

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK**

CBS BROADCASTING INC.,
NBC STUDIOS, INC.,
UNIVERSAL NETWORK TELEVISION, LLC,
NBC SUBSIDIARY (KNBC-TV), INC.
TWENTIETH CENTURY FOX FILM CORPORATION,
FOX TELEVISION STATIONS, INC.,
ABC HOLDING COMPANY INC.,
and DISNEY ENTERPRISES, INC.,

Plaintiffs,

v.

FILMON.COM, INC.,

Defendant.

Case No. 1:10-cv-7532-NRB

**DECLARATION IN SUPPORT OF APPLICATION FOR ORDER TO SHOW CAUSE
FOR PRELIMINARY INJUNCTION AND RELATED RELIEF**

HADRIAN R. KATZ, hereby declares, pursuant to 28 U.S.C. § 1746, as follows:

1. I am a member of the firm of Arnold & Porter LLP, counsel for plaintiffs. I submit this declaration in support of Plaintiffs' Application for an Order To Show Cause for a Preliminary Injunction with Temporary Restraining Order and related relief, in accordance with rule 65 of the Federal Rules of Civil Procedure.

2. The documents and other factual basis for plaintiffs' application are set forth in the Complaint and the Declarations of Martin D. Franks, Executive Vice President, Planning, Policy and Government Relations for CBS Corporation, and C. Scott Morrow, which are submitted herewith. This declaration provides further explanation of why plaintiffs are proceeding on an expedited basis for injunctive relief by order to show cause instead of ordinary motion.

3. The plaintiffs' application seeks both a TRO and an expedited hearing on its request for a preliminary injunction to stop defendant FilmOn, Inc. (FilmOn) from continuing

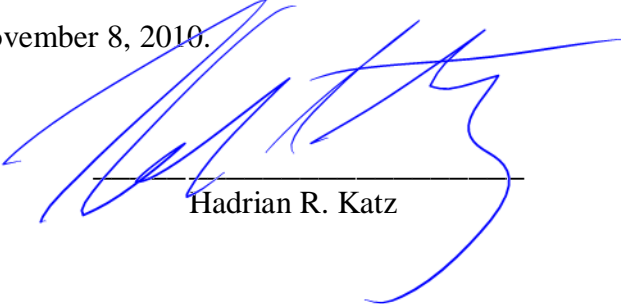
to stream over mobile telephone systems and/or the Internet the television broadcasts and copyrighted content of any of the plaintiffs.

4. The continued misappropriation and unauthorized retransmission of plaintiffs' copyrighted content threatens them with severe and irreparable injury. Defendant FilmOn is well aware of the disruptive effect that its activities are having on the economic structure of the television industry, and is nonetheless expanding the scope of its infringements.

5. No prior application for the relief sought herein has been made to this or any other court.

I declare under penalty of perjury under the laws of the United States of America that the foregoing is true and correct.

Executed in Washington, D.C., on November 8, 2010.



Hadrian R. Katz