

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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WPIX, INC.,
WNET.ORG,
AMERICAN BROADCASTING COMPANIES, INC.,
DISNEY ENTERPRISES, INC.,
CBS BROADCASTING INC.,
CBS STUDIOS INC.,
THE CW TELEVISION STATIONS INC.,
NBCUNIVERSAL MEDIA, LLC,
NBC STUDIOS LLC,
OPEN 4 BUSINESS PRODUCTIONS LLC,
UNIVERSAL NETWORK TELEVISION, LLC,
TELEMUNDO NETWORK GROUP LLC,
WNJU BROADCASTING LLC,
NBC TELEMUNDO LICENSE LLC,
OFFICE OF THE COMMISSIONER OF BASEBALL,
MLB ADVANCED MEDIA, L.P.,
COX MEDIA GROUP, INC.,
FISHER BROADCASTING-SEATTLE TV, L.L.C.,
TWENTIETH CENTURY FOX FILM CORPORATION,
FOX TELEVISION STATIONS, INC.,
TRIBUNE TELEVISION HOLDINGS, INC.,
TRIBUNE TELEVISION NORTHWEST, INC.,
UNIVISION TELEVISION GROUP, INC.,
THE UNIVISION NETWORK LIMITED PARTNERSHIP,
TELEFUTURA NETWORK,
WGBH EDUCATIONAL FOUNDATION,
THIRTEEN,
and PUBLIC BROADCASTING SERVICE,

Plaintiffs,

v.

IVI, INC. and TODD WEAVER,

Defendants.

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10 Civ. 07415-NRB

DECLARATION OF JANE SUNDERLAND

I, **Jane Sunderland**, hereby declare and state as follows:

1. I am the Vice President, Content Protection – Anti-Piracy for News America, Inc., which is related to and handles legal matters for Twentieth Century Fox Film Corporation (“Twentieth Century Fox”), one of the plaintiffs in this action. In this position I am responsible for anti-piracy enforcement and operations. I have held this position since 2003, and have been employed by News America, Inc. (and/or its predecessor) since 1990. The facts contained herein are based on my personal knowledge, my review of Twentieth Century Fox books and records and inquiry of appropriate Twentieth Century Fox personnel and other public documents or documents obtained from third parties. If called to testify, I could and would competently testify thereto.

2. Based upon a press release issued by ivi, Inc., <http://www.prweb.com/releases/2010/09/prweb4487284.htm>, on September 13, 2010, ivi began streaming copyrighted programming that was being broadcast on television stations in New York City and Seattle, Washington. According to ivi’s press releases, ivi began streaming copyrighted programming from Los Angeles stations no later than November 30, 2010, <http://www.prweb.com/releases/2010/11/prweb4844164.htm>, and from Chicago stations no later than December 13, 2010, <http://www.prweb.com/releases/2010/12/prweb4890944.htm>.

3. Attached as Exhibit 1 hereto is a non-exhaustive listing of programs owned by Twentieth Century Fox and Fox Television Stations, Inc., broadcast by some of the stations streamed by ivi between September 13, 2010 and the issuance of the district court’s injunction on February 22, 2011. As indicated in Exhibit 1, these programs were broadcast by the New York television stations WCBS, WNYW and WWOR; Los Angeles stations KCBS, KABC, KCOP, and KTTV; and Chicago stations WBBM and WFLD. Different episodes of the same series may

have aired on the same day. Some of the same episodes may have aired on different channels or on the same channel.

4. This exhibit does not include numerous additional programs owned by Twentieth Century Fox Film Corporation and Fox Television Stations, Inc., on these and other stations that ivi has streamed.

I declare under penalty of perjury that the foregoing is true and correct.

Executed on March 17, 2011.



Jane Sunderland