

Gill Sperlein

From: Gill Sperlein
Sent: Friday, August 17, 2007 2:44 PM
To: 'Golinveaux, Jennifer'; Elkin, Michael
Subject: RE: Evidence Issues

Jennifer:

Certainly the Court has broad authority to make such an order and common sense, as well as the California Penal Code provision I cited, would dictate that care should be taken when putting this material in a public environment. If you have some reason for not stipulating, I would certainly consider it, otherwise I will make the motion to the Court without your stipulation. So please let me know why you object to filing the evidence under seal. Also I please extend the courtesy of letting me know if you intend to file an opposition to my motion.

GILL SPERLEIN
GENERAL COUNSEL, TITAN MEDIA

From: Golinveaux, Jennifer [mailto:JGolinveaux@winston.com]
Sent: Friday, August 17, 2007 2:30 PM
To: Gill Sperlein; Elkin, Michael
Subject: RE: Evidence Issues

Gill,

We've considered your request, but do not believe that the nature of Io's alleged content is a proper reason to file the material under seal. If you have support to the contrary, we will certainly consider it, but otherwise cannot stipulate.

Sincerely,
Jennifer

From: Gill Sperlein [mailto:legal@titanmedia.com]
Sent: Thursday, August 16, 2007 5:29 PM
To: Elkin, Michael; Golinveaux, Jennifer
Subject: Evidence Issues

Michael and Jennifer:

In light of issues raised in your Opposition to Plaintiff's Motion for Summary Judgment, Io Group intends to submit to the Court its long play works as well as the corresponding infringing files from www.veoh.com, even though you have had an opportunity to compare the files and have not challenged Io's claim that the clips did indeed come from those works.

Because the DVDs contain sexually explicit material, it is appropriate to file these documents under seal. Please see the attached stipulation (which I fashioned directly from one you drafted earlier) and the

corresponding declaration of Keith Ruoff. Let me know as soon as possible if you so stipulate.

GILL SPERLEIN
GENERAL COUNSEL, TITAN MEDIA

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