

# **EXHIBIT C**

**DOCUMENTS AND OTHER EVIDENCE AP EXPECTS TO OFFER**

<b>Exhibit Number</b>	<b>Description of Exhibit</b>
DEF 1	Complaint for Copyright Infringement
DEF 2	Answer and Defenses
DEF 3	Plaintiff's Response to Defendant's First Request for Production of Documents
DEF 4	Defendant's Response to Plaintiff's First Request for Production of Documents
DEF 5	Responses and Objections of Defendant The Associated Press to Plaintiff's First Set of Interrogatories (Nos. 1-16) to Defendant
DEF 6	Responses and Objections of Defendant The Associated Press to the First Set of Requests for Admission by Plaintiff Valencia McClatchey
DEF 7	Plaintiff's Response to Defendant's Request for Admission
DEF 8	Transcript of Deposition of Valencia McClatchey taken March 14, 2006, and exhibits thereto
DEF 9	Declaration of Val McClatchey dated June 18, 2006
DEF 10	Excerpt from AP Stylebook 2005 – NAA/IPTC Header Fields (AP00045-46)
DEF 11	Excerpt from AP Stylebook 2005 – Photo Captions (AP00047-49)
DEF 12	Information Sheet on AP PhotoStream (AP00065-69)
DEF 13	AP Photo Archive - Terms and Conditions of Use (AP00180-83)
DEF 14	Printout of AP computer file with photograph and metadata (AP00185)
DEF 15	AP computer version of story dated September 12, 2002 titled "Woman who captured searing Flight 93 image struggles a year later" (AP00186-87)
DEF 16	Acquired Footage/Still Photograph License between Valencia McClatchey, Brook Lapping Productions, and Discovery Communications, Inc. executed on or about July 14, 2005 (MC 00001-02)
DEF 17	Email dated June 19, 2002 from DMcCall195@aol.com to Valencia McClatchey (MC 00008)

Exhibit Number	Description of Exhibit
DEF 18	Email exchange dated August 13, 2002 between Helen Novasky Decher and Valencia McClatchey (MC 00016-17)
DEF 19	Email exchange between Val McClatchey and Michael Mercanti containing messages dated August 13, 2002 and August 14, 2002 (MC 00018)
DEF 20	Agreement with Freelance Contributors between Valencia McClatchey and The Washington Post dated March 11, 2002 (MC 00038)
DEF 21	Philadelphia Newspapers, Inc. check stub for \$200 payment to Val McClatchey dated September 25, 2002 (MC 00185)
DEF 22	U.S. News & World Report check stub for \$450 payment to Valencia McClatchey dated November 26, 2002 (MC 00188-89)
DEF 23	Article titled "Woman who captured Flight 93 image struggles a year later," published on September 12, 2002 in <i>The Progress</i> (MC 00199)
DEF 24	Article titled "Three-minute Discrepancy in Tape," published on September 16, 2002 in the <i>Philadelphia Daily News</i> (MC 00228)
DEF 25	Demonstrative exhibit of AP article
DEF 26	Demonstrative exhibit of photograph as distributed to AP members and stored in PhotoArchive
DEF 27	Demonstrative exhibit concerning plaintiff's distribution of photograph
DEF 28	Demonstrative exhibit concerning the fair use doctrine
DEF 29	Demonstrative exhibit concerning the fair use doctrine
DEF 30	Demonstrative exhibit concerning the fair use doctrine
DEF 31	Demonstrative exhibit concerning the fair use doctrine
DEF 32	Demonstrative exhibit concerning the fair use doctrine
DEF 33	Demonstrative exhibit concerning liability under the Copyright Act
DEF 34	Demonstrative exhibit concerning liability under the Copyright Act
DEF 35	Demonstrative exhibit concerning liability under the Copyright Act
DEF 36	Demonstrative exhibit concerning liability under the Copyright Act

<b>Exhibit Number</b>	<b>Description of Exhibit</b>
DEF 37	Demonstrative exhibit concerning liability under the Copyright Act
DEF 38	Demonstrative exhibit concerning liability under the Digital Millennium Copyright Act
DEF 39	Demonstrative exhibit concerning liability under the Digital Millennium Copyright Act
DEF 40	Demonstrative exhibit concerning liability under the Digital Millennium Copyright Act
DEF 41	Demonstrative exhibit concerning liability under the Digital Millennium Copyright Act
DEF 42	Demonstrative exhibit concerning liability under the Digital Millennium Copyright Act
DEF 43	Timeline of Litigation