS LLP
601 Lexington Avenue
New York, NY 10022
Tel: (212) 446-4800
Fax: (212) 446-4900
Email: dale.cendali@kirkland.com
claudia.ray@kirkland.com
brendan.kehoe@kirkland.com

Michael F. Williams
KIRKLAND & ELLIS LLP
655 15th Street, NW
Washington, DC 20005
Tel: (202) 879-5000
Fax: (202) 879-5200
Email: michael.williams@kirkland.com

Attorneys for The Associated Press