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7 UNIVERSAL MUSIC CORP.,
UNIVERSAL MUSIC PUBLISHING, INC.,
8 and UNIVERSAL MUSIC PUBLISHING GROUP

9 UNITED STATES DISTRICT COURT
10 NORTHERN DISTRICT OF CALIFORNIA
11

12 STEPHANIE LENZ,

13 Plaintiff,

14 vs.

15 UNIVERSAL MUSIC CORP., UNIVERSAL
16 MUSIC PUBLISHING, INC., and UNIVERSAL
MUSIC PUBLISHING GROUP,

17 Defendants.
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CASE NO. CV 07-03783

**SUPPLEMENTAL DECLARATION
OF KELLY M. KLAUS IN
SUPPORT OF DEFENDANTS'
REPLY TO MOTION TO DISMISS
COMPLAINT AND SPECIAL
MOTION TO STRIKE
PLAINTIFF'S STATE LAW CLAIM**

[Defendants' Reply in Support of
Motion to Dismiss Complaint and
Special Motion to Strike Filed
Concurrently]

DATE: December 19, 2007

TIME: 9:00 a.m.

CTRM: 3 (Hon. Jeremy Fogel)

1 I, KELLY M. KLAUS, declare as follows:

2 1. I am a partner in the law firm of Munger, Tolles & Olson LLP, counsel to
3 Defendants Universal Music Corp., Universal Music Publishing, Inc. and Universal Music
4 Publishing Group (“Defendants” or “Universal”) in the above-captioned case. I am submitting
5 this Supplemental Declaration in support of Defendants’ Motion to Dismiss the Complaint and
6 Special Motion to Strike Plaintiff’s State Law Claim. The facts set forth within this Supplemental
7 Declaration are based upon my personal knowledge. If called as a witness in this action, I could
8 and would testify competently to the contents of this Supplemental Declaration.

9 2. Attached hereto as Exhibit A is a true and correct copy of a printout of “Fair Use
10 Principles for User Generated Video Content,” which is publicly available on the website of the
11 Electronic Frontier Foundation (“EFF”), www.eff.org/files/UGC_Fair_Use_Best_Practices_0.pdf.

12 3. Attached hereto as Exhibit B is a true and correct copy of a printout of an article
13 entitled, *Standing Up to Takedown Notices*, [www.washingtonpost.com/wp-](http://www.washingtonpost.com/wp-dyn/content/article/2007/10/18/AR2007101802453_pf.html)
14 [dyn/content/article/2007/10/18/AR2007101802453_pf.html](http://www.washingtonpost.com/wp-dyn/content/article/2007/10/18/AR2007101802453_pf.html).

15 4. Attached hereto as Exhibit C is a true and correct copy of an article entitled, *The*
16 *Home Video Prince Doesn’t Want You to See*, <http://abcnews.go.com/TheLaw/story?id=3777651>.

17 5. Attached hereto as Exhibit D is a true and correct copy of a printout of YouTube’s
18 “Copyright Tips,” www.youtube.com/t/howto_copyright.

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1 6. Attached hereto as Exhibit E is a true and correct copy of the printout of a page
2 from YouTube that is generated when one clicks on the link for “Edenza’s” videos,
3 <http://www.youtube.com/user/edenza>.

4 I declare under penalty of perjury that the foregoing is true and correct and that this
5 Declaration was executed this third day of December 2007 at Los Angeles, California.

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/s/
KELLY M. KLAUS