

## Tab 6

### Exhibit 22 from Deposition of Valencia M. McClatchey



RECEIVED

OCT 29 2003

AOL Legal Department

1300 Oliver Building  
Pittsburgh, Pennsylvania 15222-2304  
Tel: 412-456-2800  
Fax: 412-456-2864  
Web: www.muslaw.com

Writer's direct dial phone number and e-mail address:

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October 21, 2003

Jim Bramson, Esquire  
Counsel  
America Online, Inc.  
22000 AOL Way  
Dulles, VA 20166

**RE: Unauthorized Use of Copyrighted Work**

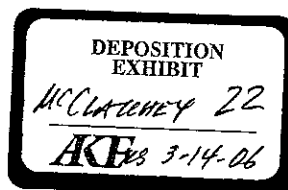
Dear Mr. Bramson:

I serve as legal counsel to Valencia McClatchey, who holds a registered copyright on a photograph of the Flight 93 crash site that she took shortly after the tragic events of September 11, 2001 (the "Photograph"). A copy of the U.S. Copyright Office Certificate of Registration for the Photograph (Reg. No. VA 1-128-462), which has been entitled "End of Serenity" is enclosed, as is a copy of the Photograph.

The copyrighted Photograph recently was included on the homepage for America Online, Inc. ("AOL") (www.aol.com) on at least August 8 and 9, 2002, without the permission of and any accreditation to Ms. McClatchey. Ms. McClatchey has permitted use of the Photograph by other media outlets, but only after careful consideration of the intended use of the Photograph and reaching individual agreements with such users. In many instances, Ms. McClatchey has received license fees and, in all cases, her ownership and authorship of the Photograph has been recognized. At no time has Ms. McClatchey tendered or dedicated the Photograph to the public domain.

Therefore, on behalf of my client, I respectfully demand that AOL and its affiliates make no further use of the Photograph and delete all records and copies of the Photograph from AOL's records and computer files. I ask that you please confirm, on or before October 24, 2003 that AOL has taken this action.

In addition, I further request that AOL provide information concerning (i) all days when the Photograph was displayed by AOL on its homepage or through related links, and (ii) the number of "hits" or times that the Photograph was viewed by users of the AOL homepage.

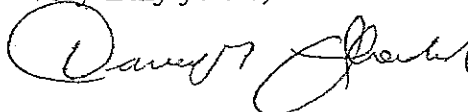


AP00002-A

Jim Bramson, Esquire  
Page 2  
October 21, 2003

Ms. McClatchey reserves all rights that she may have in connection with AOL's unauthorized use of the Photograph, including but not limited to pursuit of a claim for copyright infringement.

Very truly yours,

A handwritten signature in black ink, appearing to read "David G. Oberdick". The signature is written in a cursive style with a large initial "D".

David G. Oberdick

DGO/lam  
Enclosures

cc: Ms. Valencia M. McClatchey

#461343

AP00002-B

America Online

File Edit Print Window Sign Off Help

Mail People Services Settings Favorites

Read Write IM Chat Shop Internet AOL Help My Favorites Radio Parent Contr

Channels AOL Keyword Type AOL Keywords or Web Addresses here

- ENHANCED BY Google
- Hot Searches
- Welcome
- Autos
- Careers & Work
- Computer Center
- Entertainment
- Games
- Health
- Home/Real Estate
- International
- Kids Only
- Local Guide
- Music
- News
- Parenting
- Personal Finance
- Research & Learn
- Shopping
- Sports
- Teens
- Travel
- Women

Welcome, Invent000!

**AMERICA Online**

Mail Center New!!

Picture Center

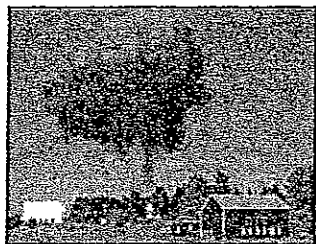
People & Chat

Quality Radio

**Small Biz Tools**

- Sales & Marketing
- Money & Finance
- Resource Center
- Discount Center
- Help & Support

### AOL for Small Business AOL BROADBAND



**AOL News**

## New Theory On Flight 93

As Revolt Began, Data Shows Hijacker Crashed on Purpose

- Marine Cut Comrades' Chutes

More News: [Soldier Shot Dead in Iraq](#)



**Business E-Mail**

Get It & Save 25%

Got Biz E-Mail?

- Access It Here

#### The Markets Full Coverage

DJIA	9,176.80	+50.35
Nasdaq	1,647.33	-4.85
S&P 500	977.78	+3.66
10yr Bond	4.21%	-0.17

#### Special Offers

Ship Online, Save 10%

FedEx Express Shipping

#### Better on AOL for BROADBAND



**Quiet Comedy**

Charlie Chaplin Is 'The Vagabond'

Watch It Now

Highspeed Essentials

Check Out [Video@AOL](#), [Broadband Gear](#) | [Help](#)

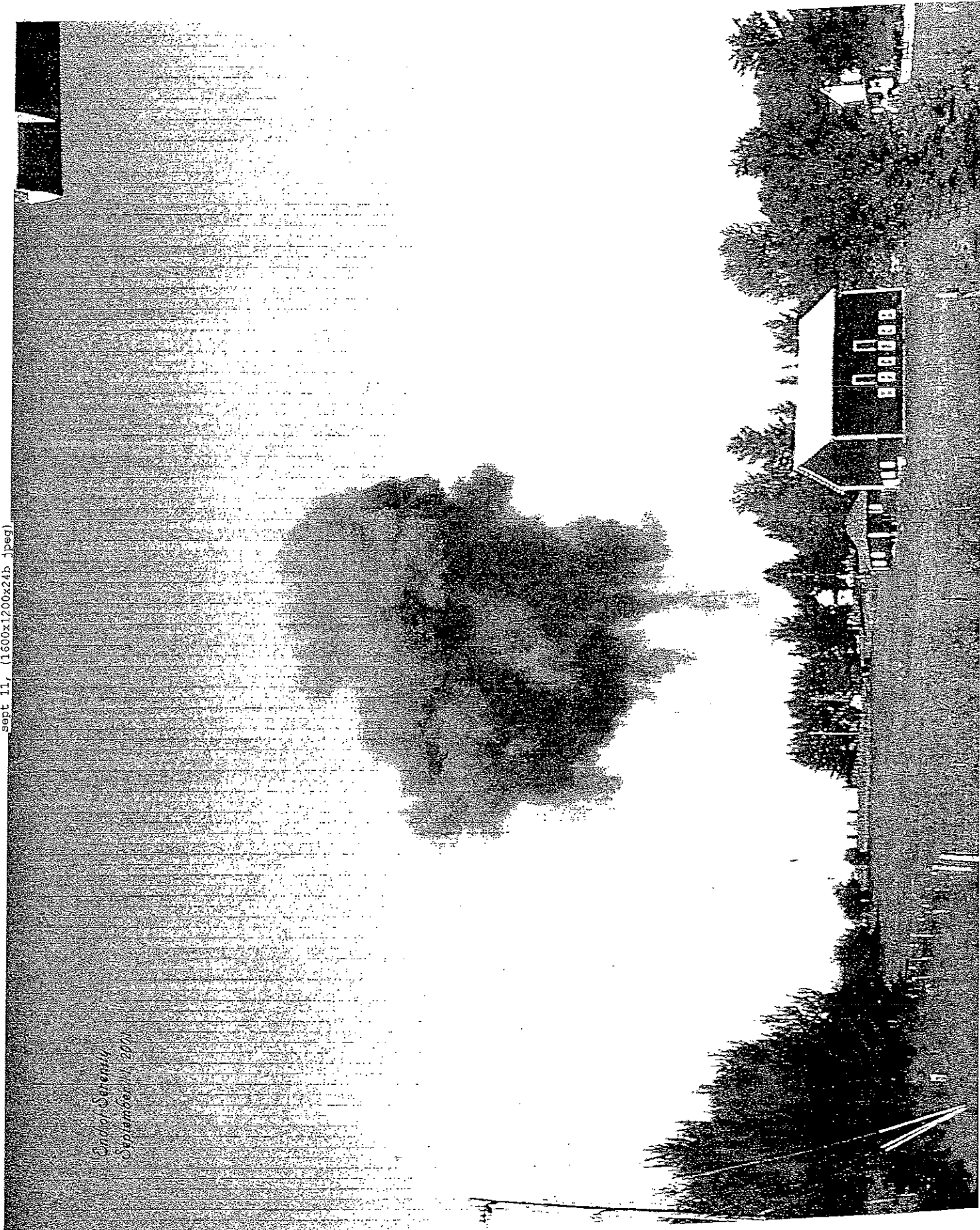
Start GoldMine 5.7 Inbox - Outlook Express America Online

AP00002-C



sept 11, (1600x1200x24b.jpeg)

End of Serenity  
September 11, 2001



AP00002-D

## Tab 7

Exhibit 29 from Deposition of Valencia M. McClatchey



WINDSOR PARK STORIES

SHANKSVILLE EPISODES

**What is America? From Ground Zero to Point Thank You to Shanksville, PA**

It was supposed to be a relaxing visit with my daughter, her husband and my granddaughter. Two days without a camera. As is so often the case, it just was not meant to be.

Life and an article in the *Cleveland Plain Dealer* took over. The feature article connected Kitch and me with a woman in Shanksville who was putting together a scrapbook called *Patriots of Peace*.

An e-mail to Leigh Snyder followed by a telephone call and one day later we were on our way to Shanksville, PA. The visit was to be a short one, or so we thought.

Kitch would take some digital pictures, I would video an interview and shoot some B-Roll, and we would be on our way.

That was not the case at all.

Three years later and 10 episodes of our *What Is America Series?* shot on location in Shanksville, and we continue to visit with the lifetime friends we made there.

Janie Kiehl, a Flight 93 Ambassador, is like a member of our family. Chuck and Jayne Wagner are dear friends and the Shanksville story that resulted in three screenings for delegations of King's College seniors and friends continues to be an annual tradition.

Shanksville connected us with Doug, Chivon and Adam Macmillan, and that friendship grows with each experience and each day.

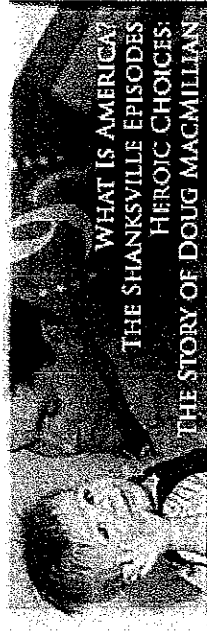
At the moment we are working on a project that grew out of our last visit and screening in Shanksville, and it should be finished in time to screen in Shanksville in the fall.

The blessings resulting from our work in Shanksville brought a wonderful person named Victoria into our life, and our conversations with her produced the idea for this

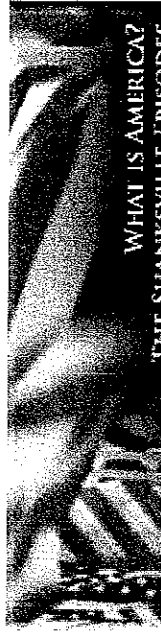
Click any of the buttons below to view The Shanksville Episodes of Windsor Park Stories



WHAT IS AMERICA?  
THE SHANKSVILLE EPISODES  
VAL MCCLATCHEY  
THE PICTURE



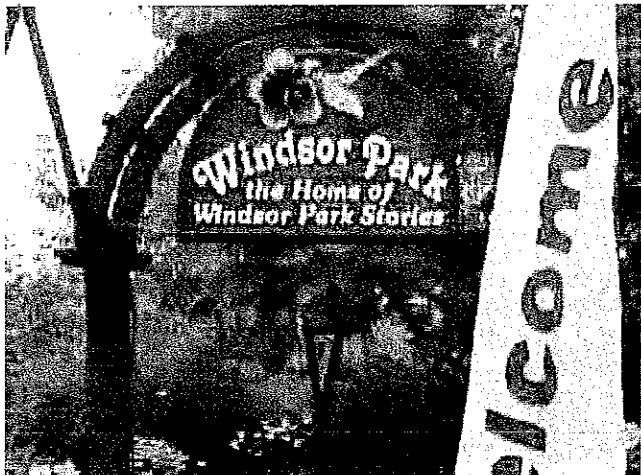
WHAT IS AMERICA?  
THE SHANKSVILLE EPISODES  
HEROIC CHOICES:  
THE STORY OF DOUG MACMILLAN



WHAT IS AMERICA?  
THE SHANKSVILLE EPISODES

DEPOSITION  
EXHIBIT  
McClatchey 29  
AKPs 3-14-06

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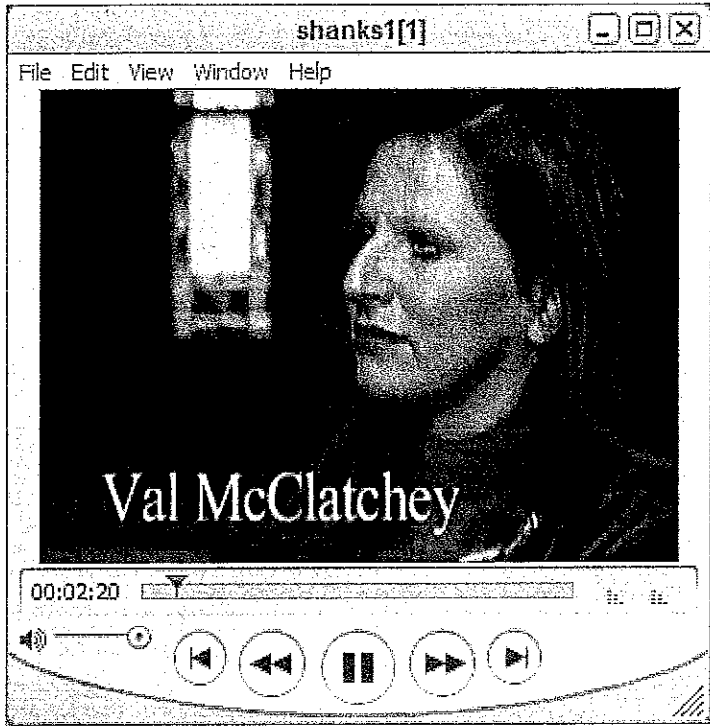


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# What is America?

A  
*Windsor Park  
Stories Special*

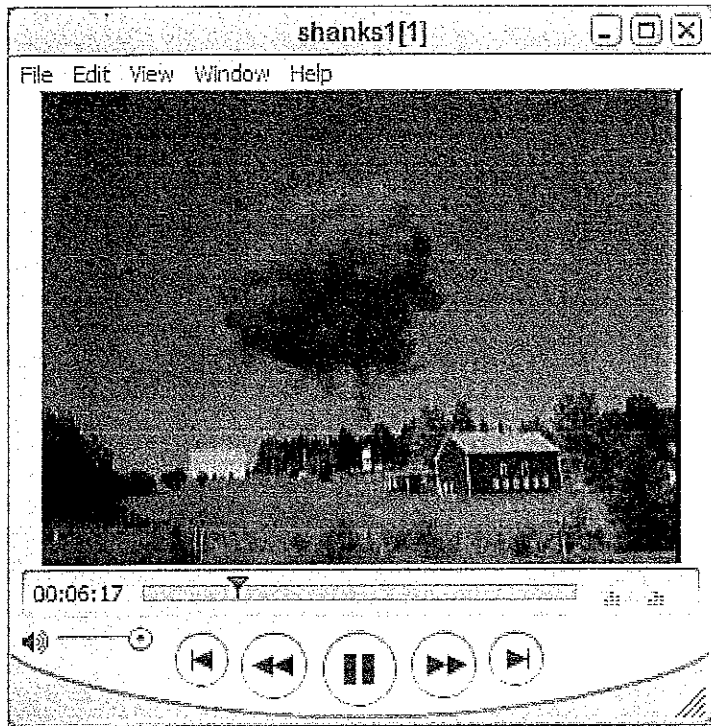
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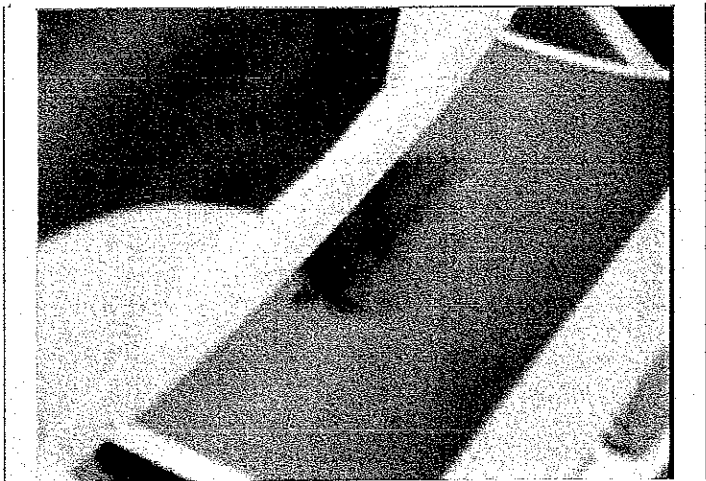


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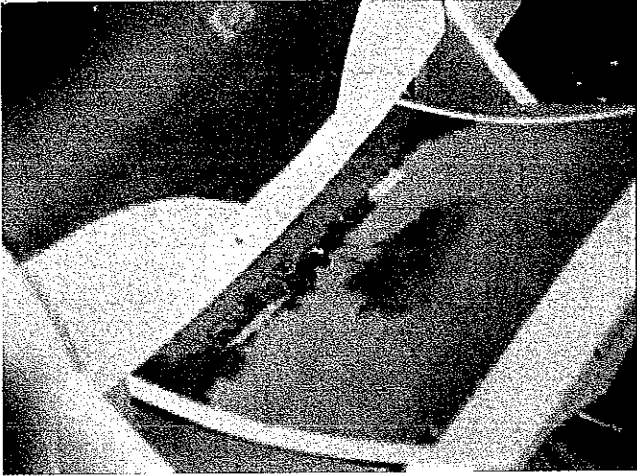




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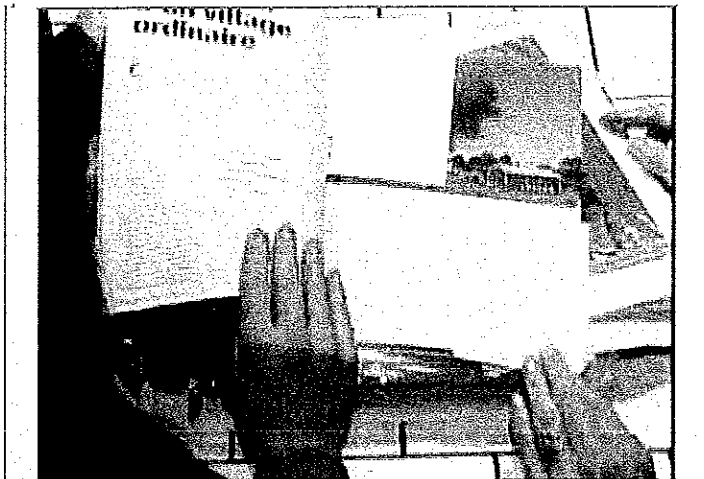




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