



Holme Roberts & Owen LLP
Attorneys at Law

DENVER

April 11, 2007

Re: Notification of Copyright Infringement Claims

BOULDER

CASE ID# 117744443

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 Ares (Ares) peer-to-peer network. In total, you were found distributing 272 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 is \$750 for *each* copyrighted recording that has been infringed (“shared”). The maximum

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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.p2lawsuits.com.

**IF WE DO NOT HEAR FROM 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 that reads "Donald Kelso".

Donald J. Kelso

EXHIBIT A

IP Address: 137.146.129.67 2007-02-09 22:15:32 EST

CASE ID# 117744443

P2P Network: Ares (Ares)

Total Audio Files: 272

<u>Copyright Owner</u>	<u>Artist</u>	<u>Recording Title</u>	<u>Album Title</u>	<u>SR#</u>
UMG Recordings, Inc.	Jay-Z	Hard Knock Life (Ghetto Anthem)	Hard Knock Life, Vol. 2	246-547
SONY BMG MUSIC ENTERTAINMENT	Michael Jackson	Smooth Criminal	Bad	84-256
Arista Records LLC	Outkast	Intro	Stankonia	306-741
Arista Records LLC	Whitney Houston	Exhale (Shoop, Shoop)	Waiting to Exhale Soundtrack	219-539
SONY BMG MUSIC ENTERTAINMENT	Will Smith	Miami	Big Willie Style	249-123
BMG Music	SWV	Rain	Release Some Tension	249-300
SONY BMG MUSIC ENTERTAINMENT	Incubus	Stellar	Make Yourself	278-818
UMG Recordings, Inc.	Aqua	Aquarius	Aquarius	284-437
UMG Recordings, Inc.	Nelly	Hot in Herre	Nellyville	315-537
SONY BMG MUSIC ENTERTAINMENT	Luther Vandross	There's Nothing Better Than Love	Give Me The Reason	79-450