

**IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF PENNSYLVANIA**

VALENCIA M. MCCLATCHEY, )  
 )  
 Plaintiff, )  
 )  
 v. )  
 )  
 THE ASSOCIATED PRESS, )  
 )  
 Defendant. )  
 \_\_\_\_\_ )

Civil Action No. 05-00145J  
The Honorable Terence F. McVerry

**JURY TRIAL DEMANDED**

**PLAINTIFF'S FIRST AMENDED TRIAL EXHIBIT LIST**

**EXHIBIT A**

Exhibit No.	Description
PTX 1	Complaint For Copyright Infringement
PTX 2	Waiver of Service of Summons from Robert Penchina
PTX 3	Defendant's Answer and Defenses
PTX 4	Plaintiff's Rule 26(a)(1) Disclosures
PTX 5	Rule 26(a)(1) Initial Disclosures of Defendant The Associated Press
PTX 6	Fax Copy of Defendant's Response to Plaintiff's First Request for the Production of Documents
PTX 7	Responses and Objections of Defendant The Associated Press to Plaintiff's First Set of Interrogatories (Nos. 1-16) to Defendant
PTX 8	Notice of Deposition of Individuals Charles Sheehan, George Galt, Gene Puskar, Jim Gerberich, David Ake
PTX 9	Subpoena in a Civil case for Iphotoart
PTX 10	Subpoena Served to the Washington Post
PTX 11	Subpoena Served to America Online
PTX 12	Subpoena Served to Chicago Tribune
PTX 13	Responses and Objections of Defendant the Associated Press to the First Set of Requests for Admission by Plaintiff Valencia McClatchey
PTX 14	Plaintiff's Response to Defendant's Requests for Admission
PTX 15	Plaintiff's Objections and Responses to Defendant's Statement of Undisputed Material Facts

<b>Exhibit No.</b>	<b>Description</b>
PTX 16	Filed Copy of Plaintiff's Response to Defendant's Motion for Summary Judgment and Declaration of Douglas M. Hall in Support Thereof
PTX 17	Plaintiff's Statement of Undisputed Material Facts
PTX 18	Memorandum Opinion and Order denying the Associated Press' Motion for summary Judgment
PTX 19	Val McClatchey's "Acquired Footage/Still Photograph License" Form (MC 00001 - MC 00002)
PTX 20	January 14, 2005, Letter to Val McClatchey from Bruce (MC 00003 - MC 00004)
PTX 21	June 19, 2002 Email from D. McCall to Val McClatchey re: End of Serenity photo (MC 00008)
PTX 22	March 27, 2002 Email from Val McClatchey to John W. Harris re: "End of Serenity photo (MC 00009)
PTX 23	November 26, 2001 Email from Val McClatchey to Kathy Jones re: Newsweek.com photo use confirmation (MC 00010)
PTX 24	July 16, 2002 Email from Val McClatchey to Linda Carter re: Linda's request to use the photo (MC 00011)
PTX 25	October 28, 2002 Email from Melissa Lata to Val McClatchey re: purchasing copies of the photo (MC 00012)
PTX 26	October 27, 2002 Email from Dave and Paula to Val McClatchey re: photo questions (MC 00013)
PTX 27	September 23, 2002 Email from Tom Miller to Val McClatchey re: requesting permission to use the photograph (MC 00014)
PTX 28	September 11, 2002 Email from Val McClatchey to N. Nova re: use of photo (MC 00016 - MC 00017)

<b>Exhibit No.</b>	<b>Description</b>
PTX 29	August 14, 2002 Email from Val McClatchey to Michael Mercanti of the Philadelphia Daily News requesting use of the photo - MC 00018)
PTX 30	August 17, 2002 Email from Val McClatchey to Paul Ruggieri re: permission to use photo (MC 00019)
PTX 31	July 26, 2002 Email from Val McClatchey to Vannary Lim re: permission to use photo (MC 00020)
PTX 32	July 16, 2002 Email from Val McClatchey to Linda Carter re: permission to use photo (MC 00021)
PTX 33	July 13, 2002 Email from Val McClatchey to Beverly Brannan re: usage of photo (MC 00022)
PTX 34	October 10, 2001 Letter to Jessica Cooper from Val McClatchey re: documentary (MC 00024)
PTX 35	CBS News License Agreement dated 10/9/01 signed only by Val McClatchey (MC 00025)
PTX 36	CNN Productions, Inc. License Agreement dated 6/11/02 (MC 00026)
PTX 37	May 16, 2005 Email from Laura Alper to Val McClatchey re: Towers Productions, Inc. (MC 00027)
PTX 38	July 6, 2005 Email from Lance Hori to Val McClatchey re: photo request - National Geographic Channel (MC 00028 - MC 00029)
PTX 39	June 29, 2005 Email from Lance Hori to Val McClatchey re: Inside 9/11 - National Geographic Channel (MC 00030 - MC 00031)
PTX 40	July 6, 2005 Email from Lance Hori to Val McClatchey re: photo request - National Geographic Channel (MC 00032 - MC 00033)

<b>Exhibit No.</b>	<b>Description</b>
PTX 41	Towers Productions Letter of Agreement for Use of Footage/Still Images dated May 16, 2005 (MC 00034 - MC 00035)
PTX 42	License Agreement dated June 25, 2002 between National Museum of American History and Val McClatchey (MC 00036)
PTX 43	March 8, 2002 Email from Val McClatchey to Emilie Sommer re: photo request (MC 00037)
PTX 44	Agreement with Freelance Contributors dated March 11, 2002 (MC 00038)
PTX 45	October 9, 2001 Letter to Val McClatchey from Jessica Cooper of CBS News enclosing License Agreement dated October 9, 2001 between CBS News and Val McClatchey (MC 00039 - MC 00040)
PTX 46	June 6, 2002 Email from Donna Forte to Val McClatchey (MC 00041)
PTX 47	May 14, 2002 Email from Jeffrey Kellogg to Val McClatchey (MC 00042)
PTX 48	May 20, 2002 Email from Jeffrey Kellogg to Val McClatchey (MC 00043 - MC 00044)
PTX 49	October 11, 2001 from Val McClatchey to pti (MC 00045)
PTX 50	September 21, 2001 Email from Val McClatchey to pas (MC 00046)
PTX 51	September 29, 2001 Email from Val McClatchey to cxe6 (MC 00047)
PTX 52	November 24, 1001 Email from Kathy Jones to Val McClatchey (MC 00048)
PTX 53	November 28, 2001 Email from Andrea Croner to Val McClatchey (MC 00049)
PTX 54	November 30, 2001 Email from Susan McNaughton to Val McClatchey (MC 00053)
PTX 55	November 24, 2001 Email from Kathy Jones to Val McClatchey (MC 00054)

<b>Exhibit No.</b>	<b>Description</b>
PTX 56	July 26, 2002 Email from Vannary Lim to Val McClatchen (MC 00055)
PTX 57	July 26, 2002 Email from Vannary Lim to Val McClatchey (MC 00056)
PTX 58	December 29, 2003 Letter to Photosearch, Inc. From Val McClatchey (MC 00057)
PTX 59	November 28, 2001 Email from Val McClatchey to Mike Morlacci (MC 00058)
PTX 60	April 19, 2005 Email from Caryn Collier to Val McClatchey (MC 00060)
PTX 61	December 5, 2001 Invoice in the amount of \$200 from Val McClatchey to Spiegel Verlag (MC 00061)
PTX 62	March 11, 2002 Note and Invoice in the amount of \$300 from Val McClatchey to Emilie Sommer (MC 00062)
PTX 63	Letter from Val McClatchey to Olivier Picard requesting remittance of \$450 (MC 00063)
PTX 64	June 6, 2002 Email from Arash Ghadishah to Val McClatchey (MC 00064)
PTX 65	August 19, 2003 Email from Derek Mitchell to Val McClatchey (MC 00065)
PTX 66	August 19, 2003 Email from Val McClatchey to Derek Mitchell (MC 00066)
PTX 67	November 14, 2001 Email from Val McClatchey to Carol Tataleba (MC 00067)
PTX 68	June 26, 2005 Email from Deborah Anderson to Val McClatchen (MC 00074 - MC 00077)
PTX 69	November 27, 2001 Email from Val McClatchey to Dave LaBelle (MC 00078 - MC 00080)
PTX 70	December 27, 2004 Email from David Kaplan to Val McClatchey (MC 00083 - MC 00085)
PTX 71	Certificate of Registration effective January 29, 2002 (MC 00150)

Exhibit No.	Description
PTX 72	December 17, 2002 Invoice from Sebdo - Le Point to Val McClatchey in the amount of \$500 (MC 00151 - MC 00153)
PTX 73	July 26, 2002 Email from Vannary Lim to Val McClatchey (MC 00155 - MC 00156)
PTX 74	Note enclosing check for \$100 for photo use from Federal Aviation Administration (MC 00166 - MC 00167)
PTX 75	July 26, 2002 Check Stub from The Reader's Digest Association Inc. in the amount of \$500 (MC 00157 - MC 00158)
PTX 76	October 25, 2001 Check Stub from CBS in the amount of \$300 (MC 00159)
PTX 77	December 29, 2003 Check Stub from Photosearch, Inc. in the amount of \$350 (MC 00160)
PTX 78	March 18, 2002 Check Stub from The Washington Post in the amount \$300 (MC 00161 - MC 00162)
PTX 79	January 14, 2002 Letter to Val McClatchey from John Harris of the U.S. Department of Transportation (MC 00168 -MC 00170)
PTX 80	November 29, 2001 Check Stub from the Pittsburgh Post-Gazette in the amount of \$50.00 (MC 00171 - MC 00172)
PTX 81	October 3, 2002 Check Stub to Val McClatchey in the amount of \$250 (MC 00173)
PTX 82	Letter from Stoystown Lions Club to Val McClatchey thanking her for the gift of the Flight 93 Picture (MC 00174 - MC 00175)
PTX 83	8/22/02 Check Stub in the amount of \$250 and letter to Val McClatchey from Shonda Clark of Breezewood PTO (MC 00178 - MC 00179)

<b>Exhibit No.</b>	<b>Description</b>
PTX 84	Letter to Val McClatchey from the Todd M. Beamer Foundation thanking her for \$400 donation (MC 00180 - MC 00181)
PTX 85	Letter to Val McClatchey from the Todd M. Beamer Foundation thanking her for \$1,195 donation (MC 00182 - MC 00183)
PTX 86	Purchase Order in the amount of \$250 from Bookspan dated 7/11/02 (MC 00184)
PTX 87	Check Stub from Philadelphia Newspapers, Inc. in the amount of \$200 (MC 00185)
PTX 88	Check Stub from U.S. News & World Report in the amount of \$450 (MC 00188 - MC 00189)
PTX 89	July 5, 2005 Email from Scot Smith to Val McClatchey (MC 00191 - MC 00193)
PTX 90	October 21, 2003 Email from David Oberdick to Val McClatchey (MC 00197)
PTX 91	April 17, 2002 Letter from Beverly W. Brannan of The Library of Congress to Val McClatchey (MC 00201)
PTX 92	June 9, 2003 Letter from Lawrence Hyman of the Smithsonian Institution Traveling Exhibition Service (MC 00202)
PTX 93	September 15, 2005 Letter from Edward Rendell of the Commonwealth of Pennsylvania Office of the Governor to Val McClatchey (MC 00203)
PTX 94	Photo of President Bush and End of Serenity Photo (MC 00206)
PTX 95	Advertisement of 9-11 Remembered... The Shanksville Story (MC 00208)
PTX 96	Library of Congress Prints and Photographs Division Responds to September 11, 2001 Attack on America (MC 00209)



<b>Exhibit No.</b>	<b>Description</b>
PTX 97	August 27, 2002 Letter from Elizabeth A.C. Perry of the Smithsonian National Museum of American History to Val McClatchey (MC 00210)
PTX 98	Article: Day to Remember from the Indiana Gazette showing picture of Val holding her photo (MC 00212)
PTX 99	Article: Woman Receives Photo Award from the Daily America (MC 00213)
PTX 100	Article: The Untold Story 'Let's Roll' from Reader's Digest (MC 00219 - MC 00221)
PTX 101	Photos: 2001: The Year in Photos showing President Bush, One of the Towers and Val's Photo (MC 00222)
PTX 102	12/9/02 Note to Val from Theresa Ambrose (MC 00226)
PTX 103	Article: Three-Minute Discrepancy in Tape from the Philadelphia Daily News - September 16, 2002 (MC 00228)
PTX 104	Article in German Publication showing Val's Picture (MC 00229)
PTX 105	Smithsonian National Museum of American History Exhibit Brochure - September 11 Bearing Witness to History (MC 00230 - MC 00236)
PTX 106	Copy of Val's Photo (MC 00237)
PTX 107	Copy of Several Photo Credits including Val's Photo (MC 00238)
PTX 108	Article published in Germany showing Val's Photo (MC 00240)
PTX 109	Article published in German Magazine Focus showing Val's Photo (MC 00243 - MC 00245)
PTX 110	Article: Photo Benefits Crash Victims published in Penn Lines January 2002 Magazine (MC 00248 - MC 00249)

Exhibit No.	Description
PTX 111	Article: The Story Behind the Photo published in Pennsylvania Township News January 2002 Magazine (MC 00250 - MC 00251)
PTX 112	May 27, 2004 Letter from Anthony Laratonda to Val McClatchey (MC 00252 - MC 00254)
PTX 113	Thank You Note from Der Spiegel The German News Magazine with article attached showing Val's Photo (MC 00257 - MC 00258)
PTX 114	Article: Horror & Heros: What Really Happened on Flight 93 published in Newsweek (MC 00259 - MC 00269)
PTX 115	Article published in a French Magazine (MC 00270 - MC 00273)
PTX 116	Copy of Val's Photo published by the Washington Post Magazine (MC 00277)
PTX 117	U.S. Department of Transportation Publication: 2001Criminal Acts Against Civil Aviation (MC 00282 - MC 00286)
PTX 118	Article: At Pennsylvania's Ground Zero published by Time Magazine (MC 00287 - MC 00288)
PTX 119	Certificate of Registration dated January 29, 2002 (MC 00289)
PTX 120	January 22, 2004 Letter From Roxanne Esch of America Online to David G. Oberdick (MC 00291)
PTX 121	December 12, 2003 Email from George Galt to David Oberdick (MC 00292)
PTX 122	Associated Press Freelancer Agreement - unsigned (MC 00293 - MC -294)
PTX 123	Walk-In Photo Purchase Agreement - unsigned (MC 00295)
PTX 124	March 8, 2002 Fax Cover Sheet from The Washington Post to Val McClatchey attaching Agreement With Freelance Contributors - signed by Val on 3/11/02 (MC 00296 - MC 00297)

Exhibit No.	Description
PTX 125	<p>Screen Shot from the Associated Press Photo Services (MC 00302)</p> <p>Screen Shot from the Associated Press Collection Limited Edition Photographs (MC 00303)</p> <p>Screen Shot from the Associated Press Collection Limited Edition Photographs - The Associated Press Collection (MC 00304)</p> <p>Screen Shot from the Associated Press Collection Limited Edition Photographs - About the Photographs (MC 00305)</p> <p>Screen Shot from the Associated Press Collection Limited Edition Photographs - iPhotoart (MC 00306)</p> <p>Screen Shot from the Associated Press Collection Limited Edition Photographs - 60 images (MC 00307)</p> <p>Screen Shot from the Associated Press Collection Limited Edition Photographs - Ali Liston Photo (MC 00308)</p> <p>Screen Shot from the Associated Press Collection Limited Edition Photographs - American League Poses Photo (MC 00309)</p> <p>Screen Shot from the Associated Press Collection Limited Edition Photographs - Armstrong and His Trumpet Photo (MC 00310)</p> <p>Screen Shot from the Associated Press Collection Limited Edition Photographs - Babe Ruth Photo (MC 00311)</p> <p>Screen Shot from the Associated Press Collection Limited Edition Photographs - Beatlemania Photo (MC 00312)</p> <p>Screen Shot from the Associated Press Collection Limited Edition Photographs - Beatlemania Photo (MC 00313)</p> <p>Screen Shot from the Associated Press Collection Limited Edition Photographs - Beatles Charity Show Rehearsal Photo (MC 00314)</p> <p>Screen Shot from the Associated Press Collection Limited Edition Photographs - Birmingham Protest Photo (MC 00315)</p> <p>Screen Shot from the Associated Press Collection Limited Edition Photographs - Bogart BeCALL London Photo (MC 00316)</p>

Exhibit No.	Description
	<p>Screen Shot from the Associated Press Collection Limited Edition Photographs - Chapline the Kid Photo (MC 00317)</p> <p>Screen Shot from the Associated Press Collection Limited Edition Photographs - Charles Lindbergh Photo (MC 00318)</p> <p>Screen Shot from the Associated Press Collection Limited Edition Photographs - Churchill Inspects Ruins Photo (MC 00319)</p> <p>Screen Shot from the Associated Press Collection Limited Edition Photographs - Clay and the Beatles Photo (MC 00320)</p> <p>Screen Shot from the Associated Press Collection Limited Edition Photographs - Clay and the Beatles Photo (MC 00321)</p> <p>Screen Shot from the Associated Press Collection Limited Edition Photographs - Clay Liston Photo (MC 00322)</p> <p>Screen Shot from the Associated Press Collection Limited Edition Photographs - 69 Images (MC 00323)</p> <p>Screen Shot from the Associated Press Collection Limited Edition Photographs - Destruction of Warsaw Photo (MC 00324)</p> <p>Screen Shot from the Associated Press Collection Limited Edition Photographs - Dewey Defeats Truman Photo (MC 00325)</p> <p>Screen Shot from the Associated Press Collection Limited Edition Photographs - Dimaggio Gehrig Photo (MC 00326)</p> <p>Screen Shot from the Associated Press Collection Limited Edition Photographs - Einstein Vacation Photo (MC 00327)</p> <p>Screen Shot from the Associated Press Collection Limited Edition Photographs - Elvis Presley Photo ((MC 00328)</p> <p>Screen Shot from the Associated Press Collection Limited Edition Photographs - Ed of WW II Photo (MC 00329)</p> <p>Screen Shot from the Associated Press Collection Limited Edition Photographs - World Trade Center Crash (MC 00380)</p>

Exhibit No.	Description
	<p>Screen Shot from the Associated Press Collection Limited Edition Photographs - U.S. Presidential Debate Photo (MC 00409)</p> <p>Screen Shot from the Associated Press Collection Limited Edition Photographs- Vietnam Child Killed Photo (MC 00410)</p> <p>Screen Shot from the Associated Press Collection Limited Edition Photographs - Vietnam Napalm Photo (MC 00411)</p> <p>Screen Shot from the Associated Press Collection Limited Edition Photographs - Vietnam Released POW Photo (MC 00412)</p> <p>Screen Shot from the Associated Press Collection Limited Edition Photographs - 33 Images (MC 00413)</p> <p>Screen Shot from the Associated Press Collection Limited Edition Photographs - Vietnam War Photo (MC 00414)</p> <p>Screen Shot from the Associated Press Collection Limited Edition Photographs - Winecoff Hotel Death Photo (MC 00415)</p> <p>Screen Shot from the Associated Press Collection Limited Edition Photographs - WWII Japanese Casualties Photo (MC 00416)</p>
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PTX 127	Video Tapes and DVDs
PTX 128	Associated Press Facts & Figures (MC 00422)
PTX 129	Associated Press Photo & Graphics Services (MC 00424 - MC 00425)
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Exhibit No.	Description
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PTX 136	Handwritten Notes (Bates MC 00435 - MC 00796)
PTX 137	September 11, 2001 Email from Val McClatchey to Lisa Tristano attaching phot(MC 00797-00798)
PTX 138	February 27, 2006 Email from Val McClatchey to Lisa Tristano (MC 00799 - MC 00800)
PTX 139	Flight 93 National Memorial Capital Campaign Literature (MC 00801 - MC 00812)
PTX 140	AP's Policy on Electronic Handling of Photos (AP00178 - AP00183)
PTX 141	Val's Photo (AP00192)
PTX 142	AP Stylebook 2005 - AP Caption and NAA/IPTC Header Reference Guide (AP00042-AP00110)
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PTX 144	AP Wide World Photos - News Photos and Graphics from The Associated Press (AP00007-AP00041)
PTX 145	AP Image showing Metadata - Val's Photo and all Information - it says "Do Not Use" at the top (AP00193)
PTX 146	Article published by The Associated Press (AP00186-AP00187)
PTX 147	Article published by The Associated Press (AP00188-AP00189)
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<b>Exhibit No.</b>	<b>Description</b>
PTX 149	December 12, 2003 Email from George Galt to David Oberdick (AP00006)
PTX 150	December 9, 2003 Email from David Oberdick to G. Galt (AP00005)
PTX 151	AP Image Showing Metadata
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PTX 153	Photo Archive System - List of Users Who Downloaded the Image (AP00184-AP00185)
PTX 154	Article: Woman Who Captured Flight 93 Image Struggles A Year Later published from The Progress dated September 12, 2002 (MC 00199)
PTX 155	Article: Photo Brought Fame, Not Fortune For Woman published from The Tribune-Democrat, Johnstown, PA dated September 13, 2002 (MC 00198)
PTX 156	October 21, 2003 Letter from David Oberdick to Jim Bramson (AP0002-A - AP0002-D)
PTX 157	List of PhotoStream Users (AP00198-AP00225)
PTX 158	AP PhotoStream Agreement (AP00226-AP00227)
PTX 158 (A)	Media Liability Declarations (AP00433-AP00455)
PTX 159	Media Liability Insurance Policy Declarations for Multimedia Companies (AP00456-AP00478)
PTX 160	March 10, 2006 Letter from Robert PENCHINA to Kara Szpondowski re: AP's PhotoStream service
PTX 161	December 1, 2005 Letter from Carmen Rivera to Douglas Hall enclosing documents produced in answer to our subpoena
PTX 162	Deposition Transcript of James R. Gerberich - 1/19/06

<b>Exhibit No.</b>	<b>Description</b>
PTX 163	Exhibit 1 to James R. Gerberich Deposition 1/19/06 - Plaintiff's Notice of Deposition of Def. The Associated Press Pursuant to Federal Rule of Civil Procedure 30(b)(6)
PTX 164	Exhibit 2 to James R. Gerberich Deposition 1/19/06 - AP00192 - End of Serenity Photo (AP00192)
PTX 165	Exhibit 3 to James R. Gerberich Deposition 1/19/06 - Complaint for Copyright Infringement
PTX 166	Exhibit 4 to James R. Gerberich Deposition 1/19/06 - Computer Print Out of Sept. 11 Flight 93 Image
PTX 167	Exhibit 5 to James R. Gerberich Deposition 1/19/06 - Computer Print Out of Sept. 11 Flight 93 Image (AP00185)
PTX 168	Exhibit 6 to James R. Gerberich Deposition 1/19/06 - Associated Press - Facts & Figures (MC 00417- MC 00428)
PTX 169	Exhibit 7 to James R. Gerberich Deposition 1/19/06 - Associated Press - AP History/AP Corporate Archives (AP00111-AP00177)
PTX 170	Exhibit 8 to James R. Gerberich Deposition 1/19/06 - Associated Press Limited Edition Photographic Prints (MC 00303 - MC 00416)
PTX 171	Exhibit 9 to James R. Gerberich Deposition 1/19/06 - Responses and Objections of Def. The Associated Press to Plaintiff's First Set of Interrogatories (Nos. 1-16) to Defendant
PTX 172	Exhibit 10 to James R. Gerberich Deposition 1/19/06 - Article from: "Woman who captured Flight 93 image struggles a year later" published by The Progress in Pennsylvania on 9/12/02 (MC 00199)
PTX 173	Exhibit 11 to James R. Gerberich Deposition 1/19/06 -Photo Archive System - List of Users Who Downloaded the Image: APA6430495 (AP00184)



<b>Exhibit No.</b>	<b>Description</b>
PTX 174	Exhibit 12 to James R. Gerberich Deposition 1/19/06 - List of Photo-Stream Users (AP00198-AP225)
PTX 175	Exhibit 13 to James R. Gerberich Deposition 1/19/06 - PhotoStream Subscribers Broadcast Department (AP00197)
PTX 176	Exhibit 14 to James R. Gerberich Deposition 1/19/06 - Digital PhotoStream Subscribers (AP00194-AP00196)
PTX 177	Exhibit 15 to James R. Gerberich Deposition 1/19/06 - AP PhotoStream Agreement (AP00226)
PTX 178	Exhibit 16 to James R. Gerberich Deposition 1/19/06 - AP Stylebook 2005 - AP Staff Interface (AP00042-AP00110)
PTX 179	Deposition Transcript of George Galt 1/19/06
PTX 180	Exhibit 17 to George Galt Deposition 1/19/06 - Rule 26(a)(1) Initial Disclosures of Defendant the Associated Press
PTX 181	Exhibit 18 to George Galt Deposition 1/19/06 - Media Liability Declarations
PTX 182	Exhibit 19 to George Galt Deposition 1/19/06 - Email From George Galt to David G. Oberdick dated 12/12/03 re: McClatchen - 9/11 Photo (MC 00292)
PTX 183	Deposition Transcript of David Ake - 1/19/06
PTX 184	Exhibit 20 to David Ake Deposition 1/19/06 - Associated Press License to Distribute Photo For Publication (AP00090)
PTX 185	Exhibit 21 to David Ake Deposition 1/19/06 - AP Photo Archive - Terms and Conditions of Use (AP00180 - AP00183)
PTX 186	Exhibit 22 to David Ake Deposition 1/19/06 - AP Photo Archive (AP00059)

Exhibit No.	Description
PTX 187	Deposition Transcript of Charles Sheehan - 3/9/06
PTX 188	Exhibit 23 to Charles Sheehan Deposition 3/9/06 - Article: "Photo Brought Fame, Not Fortune For Woman" 9/13/02 published by The Tribune-Democrat, Johnstown, PA with handwritten note to Val (MC 00198)
PTX 189	Exhibit 24 to Charles Sheehan Deposition 3/9/06 - "End of Serenity" Photo 9/11/01 (Valencia McClatchey, copyright 2002) - (MC 00434)
PTX 190	Deposition Transcript of Gene J. Puskar - 3/15/06
PTX 191	Exhibit 25 to Gene J. Puskar Deposition 3/15/06 - "End of Serenity" Photo 9/11/01 (Valencia McClatchey, copyright 2002 - (MC 00434)
PTX 192	Deposition Transcript of Valencia M. McClatchey - 3/14/06
PTX 193	Exhibit 1 to Valencia M. McClatchey Deposition 3/14/06 - Article: Woman who captured Flight 93 image struggles a year later" published by The Progress in Pennsylvania - 9/12/02
PTX 194	Exhibit 2 to Valencia M. McClatchey Deposition 3/14/06 - 9/11 Remembered - The Shanksville Story - How a small town was changed forever published by The Tribune Democrat - 9/11/02 (MC 00274 MC 00276)
PTX 195	Exhibit 3 to Valencia M. McClatchey Deposition 3/14/06 - Article: Lives changed in countless ways published by the Pittsburgh Tribune-Review 3/10/06
PTX 196	Exhibit 4 to Valencia M. McClatchey Deposition 3/14/06 - Email from Val McClatchey to Kathy Jones dated November 26, 2001, re: Newsweek.com photo use confirmation (MC 00010)
PTX 197	Exhibit 5 to Valencia M. McClatchey Deposition 3/14/06 - Email from Val McClatchey to H. Nova2 dated 8/13/02 re: Use of Photo (MC 00016 - MC 00017)

<b>Exhibit No.</b>	<b>Description</b>
PTX 198	Exhibit 6 to Valencia M. McClatchey Deposition 3/14/06 - Email from Val McClatchey to Paul Ruggieri dated 8/17/02 re: Email address from Paul Ruggieri (MC 00019)
PTX 199	Exhibit 7 to Valencia M. McClatchey Deposition 3/14/06 - Email from Val McClatchey to Emilie Sommer dated 3/8/02 re: End of Serenity (MC 00037)
PTX 200	Exhibit 8 to Valencia M. McClatchey Deposition 3/14/06 - The Washington Post Agreement with Freelance Contributors (MC 00038)
PTX 201	Exhibit 9 to Valencia M. McClatchey Deposition 3/14/06 - "End of Serenity" Photo 9/11/01 (Valencia McClatchey, copyright 2002)
PTX 202	Exhibit 10 to Valencia M. McClatchey Deposition 3/14/06 - Email from Val McClatchey to pto dated 10/11/01 re: Flight 93 Photo (MC 00045)
PTX 203	Exhibit 11 to Valencia M. McClatchey Deposition 3/14/06 - Letter from Valencia McClatchey to Olivier Picard requesting remittance of \$450 (MC 00063)
PTX 204	Exhibit 12 to Valencia M. McClatchey Deposition 3/14/06 - Envelope and check stub from U.S. News & World in the amount of \$450 (MC 00188 - MC 00189)
PTX 205	Exhibit 13 to Valencia M. McClatchey Deposition 3/14/06 - Email from Val McClatchey to Derek Mitchell dated 8/19/03 re: copyright for photo: complete 9/11 timeline (MC 00066)
PTX 206	Exhibit 14 to Valencia M. McClatchey Deposition 3/14/06 - Email from Val McClatchey to Martin dated 11/28/01 re: End of Serenity Photo (MC 00068)
PTX 207	Exhibit 15 to Valencia M. McClatchey Deposition 3/14/06 - Email from Val McClatchey to Dave LaBelle dated 11/27/01 (MC 00078 - MC 00080)
PTX 208	Exhibit 16 to Valencia M. McClatchey Deposition 3/14/06 - Email from Vannary Lim to Val McClatchey dated 7/26/02 re: Shanksville (MC 00056)

<b>Exhibit No.</b>	<b>Description</b>
PTX 209	Exhibit 17 to Valencia M. McClatchey Deposition 3/14/06 - Article from Monde (MC 00270 - MC 00273)
PTX 210	Exhibit 18 to Valencia M. McClatchey Deposition 3/14/06 - Article: Three-minute discrepancy in tape published by the Philadelphia Daily News - 9/16/02 (MC 00228)
PTX 211	Exhibit 19 to Valencia M. McClatchey Deposition 3/14/06 - Email from Key Stone Camaro Club re: Tri State Celebs
PTX 212	Exhibit 20 to Valencia M. McClatchey Deposition 3/14/06 - Email from Key Stone Camaro Club to Tri State Camaro dated 9/26/01
PTX 213	Exhibit 21 to Valencia M. McClatchey Deposition 3/14/06 - Email from Key Stone Camaro Club to Tri State Camaro dated 10/10/01
PTX 214	Exhibit 22 to Valencia M. McClatchey Deposition 3/14/06 - Letter from David G. Oberdick to Jim Bramson dated 10/21/03 re: Unauthorized Use of Copyrighted Work (AP 00002-A - AP 00002-D)
PTX 215	Exhibit 23 to Valencia M. McClatchey Deposition 3/14/06 - Letter from Val McClatchey to Copyright Agent dated 1/ 8/05 (MC 00147)
PTX 216	Exhibit 24 to Valencia M. McClatchey Deposition 3/14/06 - Order screen for the "End of Serenity" Photo
PTX 217	Exhibit 25 to Valencia M. McClatchey Deposition 3/14/06 - Email from Val McClatchey to Mike Morlacci dated 11/28/01 re: End of Serenity Photo (MC 00058)
PTX 218	Exhibit 26 to Valencia M. McClatchey Deposition 3/14/06 - Email from R.G. Kozel to Stooage date: 3/26/05 re: AP Sued of Flight 93 Photo (MC 00194)
PTX 219	Exhibit 27 to Valencia M. McClatchey Deposition 3/14/06 - Screen Captures from Liberty Bound

<b>Exhibit No.</b>	<b>Description</b>
PTX 220	Exhibit 28 to Valencia M. McClatchey Deposition 3/14/06 - Screen Captures - The Flight That Fought Back
PTX 221	Exhibit 29 to Valencia M. McClatchey Deposition 3/14/06 - Screen Captures from Windsor Park Stores - Shanksville Episodes
PTX 222	Exhibit 30 to Valencia M. McClatchey Deposition 3/14/06 - Screen Capture
PTX 223	Demonstrative re: Liability
PTX 224	Demonstrative re: Liability
PTX 225	Demonstrative re: Liability
PTX 226	Demonstrative re: Liability
PTX 227	Demonstrative re: Liability
PTX 228	Demonstrative re: Liability
PTX 229	Demonstrative re: Liability
PTX 230	Demonstrative re: Liability
PTX 231	Demonstrative re: Liability
PTX 232	Demonstrative re: Liability
PTX 233	Demonstrative re: Liability
PTX 234	Demonstrative re: Liability
PTX 235	Demonstrative re: Liability

<b>Exhibit No.</b>	<b>Description</b>
PTX 236	Demonstrative re: Liability
PTX 237	Demonstrative re: Liability
PTX 238	Demonstrative re: Liability
PTX 239	Demonstrative re: Liability
PTX 240	Demonstrative re: Liability
PTX 241	Demonstrative re: Liability
PTX 242	Demonstrative re: Liability
PTX 243	Demonstrative re: Liability
PTX 244	Demonstrative re: Damages
PTX 245	Demonstrative re: Damages
PTX 246	Demonstrative re: Damages
PTX 247	Demonstrative re: Damages
PTX 248	Demonstrative re: Damages
PTX 249	Demonstrative re: Damages
PTX 250	Demonstrative re: Damages
PTX 251	Demonstrative re: Damages
PTX 252	Demonstrative re: Damages
PTX 253	Demonstrative re: Damages

<b>Exhibit No.</b>	<b>Description</b>
PTX 254	Demonstrative re: Fair Use
PTX 255	Demonstrative re: Fair Use
PTX 256	Demonstrative re: Fair Use
PTX 257	Demonstrative re: Fair Use
PTX 258	Demonstrative re: Fair Use
PTX 259	Demonstrative re: Fair Use
PTX 260	Demonstrative re: Fair Use
PTX 261	Demonstrative re: Fair Use
PTX 262	Demonstrative re: Fair Use

