

1 Pau003431825, is attached as Exhibit A. Davis Wright Tremaine obtained a copy of
2 Plaintiff's registered work from the U.S. Copyright Office for purposes of this litigation.

3 3. A copy of the compact disc "I'm Alive!" (Extraterrestrial ET Music 1998)
4 is attached as Exhibit B. Davis Wright Tremaine purchased a copy of I'm Alive! from Mr.
5 Turnbow for purposes of this litigation.

6 4. A certified copy of Eric Turnbow's Certificate of Registration with the U.S.
7 Copyright Office for the compact disc "I'm Alive!", on deposit with the U.S. Copyright
8 Office as SRu 402-834, is attached here as Exhibit C. Davis Wright Tremaine obtained a
9 copy of this Certificate of Registration from the U.S. Copyright Office for purposes of this
10 litigation.

11
12 I declare under penalty of perjury of the laws of the United States of America that
13 the foregoing is true and correct.

14
15 EXECUTED at Seattle, Washington this 21 day of January, 2011.

16
17 
18 Noelle H. Kvasnosky

1 **CERTIFICATE OF SERVICE**

2 I hereby certify that on the 21st day of January, 2011, I caused to be filed
3 electronically the above and foregoing document with the court, using the CM/ECF
4 system, which will send email notification of such filing to the below addressees, with the
5 physical materials in the accompanying exhibits filed with the Clerk's office by hand
6 delivery. I served a true and correct copy of the following documents by the method
7 indicated below and addressed as follows:

8 **Attorneys for Plaintiff:**

9 Thomas Brian Vertetis
10 Bryan D. Doran
11 Jason P. Amala
12 Pfau Cochran Vertetis Kosnoff PLLC
13 911 Pacific Avenue
14 Suite 200
15 Tacoma, WA 98402

_____ U.S. Mail
_____ Hand Delivery
_____ Overnight Mail
_____ Facsimile
 X CM/ECF Notification via email
service to: tom@pcvklaw.com
jason@pcvklaw.com
bryan@pcvklaw.com

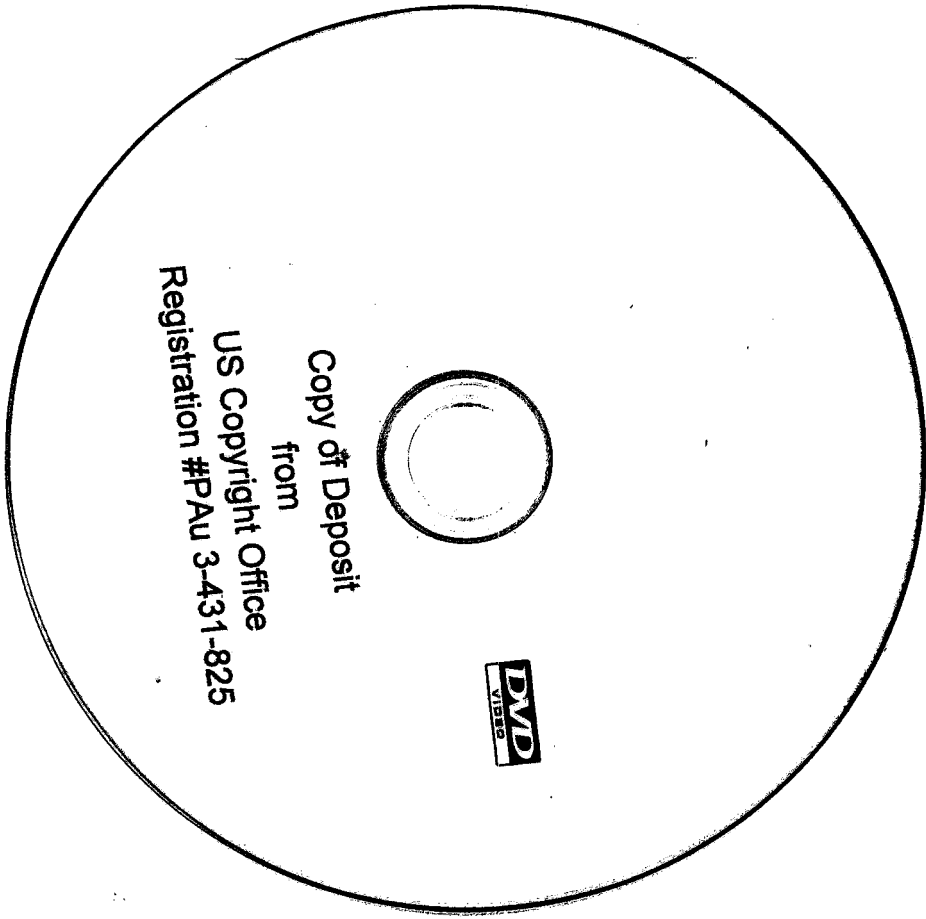
13 Thomas M. Fitzpatrick
14 Philip A. Talmadge
15 Talmadge Fitzpatrick
16 18010 Southcenter Parkway
17 Tukwila, WA 98188

_____ U.S. Mail
_____ Hand Delivery
_____ Overnight Mail
_____ Facsimile
 X CM/ECF Notification via email
service to: tom@tal-fitzlaw.com
phil@talmadgelg.com

18 Declared under penalty of perjury dated at Seattle, Washington this 21st day of
19 January, 2011.

20 /s/ Noelle H. Kvasnosky
21 Noelle H. Kvasnosky

EXHIBIT A



Copy of Deposit
from
US Copyright Office
Registration #PAu 3-431-825

EXHIBIT B

 **Davis Wright
Tremaine LLP**

Anchorage
Bellevue
Los Angeles

New York
Portland
San Francisco

Seattle
Shanghai
Washington, D.C.

 COMPACT
disc
DIGITAL AUDIO

www.dwt.com

**Ken Aronson v. Dog Eat Dog Films, Inc.
No. 3:10-CV-05293-KLS**

**Eric Turnbow, I'm Alive! (Extraterrestrial ET Music 1998)
U.S. Copyright Certificate of Registration, SRu 402-834**

Kvasnosky Declaration EXHIBIT B

EXHIBIT C

Additional Certificate (1 / U.S.G. / 100)
Certificate of Registration



This Certificate issued under the seal of the Copyright Office in accordance with title 17, United States Code, attests that registration has been made for the work identified below. The information on this certificate has been made a part of the Copyright Office records.

Marybeth Peters

Register of Copyrights, United States of America

FORM SR

For a Sound Recording
 UNITED STATES COPYRIGHT OFFICE



EFFECTIVE DATE OF REGISTRATION

3 3 99

DO NOT WRITE ABOVE THIS LINE. IF YOU NEED MORE SPACE, USE A SEPARATE CONTINUATION SHEET.

1 TITLE OF THIS WORK ▼
 "E.T." "Im Alive!" (15 song concept album)
 PREVIOUS OR ALTERNATIVE TITLES ▼

NATURE OF MATERIAL RECORDED ▼ See instructions

- Musical Musical-Dramatic
- Dramatic Literary
- Other

*** 2 a** NAME OF AUTHOR ▼ ERIC "E.T." TURNBOW
 DATES OF BIRTH AND DEATH Year Born ▼ 5/18/61 Year Died ▼
 Was this contribution to the work a "work made for hire"? No
 AUTHOR'S NATIONALITY OR DOMICILE Name of Country U.S.A.
 OR Citizen of ▶ Domiciled in ▶
 WAS THIS AUTHOR'S CONTRIBUTION TO THE WORK
 Anonymous? Yes No
 Pseudonymous? Yes No

NOTE

Under the law, the "author" of a "work made for hire" is generally the employer, not the employee (see instructions). For any part of this work that was "made for hire," check "Yes" in the space provided, give the employer (or other person for whom the work was prepared) as "Author" of that part, and leave the space for dates of birth and death blank.

NATURE OF AUTHORSHIP Briefly describe nature of material created by this author in which copyright is claimed. ▼

WORDS; MUSIC; SOUND RECORDING

b NAME OF AUTHOR ▼
 DATES OF BIRTH AND DEATH Year Born ▼ Year Died ▼
 Was this contribution to the work a "work made for hire"? Yes No
 AUTHOR'S NATIONALITY OR DOMICILE Name of Country
 OR Citizen of ▶ Domiciled in ▶
 WAS THIS AUTHOR'S CONTRIBUTION TO THE WORK
 Anonymous? Yes No
 Pseudonymous? Yes No

NATURE OF AUTHORSHIP Briefly describe nature of material created by this author in which copyright is claimed. ▼

c NAME OF AUTHOR ▼
 DATES OF BIRTH AND DEATH Year Born ▼ Year Died ▼
 Was this contribution to the work a "work made for hire"? Yes No
 AUTHOR'S NATIONALITY OR DOMICILE Name of Country
 OR Citizen of ▶ Domiciled in ▶
 WAS THIS AUTHOR'S CONTRIBUTION TO THE WORK
 Anonymous? Yes No
 Pseudonymous? Yes No

NATURE OF AUTHORSHIP Briefly describe nature of material created by this author in which copyright is claimed. ▼

3 a YEAR IN WHICH CREATION OF THIS WORK WAS COMPLETED 1998
 This information must be given in all cases.
b DATE AND NATION OF FIRST PUBLICATION OF THIS PARTICULAR WORK
 Complete this information ONLY if this work has been published. Month ▶ Day ▶ Year ▶ Nation

4 COPYRIGHT CLAIMANT(S) Name and address must be given even if the claimant is the same as the author given in space 2. ▼
 ERIC E.T. TURNBOW
 1713 N.E. TULLIN
 OLY WA. 98506
 TRANSFER If the claimant(s) named here in space 4 is (are) different from the author(s) named in space 2, give a brief statement of how the claimant(s) obtained ownership of the copyright. ▼

APPLICATION RECEIVED
 MAR 03 1999
 ONE DEPOSIT RECEIVED
 TWO DEPOSITS RECEIVED
 MAR 03 1999
 REMITTANCE NUMBER AND DATE

EXAMINED BY *[Signature]* FORM SR

CHECKED BY *[Signature]*

CORRESPONDENCE
Yes

FOR
COPYRIGHT
OFFICE
USE
ONLY

* Additional author on deposit.
Application correct authority of
letter received on July 29, 1999.

DO NOT WRITE ABOVE THIS LINE. IF YOU NEED MORE SPACE, USE A SEPARATE CONTINUATION SHEET.

PREVIOUS REGISTRATION Has registration for this work, or for an earlier version of this work, already been made in the Copyright Office?

Yes No If your answer is "Yes," why is another registration being sought? (Check appropriate box) ▼

a. This is the first published edition of a work previously registered in unpublished form.

b. This is the first application submitted by this author as copyright claimant.

c. This is a changed version of the work, as shown by space 6 on this application.

If your answer is "Yes," give: Previous Registration Number ▼ Year of Registration ▼

5

DERIVATIVE WORK OR COMPILATION Complete both space 6a and 6b for a derivative work; complete only 6b for a compilation.

a. Preexisting Material Identify any preexisting work or works that this work is based on or incorporates. ▼

6

See instructions
before completing
this space.

b. Material Added to This Work Give a brief, general statement of the material that has been added to this work and in which copyright is claimed. ▼

DEPOSIT ACCOUNT If the registration fee is to be charged to a Deposit Account established in the Copyright Office, give name and number of Account.
Name ▼ Account Number ▼

7

CORRESPONDENCE Give name and address to which correspondence about this application should be sent. Name/Address/Apt/City/State/ZIP ▼

ERIC F.T. TURNBOW
1713 N.E. TULLIS
OLY WA 98506 (360) 943-7039

Be sure to
give your
daytime phone
number

CERTIFICATION I, the undersigned, hereby certify that I am the

Check only one ▼

author

other copyright claimant

owner of exclusive right(s)

authorized agent of _____
Name of author or other copyright claimant, or owner of exclusive right(s) ▲

8

of the work identified in this application and that the statements made by me in this application are correct to the best of my knowledge.

Typed or printed name and date ▼ If this application gives a date of publication in space 3, do not sign and submit it before that date.

ERIC F.T. TURNBOW date ▶ _____

Handwritten signature (X) ▼
ERIC F.T. TURNBOW

MAIL
CERTIFI-
CATE TO

Name ▼	ERIC "E.T." TURNBOW
Number/Street/Apartment Number ▼	1713 N.E. TULLIS
City/State/ZIP ▼	OLYMPIA WA 98506

Certificate
will be
mailed in
window
envelope

• Complete all necessary spaces
• Sign your application in space 8

1. Application form
2. Nonrefundable \$20 filing fee
in check or money order
payable to Registrar of Copyrights
3. Deposit material
Registrar of Copyrights
Library of Congress
Washington, D.C. 20559

9

The Copyright Office has the authority to adjust fees of 6-year intervals, based on changes in the Consumer Price Index. The next adjustment is due in 1999. Please contact the Copyright Office after July 1999 to determine the actual fee schedule.

17 USC § 506(e): Any person who knowingly makes a false representation of a material fact in the application for copyright registration provided for by section 408, or in any written statement filed in connection with the application, shall be fined not more than \$2,500.

December 1993-75,000

U.S. GOVERNMENT PRINTING OFFICE: 1993-301-241/80,051