

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 MARTIN P. MESSINGER

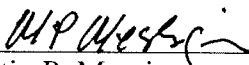
I, MARTIN P. MESSINGER, hereby declare and state as follows:

1. I am Vice President and Assistant Secretary of CBS Broadcasting Inc. and Assistant Secretary of CBS Studios Inc. (collectively, "CBS"), two of the plaintiffs in this action. The matters set forth below are based upon my personal knowledge, my review of the books and records of CBS, inquiry of appropriate CBS personnel and other public documents or documents obtained from third parties.

2. Attached as Exhibit 1 hereto is a non-exhaustive list of programs owned either by CBS Broadcasting Inc. or CBS Studios Inc. that were broadcast on some of the stations streamed by ivi, including New York television stations WCBS, WWOR, and WPIX; Seattle-Tacoma stations KSTW and KIRO; Los Angeles stations KCBS, KCAL, KTLA, KTTV, and KCOP; and Chicago stations WBBM and WGN.

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

Executed on March 16, 2011.



Martin P. Messinger