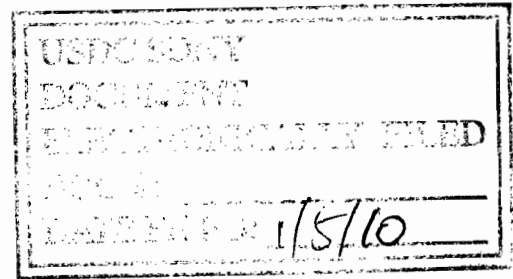


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Dale M. Cendali
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January 4, 2010

By Hand Delivery

Hon. Alvin K. Hellerstein
U.S. District Judge
U.S. District Court, S.D.N.Y.
Daniel Patrick Moynihan U.S. Courthouse
500 Pearl Street
New York, New York 10007-1312



Re: *Shepard Fairey et al. v. The Associated Press and Mannie Garcia*,
Case No. 09-cv-1123 (AKH)

Dear Judge Hellerstein:

We are counsel for Defendant and Counterclaim Plaintiff The Associated Press ("The AP") in the above-referenced matter. Enclosed are two courtesy copies of The AP's papers in opposition to the motion for a protective order submitted by Plaintiffs and Counterclaim Defendants Shepard Fairey, Obey Giant Art, Inc., Obey Giant LLC, and Studio Number One, Inc. (collectively, "Fairey"), including (i) The AP's Memorandum of Law In Support of Its Opposition to Fairey's Motion for a Protective Order and (ii) the Declaration of Claudia Ray, dated January 4, 2010.

Because Fairey filed its initial motion papers under seal, The AP has filed its opposition papers under seal as well. Nevertheless, we do not believe that any of the material contained in either Fairey's opening papers or The AP's opposition papers (with the possible exception of the reference on page 18 of The AP's Memorandum of Law to the revenue generated by the sale of Fairey's Infringing Works, which could easily be redacted), is confidential under the Protective Order in this case. We therefore respectfully request that the Court consider whether sealing the filings regarding Fairey's pending motion is appropriate.

The conf. scheduled for 1/14/2010 is adjourned to 1/26/2010, 4:00 pm. 1-5-2010

Plaintiff shall file any reply by Jan. 18, 2010. I will hear argument Jan. 26, 2010, 4:00 pm.

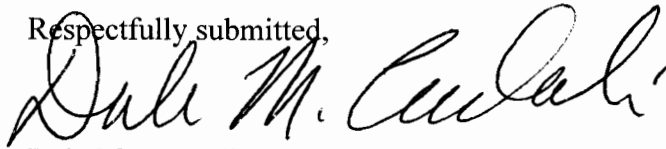
1-5-2010

KIRKLAND & ELLIS LLP

January 4, 2010

Page 2

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Dale M. Cendali". The signature is fluid and cursive, with the first name "Dale" being the most prominent.

Dale M. Cendali

Encl.

cc: Geoffrey S. Stewart, Esq. (via email)
Meir Feder, Esq. (via email)
William W. Fisher, III, Esq. (via email)
John Palfrey, Esq. (via email)
Bradford Kile, Esq. (via email)
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Theresa Trzaskoma, Esq. (via email)