

EXHIBIT D

DOCUMENTS AND OTHER EVIDENCE AP MAY OFFER

Exhibit Number	Description of Exhibit
DEF 44	Letter from Eric Lieberman, Associate Counsel of The Washington Post, to Douglas M. Hall, Niro, Scavone, Haller & Niro, dated Dec. 15, 2005 (Supplemental PENCHINA Decl. Ex. A)
DEF 45	Excerpt from "The Shanksville Story," published on September 11, 2002 in <i>The Tribune-Democrat</i> (McClatchey Dep. Ex. 2)
DEF 46	Transcript of Deposition of James R. Gerberich taken January 19, 2006
DEF 47	Transcript of Deposition of George Galt taken January 19, 2006
DEF 48	Transcript of Deposition of J. David Ake taken January 20, 2006
DEF 49	Transcript of Deposition of Charles Sheehan taken March 9, 2006
DEF 50	Transcript of Deposition of Gene J. Puskar taken March 15, 2006
DEF 51	Letter from David G. Oberdick to Jim Bramson dated October 21, 2003 (AP00002-A to -D, and attached screenshot)
DEF 52	Letter dated March 4, 2005 from Douglas M. Hall to John K. Keitt, Jr. (AP00003-04)
DEF 53	Email dated December 9, 2003 from David G. Oberdick to ggalt@ap.org (AP00005)
DEF 54	PhotoArchive System List of users who downloaded image APA6430495 dated August 29, 2005 (AP00184)
DEF 55	Report titled "Digital PhotoStream Subscribers" (AP00194-96)
DEF 56	Report titled "PhotoStream Subscribers Broadcast Department" (AP00197)
DEF 57	Report identifying subscribers to AP's PhotoStream service (AP00198-225)
DEF 58	AP PhotoStream Agreement form (AP00226-27)
DEF 59	Yahoo! Message Board posting from keystonecamaroclub dated September 26, 2001 (A0510)
DEF 60	Yahoo! Message Board posting from keystonecamaroclub dated October 10, 2001 (A0512)

Exhibit Number	Description of Exhibit
DEF 61	"Liberty Bound" video clip (MC 00417)
DEF 62	"Liberty Bound" screen shots (A0517-20) (McClatchey Dep. Ex. 27)
DEF 63	"The Flight that Fought Back" video clip (MC 00418)
DEF 64	"The Flight that Fought Back" slides dated March 11, 2006 (A0521-22) (McClatchey Dep. Ex. 28)
DEF 65	"Windsor Park Stories, Shanksville Episodes" video clip
DEF 66	"Windsor Park Stories, Shanksville Episodes" screen shots dated March 11, 2006 (A0523-37) (McClatchey Dep. Ex. 29)
DEF 67	Yahoo! Message Board posting from keystonecamaroclub dated December 26, 2001 (A0540-41)
DEF 68	Yahoo! Message Board posting from keystonecamaroclub dated October 11, 2001 (A0543)
DEF 69	Printout of a page from the web site of Mountain Lakes Realty, LLC, http://www.mtnlakesrealty.com (A0545)
DEF 70	Email exchange between Val McClatchey and Kathy Jones containing messages dated November 24, 2001 and November 26, 2001 (MC 00010)
DEF 71	Email exchange between Emilie Sommer and Val McClatchey dated March 8, 2002 (MC 00037)
DEF 72	Email from Val McClatchey to pti@co.somerset.pa.us dated October 11, 2001 (MC 00045)
DEF 73	Email from Val McClatchey to pas@prea.com dated September 21, 2001 (MC 00046)
DEF 74	Email from Val McClatchey to cxe6@psu.edu dated September 29, 2001 (MC 00047)
DEF 75	Email exchange between Val McClatchey and Mike Morlacci containing messages dated November 27, 2001 and November 28, 2001 (MC 00058)
DEF 76	Letter from Valencia McClatchey to Olivier Picard (MC 00063)
DEF 77	Email exchange between Val McClatchey and Arash Ghadishah containing messages dated June 5, 2002 and June 6, 2002 (MC 00064)

Exhibit Number	Description of Exhibit
DEF 78	Email exchange between Val McClatchey and Derek Mitchell dated August 19, 2003 (MC 00066)
DEF 79	Email from Val McClatchey to Allison Martin at WTAJ-TV (MC 00068)
DEF 80	Excerpt from Killtown website entitled "What Really Happened to Flight 93?" (MC 00088-114)
DEF 81	Email from Valencia McClatchey to Rosalee Grable (webfairy@thewebfairy.com) dated January 28, 2005 (MC 00116)
DEF 82	Email from Valencia McClatchey to FEMA dated January 7, 2005 (MC 00117)
DEF 83	Email from Valencia McClatchey to FEMA dated January 28, 2005 (MC 00118)
DEF 84	Email from Valencia McClatchey to copyright@yahoo-inc.com dated January 28, 2005 (MC 00119)
DEF 85	Email exchange between Valencia McClatchey and Rosalee Grable (webfairy@thewebfairy.com), et al. dated January 28, 2005 (MC 00121-24)
DEF 86	Email exchange between Valencia McClatchey and Paul Thompson containing an undated message and a message dated August 19, 2003 (MC 00128)
DEF 87	Excerpt from a timeline from the website www.unansweredquestions.net (MC 00141)
DEF 88	Reader's Digest Association Inc. check stub for \$500 payment to Valencia McClatchey dated July 26, 2002 (MC 00157-158)
DEF 89	CBS check stub for a \$300 payment dated 10/25/01 (MC 00159)
DEF 90	Photosearch, Inc. check stub for \$350 payment to Valencia McClatchey dated February 18, 2004 (MC 00160)
DEF 91	Washington Post check stub for \$300 payment to Valencia McClatchey dated March 18, 2002 (MC 00161-62)
DEF 92	Letter mailed April 8, 2002 from John Harris of Federal Aviation Administration to Val McClatchey (MC 00166-67)

Exhibit Number	Description of Exhibit
DEF 93	Pittsburgh Post-Gazette check stub for \$50 payment to Valencia McClatchey dated November 29, 2001 (MC 00171-72)
DEF 94	Check stub for \$250 payment to Valencia McClatchey dated October 11, 2002 (MC 00173)
DEF 95	Bookspan purchase order for \$250 to Valencia McClatchey dated July 11, 2002 (MC 00184)
DEF 96	Article titled "Photo Brought Fame, not Fortune for Woman," published on September 13, 2002 in <i>The Tribune-Democrat</i> (MC 00198)
DEF 97	Photograph of President Bush and "End of Serenity" (MC 00206)
DEF 98	Photograph of Val McClatchey and Congressman Murtha (MC 00207)
DEF 99	Article titled "Day to Remember," published in <i>The Indiana Gazette</i> (MC 00212)
DEF 100	Article titled "Woman receives photo award," published in the <i>Daily American</i> (MC 00213)
DEF 101	Letter from Jeffrey Bryan of Picture.com to Valencia McClatchey dated October 17, 2003 (MC 00214-15)
DEF 102	Excerpt from International Library of Photography publication titled "Gleaming Moments" (MC 00216-18)
DEF 103	Excerpt from story titled "Let's Roll: The Untold Story of Flight 93" published in <i>Reader's Digest</i> , September 2002 (MC 00219-21)
DEF 104	Page titled "A Year Like No Other – 2001: The Year in Photos," published by the <i>Pittsburgh Post-Gazette</i> (MC 00223)
DEF 105	Page titled "A Year Like No Other," published in the <i>Pittsburgh Post-Gazette</i> on January 6, 2002 (MC 00225)
DEF 106	Note dated December 9, 2002 from Theresa Ambrose of The Age to Val McClatchey promising a check and enclosing an article published in The Age on September 11, 2002 (MC 00226-27)
DEF 107	"End of Serenity" in the Smithsonian (MC 00237-38)
DEF 108	Article titled "The View from Shanksville: At Pennsylvania's Ground Zero" (MC 00239)

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DEF 109	Excerpt from an article published in <i>Stern</i> (MC 00240)
DEF 110	Excerpt from an article published in <i>Focus</i> on December 10, 2001 (MC 00243-45)
DEF 111	“News Briefs” page published in <i>PennLines</i> , October 2001 (MC 00246-47)
DEF 112	Story titled “Photo Benefits Crash Victims” published in <i>Penn Lines</i> , January 2002 (MC 00248-49)
DEF 113	Excerpt from <i>Pennsylvania Township News</i> , January 2002 (MC 00250-51)
DEF 114	Photograph of Val McClatchey with “End of Serenity” (MC 00255)
DEF 115	Excerpt from <i>Der Spiegel</i> , Volume 50, 2001 (MC 00258)
DEF 116	Article titled “The Real Story of Flight 93,” published in <i>Newsweek</i> , December 3, 2001 (MC 00259-69)
DEF 117	Excerpts from <i>Le Point</i> (MC 00271-73)
DEF 118	Article titled “Tranquility Shattered,” published on September 11, 2002 in <i>The Tribune-Democrat</i> (MC 00274-76)
DEF 119	Cover of <i>The Washington Post Magazine</i> , May 12, 2002 (MC 00277)
DEF 120	Excerpt from story titled “Materials management department lends aid at Flight 93 crash site,” published in <i>Healthcare Purchasing News</i> , February 2002 (MC 00278-79)
DEF 121	Article titled “Shanksville,” published in <i>How America Changed the World</i> (MC 00280-81)
DEF 122	Excerpt from <i>2001: Criminal Acts Against Civil Aviation</i> (MC 00282-86)
DEF 123	Sidebar story titled “The View from Shanksville: At Pennsylvania’s Ground Zero,” excerpted from <i>Time</i> (MC 00287-88)
DEF 124	Letter from Roxanne Esch to David G. Oberdick dated January 22, 2004 (MC 00291)
DEF 125	Email exchange between David Oberdick and George Galt containing messages dated December 9, 2001 and December 12, 2001 (MC 00292-95)
DEF 126	“End of Serenity” photograph (MC 00434)

Exhibit Number	Description of Exhibit
DEF 127	Letter from Randy Wells to John and Val McClatchey dated September 8, 2002 (MC 00736-37)
DEF 128	Demonstrative exhibit comparing photograph printed in the <i>Philadelphia Daily News</i> and the photograph distributed by AP