

Baker& Hostetler LLP

12100 Wilshire Boulevard
15th Floor
Los Angeles, CA 90025-7120

September 2, 2010

Mr. Spencer Pratt

Re: *Karissa Shannon*

Dear Mr. Pratt:

This firm has been retained by Karissa Shannon.

As you know, it had been reported in the press that you were attempting to publish, distribute, sell, license or otherwise exploit filmed footage of Ms. Shannon. According to press reports, you are no longer threatening to do that. This decision is wise. Were you to follow through with your initial threat, Ms. Shannon would file a lawsuit to enjoin the sale and/or distribution and seek monetary damages from you.

Now that the decision not to sell them material has been made, the next move is the return of the filmed footage to Ms. Shannon. You are aware that it is her property that was taken from her possession. If it is not promptly returned, you will have converted Ms. Shannon's property for your own purpose, subjecting you to both compensatory and punitive damages.

This footage contains private materials relating to numerous individuals, including Mr. Sam Jones III and Ms. Shannon. Each of these individual's privacy rights are protected by the United States and California Constitution; each also has the right to control the publicity rights in his/her name, likeness and persona. Any sale, disclosure or reproduction of the filmed footage would constitute an unauthorized use of her name, likeness and persona and violation of those rights. California Civil Code section 3344 states, in relevant part:

"Any person who knowingly uses another's name, voice, signature, photograph, or likeness, in any manner, on or in products, merchandise, or goods, or for purposes of advertising or selling, or soliciting purchase of, products, merchandise, good or services, without such person's prior consent . . . shall be liable for any damages sustained by the person or persons injured as a result thereof."

See also Michaels v. Internet Entertainment Group, Inc., 5 F. Supp.2d 823 (C.D.Cal.1998).

Please contact me immediately to arrange for the return of Ms. Shannon's property.
To avoid prompt legal action you must immediately:

1. provide a written acknowledgement that you have ceased and permanently desisted from attempting to publish, distribute, sell, license or otherwise exploit the footage in any manner;
2. return all copies of the footage in any media, whatsoever, including but not limited to any and all videotape, film, compact discs, DVDs, computer floppy discs, electronic mail, and provide a written confirmation under penalty of perjury that you have done so; and
3. provide a list of persons/companies and a list of names, e-mail addresses, and other contact information of those persons and entities to whom you have shown the footage and/or given a copy of the footage.

Nothing in this letter is intended to, nor does, waive any right, claim or defense, all of which are expressly reserved.

Sincerely,

Hayes F. Michel

Hayes F. Michel

