

From: <RIAAAdmin@hro.com>
Date: September 19, 2007 10:43:33 AM EDT
To: <dmca-agent@mit.edu>
Subject: RIAA Copyright Infringement ([REDACTED])

Dear Director of Security:

We are national counsel to a group of record companies and their labels and subsidiaries including BMG Music; EMI Music North America; SONY BMG MUSIC ENTERTAINMENT; Warner Music Group Inc.; and UMG Recordings, Inc. ("record companies"). Our clients create, manufacture, and/or distribute the majority of all legitimate sound recordings sold and distributed in the United States.

We believe that one of your subscribers has been violating federal copyright laws by uploading and downloading the record companies' copyrighted sound recordings without authorization. Before initiating a lawsuit against that individual, we are sending you an early settlement letter that we now ask you to forward to your subscriber. This letter describes the record companies' claims against the subscriber and offers to settle those claims at an early stage for a substantially reduced dollar amount. We ask that you forward this letter as promptly as possible. If we do not hear back from your subscriber shortly, we will go ahead and file suit.

We are also sending you this advance notice to alert you to the possibility that we will seek identifying information about the subscriber if we do not resolve our claims against this individual in a timely manner. Specifically, we will seek to serve a subpoena on you that will request documents that identify the name, current (and permanent) addresses, telephone numbers, email addresses, and MAC (Media Access Control) address of the subscriber of your network who has infringed the record companies' copyrighted sound recordings. Please preserve all documents that reflect identifying information of the subscriber in the meantime.

The user was located at IP address: 18. [REDACTED] 2007-09-07 00:36:23 EDT and has been assigned case id [REDACTED].

We hope this advance notice has proved helpful. Thank you for your cooperation. Please feel free to call if you have any questions.

Sincerely,

Katheryn Jarvis Coggon
Holme Roberts & Owen
1700 Lincoln, Suite 4100
Denver, Colorado 80203
katheryn.coggon@hro.com



Holme Roberts & Owen LLP
Attorneys at Law

DENVER

September 19, 2007

Re: Notification of Copyright Infringement Claims

BOULDER

CASE ID# [REDACTED]

Dear Sir/Madam:

COLORADO SPRINGS

We have asked your Internet Service Provider to forward this letter to you in advance of our filing a lawsuit against you in federal court for copyright infringement. We represent a number of large record companies, including EMI Recorded Music, SONY BMG MUSIC ENTERTAINMENT, Universal Music Group and Warner Music Group, as well as all of their subsidiaries and affiliates ("Record Companies"), in pursuing claims of copyright infringement against individuals who have illegally uploaded and downloaded sound recordings on peer-to-peer networks.

LONDON

LOS ANGELES

We have gathered evidence that you have been infringing copyrights owned by the Record Companies. We are attaching to this letter a sample of the sound recordings you were found distributing via the Gnutella (LimeWire) peer-to-peer network. In total, you were found distributing 265 audio files, a substantial number of which are sound recordings controlled by the Record Companies.

MUNICH

SALT LAKE CITY

The reason we are sending this letter to you in advance of filing suit is to give you the opportunity to settle these claims as early as possible. If you contact us within the next twenty (20) calendar days, we will offer to settle the claims for a significantly reduced amount compared to what we will offer to settle them for after we file suit or compared to the judgment amount a court may enter against you. If you are interested in resolving this matter now, please contact our Settlement Information Line at 913-234-8181 or, alternatively, you may settle this matter immediately online at www.p2plawsuits.com, using the CASE ID# that appears at the top of this letter.

SAN FRANCISCO

In deciding whether you wish to settle this matter, here are some things you should consider:

- The Copyright Act imposes a range of statutory damages for copyright infringement. The minimum damages under the law are \$750 for *each*

Donald J. Kelso

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Holme Roberts & Owen LLP
Attorneys at Law

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copyrighted recording that has been infringed (“shared”). The maximum damage award can be substantially more. In addition to damages, you may also be responsible for paying the legal fees we incur in order to pursue these claims, and are subject to having an injunction entered against you prohibiting you from further infringing activity.

- Now that you are aware that a lawsuit may be filed against you, there is an obligation for you to preserve evidence that relates to the claims against you. In this case, that means, at a minimum, the entire library of recordings that you have made available for distribution as well as any recordings you have downloaded, need to be maintained as evidence. Further, you should not attempt to delete the peer-to-peer programs from your system – though you must stop them from operating. For information on how to do this, you may visit www.musicunited.org.

This is a serious matter and to the extent you have any questions, we strongly encourage you to contact us to ask those questions. Finally, if you would like more information regarding music downloading/file sharing and peer-to-peer networks, please visit www.p2plawsuits.com.

IF YOU DO NOT RESOLVE OUR CLAIMS AGAINST YOU WITHIN TWENTY (20) CALENDAR DAYS FROM THE DATE OF THIS LETTER, THEN WE WILL FILE SUIT AGAINST YOU IN FEDERAL COURT.

We are not your lawyers, nor are we giving you legal advice. We urge you to consult with an attorney immediately to advise you on your rights and responsibilities.

Sincerely,

A handwritten signature in blue ink, appearing to read 'Donald J. Kelso', written over a horizontal line.

Donald J. Kelso

EXHIBIT A

IP Address: 18. [REDACTED] 2007-09-07 00:36:23 EDT

CASE ID# [REDACTED]

P2P Network: Gnutella (LimeWire)

Total Audio Files: 265

<u>Copyright Owner</u>	<u>Artist</u>	<u>Recording Title</u>	<u>Album Title</u>	<u>SR#</u>
Capitol Records, Inc.	Coldplay	Shiver	Parachutes	328-762
BMG Music	Christina Aguilera	What a Girl Wants	Christina Aguilera	274-004
SONY BMG MUSIC ENTERTAINMENT	Mariah Carey	Heartbreaker	Rainbow	276-595
UMG Recordings, Inc.	Weezer	Beverly Hills	Make Believe	376-565
SONY BMG MUSIC ENTERTAINMENT	Mariah Carey	Always Be My Baby	Daydream	215-243
UMG Recordings, Inc.	Weezer	Island in the Sun	Weezer (Green Album)	297-030
Warner Bros. Records Inc.	Red Hot Chili Peppers	Under the Bridge	Blood Sugar Sex Magik	135-276
Zomba Recording LLC	Justin Timberlake	Rock Your Body	Justified	319-834
SONY BMG MUSIC ENTERTAINMENT	Switchfoot	On Fire	The Beautiful Letdown	347-967