

BERRA | CONNELLY
A Limited Liability Partnership

December 15, 2011

VIA E-MAIL

david@gingraslaw.com

Dirty World, LLC
c/o David S. Gingras, Esq.
Gingras Law Office, PLLC

████████████████████
Phoenix, AZ 85048

Re: Neal Schon/Copyright Infringement
File Reference No.: 104-2

Dear Mr. Gingras:

I am litigation counsel for Neal Schon. I write with respect to Mr. Schon's legal claims against Dirty World, LLC arising from violations of U.S. Federal Copyright Law and other unlawful conduct taking place on the website, www.thedirty.com (the "Website"). The copyrighted work is a private photograph of my client which was stolen from an old cell phone, copied, distributed and posted without his permission. Mr. Schon owns the exclusive copyrights and other valuable rights with respect thereto. Mr. Schon has never consented to anyone publishing the photograph; it was always meant to be private.

It is my understanding that Dirty World, LLC has posted the offending content on its website at the following URLs:

<http://thedirty.com/>

<http://thedirty.com/2011/12/exclusive-neal-schon-is-appearantly-a-major-facebook-creep/>

Please immediately remove the photograph from this website. The continued use, display and/or publication of the photograph constitutes an express violation of my client's copyrights and a continuing invasion of his valuable privacy rights. If they fail to take the requested action, the owners and operators of the website and any others involved in the posting, publishing, and distributing of the photo ultimately will be held liable for substantial compensatory damages and punitive damages. In that regard, a separate Digital Millennium Copyright Act Notice is attached hereto.

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This letter does not constitute a complete or exhaustive statement of all of my client's rights, claims, contentions and legal positions. Nothing stated herein is intended as, nor should it be deemed to constitute, a waiver or relinquishment of any of my client's rights or remedies, whether legal or equitable, all of which are hereby expressly reserved.

Sincerely,



PAUL S. BERRA

Attachment

104-2/PSB-GINGRAS



Digital Millennium Copyright Act ("DMCA") Notice

I, the undersigned, CERTIFY UNDER PENALTY OF PERJURY that I am an agent authorized to act on behalf of the owner of certain intellectual property rights, said owner being named Neal Schon ("IP Owner"). I have a good faith belief that the materials identified herein are not authorized by the above IP Owner, his agent, or the law and therefore infringe upon his rights according to state and federal law. Please act expeditiously to remove or disable access to the infringing material.

Per federal copyright laws and the requirements of the Digital Millennium Copyright Act, we hereby provide notice of copyright violations and request that you immediately remove the infringing content related to the copyright-protected photo, as defined above, which is illegally being displayed, published, exploited and distributed on the website "<http://www.thedirty.com>" and is currently available from and/or displayed at the following URL's:

<http://thedirty.com/>

<http://thedirty.com/2011/12/exclusive-neal-schon-is-appearantly-a-major-facebook-creep/>

Section 106 of the Copyright Act provides in relevant part as follows: "[T]he owner of copyright under this [Act] has the exclusive rights to do and to authorize any of the following: (1) to reproduce the copyrighted work . . . (2) to prepare derivative works . . . (3) to distribute copies . . . and (5) to display the copyrighted work publicly." Any action inconsistent with or in violation of the IP Owner's rights as the copyright owner of the photo constitutes copyright infringement and subjects the infringing persons to liability. 17 U.S.C. Section 101 *et seq.*; 17 U.S.C. § 512(c)(3).

If you require any additional information as concerns the above request, please contact me as follows:

Printed Name: Paul S. Berra, Esq.

Company: LAW OFFICES OF PAUL S. BERRA

Address, City, State, Zip: [REDACTED]

Los Angeles, CA 90038

Email: paul@berraconnelly.com

Telephone: [REDACTED]

Fax: [REDACTED]

Signed under penalty of perjury under the laws of the State of California that the foregoing is true and correct. Executed this 15th day of December 2011 at Los Angeles, California.



PAUL S. BERRA