

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MINNESOTA
DULUTH DIVISION**

VIRGIN RECORDS AMERICA, INC., a California corporation; CAPITOL RECORDS, INC., a Delaware corporation; SONY BMG MUSIC ENTERTAINMENT, a Delaware general partnership; ARISTA RECORDS LLC, a Delaware limited liability company; INTERSCOPE RECORDS, a California general partnership; WARNER BROS. RECORDS INC., a Delaware corporation; and UMG RECORDINGS, INC., a Delaware corporation,

Plaintiffs,

vs.

Jammie Thomas,

Defendant.

Case No.: 06cv1497-MJD/RLE

PLAINTIFFS' WITNESS LIST

Pursuant to the Court's Order of August 3, 2007, Plaintiffs respectfully submit the attached trial witness list.

Respectfully submitted this 17th day of September 2007.

s/ Laura G. Coates

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ATTORNEYS FOR PLAINTIFFS

UNITED STATES DISTRICT COURT

DISTRICT OF MINNESOTA

VIRGIN RECORDS AMERICA, INC., *et al.*,

PLAINTIFFS' WITNESS LIST

V.

Case Number: 06-cv-1497-MJD/RLE

JAMMIE THOMAS

PRESIDING JUDGE Michael J. Davis					PLAINTIFF=S ATTORNEY Richard L. Gabriel, Esq.					DEFENDANT=S ATTORNEY Brian Toder, Esq.				
TRIAL DATE (S) October 2, 2007					COURT REPORTER					COURTROOM DEPUTY				
PLF. NO.	DEF. NO.	DATE OFFERED	MARKED	ADMITTED	DESCRIPTION OF EXHIBITS* AND WITNESSES									
					Witness: A custodian of records for Best Buy, 14555 Edgewood Drive, Baxter, Minnesota 56425. If called, a representative of Best Buy will testify concerning its Sales and Service for Defendant, the replacement of Defendant's hard drive, Best Buy's response to the Rule 45 subpoena served on it by Plaintiffs, and Best Buy's business records relating to Defendant. (may call)									
					Witness: Chris Bavitz, for the Plaintiffs Virgin Records America, Inc. and Capitol Records, Inc. Mr. Bavitz may be contacted through Plaintiffs' counsel. If called, Mr. Bavitz will testify concerning Plaintiffs' copyrighted sound recordings, Plaintiffs' ownership of or exclusive license to the copyrights in the sound recordings at issue in this case, the lack of licensing of the copyrighted sound recordings to Defendant, and the harm to the recording industry that has resulted from widespread illegal sharing of Plaintiffs' copyrighted recordings over the Internet. (may call)									
					Witness: Betsy Brown, for the Plaintiff Warner Bros. Records, Inc. Ms. Brown may be contacted through Plaintiffs' counsel. If called, Ms. Brown will testify concerning Plaintiffs' copyrighted sound recordings, Plaintiffs' ownership of or exclusive license to the copyrights in the sound recordings at issue in this case, the lack of licensing of the copyrighted sound recordings to Defendant, and the harm to the recording industry that has resulted from widespread illegal sharing of Plaintiffs' copyrighted recordings over the Internet. (may call)									
					Witness: JoAn Cho, for the Plaintiffs UMG Recordings, Inc. and Interscope Records. Ms. Cho may be contacted through Plaintiffs' counsel. If called, Ms. Cho will testify concerning Plaintiffs' copyrighted sound recordings, Plaintiffs' ownership of or exclusive license to the copyrights in the sound recordings at issue in this case, the lack of licensing of the copyrighted sound recordings to Defendant, and the harm to the recording industry that has resulted from widespread illegal sharing of Plaintiffs' copyrighted recordings over the Internet. (may call)									
					Witness: David Edgar, Manager Internet Security, Charter Communications, Inc., 12405 Powerscourt Drive, St. Louis, Missouri 63131. If called, Mr. Edgar will testify concerning Charter's identification of IP address 24.179.199.117 as being registered to Defendant on February 21, 2005, its response to the Rule 45 subpoenas served on it by Plaintiffs, its letter to Brian Toder regarding billing records, Defendant's subscription to Internet service through Charter, and Charter's business and other records relating to Defendant's Internet account. (may call)									

					Witness: Kevin Havemeier, 15535 26th Avenue North, Unit A, Plymouth, Minnesota 55447. If called, Mr. Havemeier will testify concerning his communications with Defendant after receiving notice of Plaintiffs' lawsuit and other matter discussed in his deposition. (may call)
					Witness: Dr. Doug Jacobson, Ph.D., CFCE., 2500 Woodview Dr., Ames, Iowa 50014, (515) 292-7239. Dr. Jacobson will testify concerning the investigation of illegal file sharing activity through the Internet account of Defendant, the forensic examination of Defendant's computer hard drive, how Defendant used peer-to-peer software to engage in copyright infringement, and other matters referenced in his Supplemental Declaration and Expert Report dated May 29, 2007. (will call)
					Witness: Jennifer L. Pariser, for the Plaintiffs Sony BMG Music Entertainment and Arista Records LLC. Ms. Pariser may be contacted through Plaintiffs' counsel. Ms. Pariser will testify concerning Plaintiffs' copyrighted sound recordings, Plaintiffs' ownership of or exclusive license to the copyrights in the sound recordings at issue in this case, the lack of licensing of the copyrighted sound recordings to Defendant, and the harm to the recording industry that has resulted from widespread illegal sharing of Plaintiffs' copyrighted recordings over the Internet. (will call)
					Witness: Cary Sherman, President, Recording Industry Association of America. Mr. Sherman may be contacted through Plaintiffs' counsel. If called, Mr. Sherman will testify regarding issues relating to the operation of on-line media distribution systems; the search for, capture, and downloading from Defendant's computer of the sound recordings at issue in this case, and the impact of the harm to the recording industry that has resulted from widespread illegal sharing of Plaintiffs' copyrighted recordings over the Internet. (may call)
					Witness: Eric Stanley, 4027 Elmwood Drive, St. Bonifacius, Minnesota 55375. If called, Mr. Stanley will testify concerning his examination of Defendant's computer hard drive and other matters discussed in his deposition. (may call)
					Witness: Jammie Thomas, 618 8th Street S, Apartment 1, Brainerd, Minnesota 56401. If called, Ms. Thomas will testify regarding her computer use, the replacement of her computer hard drive, her communications with Plaintiffs and others regarding Plaintiffs' lawsuit and other matters discussed in her deposition. (may call)
					Witness: Mark Weaver, MediaSentry Managed Services unit of Safenet, Inc. Mr. Weaver may be contacted through MediaSentry's counsel, Thomas M. Mullaney, Esq., 708 Third Avenue, Suite 2500, New York New York, 10017. Mr. Weaver will testify concerning SafeNet's investigation of illegal file sharing activity through the Internet account of Defendant, including without limitation SafeNet's detection of hundreds of sound recordings being distributed to other Internet users from IP address 24.179.199.117 on February 21, 2005, SafeNet's collection of information concerning Defendant's online file sharing activity, other evidence of Defendant's infringing behavior, peer to peer architecture, and how Defendant used peer-to-peer software to engage in copyright infringement. (will call)
					Any witness listed by Defendant
					Any witness necessary for authentication, impeachment, or rebuttal
					Plaintiffs reserve the right to add additional witnesses depending on Defendant's witness and exhibit designations

* Include a notation as to the location of any exhibit not held with the case file or not available because of size.