

PRIVATE & CONFIDENTIAL- ADDRESSEE ONLY



30 Old Burlington Street London W15 3NL Tel: +4400/20 7468 2600

Fax. +44(0)20 7437 8216

18 November 2008

Dear Sir or Madam

### Infringement of Copyright

Letter of Claim

We act as solicitors for DigiProtect Gesellschaft zum Schutze Digitale Medien Gmbh ("DigiProtect"), the holder of the rights in a musical work sold under the name 'Scooter - Jumping All Over The World' ("the Work"), which was released in the United Kingdom on 10 October 2008.

#### Client

Our client has retained forensic computer analysts to search for and identify internet addresses from which their copyright works (including the Work) are being made available on so called "peer to peer" (P2P) internet sites so that they may be downloaded by third parties without our client's consent or licence.

### Copyright infringement

In the UK, making a copyright work available for download by others on a peer-to-peer network or authorising others to make a copyright work available in that way is unlawful and in breach of the provisions of sections 16(1)(d) and 20 of the Copyright, Designs and Patents Act 1988 ("the Act").

#### Evidence

Our client is in possession of evidence that on the following UK date(s) and at the following time(s), all or part of the Work was made available from the named internet protocol (or IP) address(es) using the following P2P protocol(s), specifically for the purpose of being downloaded by third parties.

IP Address	Date/Tim (UK loca	The second second	P2P Protocol	Related Title
86 128 23 216	11.04.2008 12.14.07		Bittorrent	Scooter - Jumping All Over The World
Original Rights	Owner:	DigiProtect (	Gesellschaft z	rum Schutze Digitaler Medien mbH





Pursuant to a High Court order, the internet service provider, British Telecommunications. Pic. identified you as the subscriber on their network associated with that IP address on the date and at the time in question.

We enclose the following documents which were used to ascertain that you were the subscriber whose internet connection was used with the above IP address(es) on the above date(s) and time(s):

- one page 'statement report' supplied by our forensic IT experts, DigiRights Solution GmbH, in relation to IP address 86.128.23.216.
- extract from spreadsheet sent to your internet service provider (or ISP), British Telecommunications Ptc;
  - copy of letter to British Telecommunications Plc dated 20 May 2008;
  - extract from spreadsheet received back from British Telecommunications Plc; and
    - order of Chief Master Winegarten dated 30 June 2008;

Further particulars of how our client obtained this evidence, and how it was used to obtain your name and address, are set out in the enclosed document entitled 'Notes On Evidence'.

#### Unlawful Act and Consequences

5.

Unlicensed file sharing of the Work is not only illegal but is cumulatively causing substantial damage to our client's business. Each copy of the Work that is downloaded by others, as a result of unlawful distribution using your internet connection via one or more file sharing networks, represents a potential lost sale and is tantamount to someone walking into a shop and taking a physical copy of the Work without paying for it and then giving a copy to anyone who asks for it. If such a downloader goes on (as is usual on a P2P network) to make that file available to others, this is tantamount to him giving a further copy to anyone who asks for it. In either case, a claim for a variety of remedies, including damages, is open to our client.

Based on the evidence supplied to us, your internet connection has been used to make the Work available on P2P network(s) in infringement of our client's copyright, in breach of sections 16 and 20 of the Act. Where our client's Work has been copied on to the hard drive of the personal (or office) computer used to make the Work available on P2P networks, there will also have been a breach of the provisions of sections 16(1)(a) and 17 of the Act. Our client holds you responsible for committing these infringements, either directly or by your authorising third parties to do the same.

#### Consequences of Bringing a Claim

Owing to the damage that file sharing is causing to our client's business, our client is left with no option but to adopt a policy of enforcing its rights in an attempt to stem the wholesale misappropriation of its property. Should it be necessary to bring a claim against you for copyright infringement, the legal costs of those proceedings are likely to be substantial. You may know that in civil proceedings in this country, the loser generally not only has to bear its own costs but also the costs of the winning party. In order that you understand the seriousness of ignoring this letter, you should be aware that, typically, costs can mount to several thousand pounds.

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#### Offer to Settle

Our client's primary aim is to prevent the misuse of its property. Accordingly, our client is prepared to give you the opportunity to avoid legal action. Subject to any written submissions you may wish to make to us, our client's offer is that you:

- promise in a written undertaking not to upload, download, make available or 1. otherwise share the Work or to permit others to do the same using your or any other internet connection:
- delete any copies of the Work which may be resident on your computer's hard drive and/or any copies saved to disk (or other media), other than those that were purchased by you from a legitimate source; and
- pay compensation of £500.00, plus your ISP's administration costs (and its legal 3. costs, where applicable) of £5.20 per IP address, making a total of £505.20 for 1 instance(s), to this firm as compensation to our client for its losses and as a contribution to our client's costs incurred to date. Your ISP's costs are broken down as follows: £4.78 to disclose your contact information, together with their solicitor's costs of £0.42 (these costs (when charged) are actually a pro-rata share of the costs charged by your ISP's solicitors for all of your ISP's subscribers against whom we have obtained evidence of copyright infringement) and that sum is included in the total.

### How the Settlement Figure is Calculated

The sum of money claimed is not the amount that would be claimed in the event that our client commences proceedings against you. Damages and costs are likely to be much greater than this sum. It is the sum that our client is prepared to accept (on this occasion and at this stage only) by way of settlement to help defray its costs if you are prepared to give the undertakings sought and enclosed with this letter and settle the matter early by paying the compensation claimed in this letter. The amount represents:

- 1) a token sum by way of damages for lost sales of our client's copyright work which has been made available for others to download; and
- 2) a proportion of the costs involved in:
  - a) obtaining the evidence of infringement;
  - b) writing to your ISP to notify it that we are preparing an application to the court for an order that it must provide the name and address connected with the IP address in
  - preparing a witness statement and draft order in support of that application.
  - d) serving the application for a disclosure order on your ISP and dealing with its queries or those of its solicitors:
  - e) attending court to apply for the order,
  - f) drawing up the order and lodging it with the court;
  - g) sending the order to your ISP or its solicitors;
  - h) ensuring that your ISP complies with the order, and
  - i) corresponding with you about our client's claim.
- 3) the amount charged by your ISP (together with legal costs, if any) for disclosing your name and address pursuant to the disclosure order.



# Next Steps - Payment and Undertakings

You can provide the undertakings (referred to at 1 and 2 above in the section headed 'Offer to Settle') by signing those enclosed with this letter detaching and returning them to this firm, together with your payment, using the attached Payment Form. Please also return the Payment In and Credit/Debit Card Transaction forms with the Payment Form (without filling these last two forms in: they are for office use only), as these are used to process your payment. Payment must be made either by cheque, bank transfer, credit card or SWITCH/DELTA/ELECTRON/SOLO. No other form of payment will be accepted, except by prior arrangement with us.

For the avoidance of doubt, giving these undertakings will create a binding agreement between you and our client and if it comes to our client's attention in the future that you have acted in breach of that agreement, our client may issue proceedings against you to enforce the agreement and/or for damages for breach of contract (in addition to any other rights or remedies our client may have). The payment and undertakings must be made and received by us within twenty-one days of receipt of this letter or this offer to settle in this amount will lapse.

Please note that the amount claimed represents only a small proportion of the damages which our client believes it is entitled to claim from you, and of the costs our client has incurred in instructing us to proceed against you. The offer is made strictly on the basis that our client's claim is settled within the above twenty-one day period.

# Next Steps - Commencing Proceedings

If either the payment or undertakings are not received within the time period specified above, we are instructed to commence proceedings against you, subject to receiving any submissions you may wish to make to us. If it becomes necessary to issue proceedings against you, our client will be seeking as a minimum from you a substantial interim payment on account of damages and will request the Court to determine the level of total damages and costs which should be awarded against you and which are likely to be much higher.

### Legal Advice

If you are in any doubt about the contents of this letter and its seriousness, we would recommend that you seek legal advice as a matter of urgency. You may also find it helpful to refer to the list of frequently asked questions (or FAQs) which can be found on our website at

http://www.davenportiyons.com/html/knowledge\_base/commercial\_net\_guidelines/file\_sharing.html

You may also contact us by email on fils@davenportivons.com or by fax on 020 7437 8216. By reason of the volume of cases of this nature with which we are dealing and because we cannot act on the basis of oral submissions alone from you, we would ask that any response from you be in writing.

Please note that this letter has been digitally signed and is addressed to 'Dear Sir or Madam', in light of the large volume of correspondence that needs to be written in these matters to a number of individuals. Should you have any doubt regarding the validity or authenticity of this letter, please feel free to check with the Law Society and Solicitors

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Regulation Authority that this firm. Davenport Lyons, exists and is regulated by the Solicitors. Regulation Authority. Details can be found on the Law Society's website at:

http://www.lawsociety.org.uk/choosingandus.ng/findasolicitor/view=lawf/midetails.law?orgid=49564&searchType=L

This letter complies with the Code of Practice for Pre-Action Conduct in Intellectual Property Disputes (January 2004), a copy of which is available on our website in the FAQ area referred to above, using the following link:

http://www.davenportiyons.com/html/knowledge\_base.pdfs.PreAction/ Protocol IP Disputes.pdf

Yours faithfully

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Davenport Lyons

Enc.

- Statement Report relating to
- Extract from spreadsheet sent to your ISP, British Telecommunications Pic.
- Copy of letter sent to British Telecommunications Plc on 20 May 2008
- 4 Extract from spreadsheet received back from British Telecommunications Pic
- 5 Undertakings
- Payment Form
- Payment In Form
- 8 Credit/Debit Card Transactions Form
- 9. Notes on Evidence
- 10. Order of Chief Master Winegarten dated 30 June 2008 ("Order")

Please note that we have not included the Schedules that accompanies the Order, as they run to several pages, given the homber of ISPs and subscribers involved. We can confirm that the setails which follow in the document headed. Statement Rodort Relating To J I FERRIS, were included in those schedules.





Scatter - Jumping All Over (2007)(0.0+2 SkidVid\_XVID+Cov

151.85

in date :

Bittorrent.

205554313737302DF39F51CACE448BF13F888803

66 126 23 216

Your Ref. our Ref. DIG 9 1

British Telecommunications Pic-

NAME AND ADDRESS REMOVED AT ISP'S REQUEST!

28 March 2008

By email and Post

Dear Sir or Madam Various Works - Copyright Infringement

Our Client: DigiProtect Gesellschaft zum Schutze Digitale Medien Gmbh

We act for DigiProtect Gesellschaft zum Schutze Digitale Medien Gmbh, the publisher and holder/exclusive licensee of the rights, including (without limitation) the copyrights in various computer games musical works or films ('the Work(s)')

It has recently come to our client's attention that a number of your subscribers (the IP addresses of whom are set out in the spreadsheet(s) accompanying this letter ('Schedule(s)')) have without our client's knowledge or permission, been making copies of

the Work(s) available via the internet for third parties to download (i.e. copy on to their computer)

These unauthorised uses are causing substantial damage to our client's business and clearly constitute an infringement of our client's copyright in the Work pursuant to sections 16(1) (a)

and (d) of the Copyright. Designs and Patents Act 1988 entitling our client to a range of remedies. Please treat this letter as formal notice of the infringements of your subscribers.

Telecommunications Plc disclose to us the following information: the full name and postal address and where available the telephone number and email address of the subscriber relating to each IP address ('personal data'). For the purposes of our application, we enclose our evidence relating to the above application in the form of a draft order ('Order')

To enable our client to commence legal proceedings against the subscribers in question, we put you on notice that our client intends to make an application to Court as soon as possible pursuant to CPR 31.18 and/or the inherent jurisdiction of the Court for an order that British

and supporting witness statement for your information

Our client agrees to pay British Telecommunications Plo's reasonable costs of complying with

the order. You will note that a provision to that effect has been included in the Order sought from the court. Pending disposal of our client's application, please ensure that British Telecommunications Plc preserves the personal data relating to the IP addresses set out in Please note that the data was captured in Germany (see column headed Hit Date). In order to assist British Telecommunications Pic with the disclosure process, we have included a column after the Hit Date column called Time Zone, which confirms the time zone of the

can column handed LIK Date Time!

the Schedule(s)

country in which the data was captured, which, in this instance will be either GMT+1 or 'GMT+2', depending on the time of year. We have also converted German time to UK time legal entity administering and/or controlling the IP addresses in question. As you know the RIPE database supplies the netname associated with each IP address and that these netnames are individual to each ISP, although some ISPs may use more than one netname Each ISP should normally be able to identify immediately from the netname associated with an IP address whether that ISP or otherwise usually some other subsidiary or affiliate is

responsible for the administration of the IP address in question. We found the following netnames associated with all the IP addresses that we believe are administered by British

Please also note that we have identified British Telecommunications Pic as being the correct

BT-CENTRAL-PLUS

# Please would you confirm the following: ideally using the attached form:

Please would you kindly acknowledge receipt of this letter

Telecommunications Plc or one of its group companies

- 1. British Telecommunications Pig is the appropriate controlling legal entity for each netname (or similar incarnations thereof appearing in the Schedule(s)), or identify the
  - correct legal entity (supplying full legal name), where the netname is controlled by
    - British Telecommunications Pic.
  - British Telecommunications Pic's agreement to accept service electronically, in order to save paper costs and storage space for all parties concerned. For completeness
  - please also confirm the postal address (including fax number and email address) for
  - service of court documents by post, should this be necessary.
  - British Telecommunications Pic's position in relation to the Order. We anticipate that
  - whilst British Telecommunications Plc will not be able to consent to the Order, it will not oppose the application being made. Please let us know how long British
  - Telecommunications Pic will need to comply with the Order so that we may conside
  - this and amend the draft Order if appropriate. The usual order sought is a date
  - twenty-eight days from the date of service of the Order; Botish Telecommunications Plo's charges (if any) for provision of the personal data
  - Please note that our client is registered for VAT and is based in Germany (VAT No
  - DE253122583) and accordingly, no VAT should be levied in any invoice that British Telecommunications Plc (or any solicitors acting for it) may issue to our client (care of
  - us)
- We look forward to receiving the enclosed form to confirm all of the matters referred to in this
- letter. We intend to present this letter to the Court and will request that the application be
- heard ex parte (i.e. without British Telecommunications Pic's attendance, unless opposed), in
- order to save time and costs. We should be grateful if you would endeavour to send back the
- attached form, indicating your preferences, within the next seven days, given the number of
- ISPs involved and the nature of our application to Court
- Yours faithfully Obserpat byono.
- Davenport Lyons

Our Ref: DIG 9.1 Davenport Lyons 30 Old Burlington Street London W1S 3NL FAO FILS Please tick Yes No We confirm that we do not oppose an application made in the terms set out in the draft Order accompanying this form. OR we do not appose on the following terms: We consent to service of all documents in this matter electronically We confirm that British Telecommunications Pic administers all of the netnames referred to on page 2 of the letter accompanying this form OR the following netnames are not administered by us: We do not object to additional data being supplied at the time of making of the Order We confirm British Telecommunications Pic's contact details are -OR - (fill in details below) FOR SUBSCRIBER QUERIES FOR SERVICE British Telecommunications Pic Legal and Business Department BT Centre 81 Newgate Street London Telephone ESTA TAL Fax Email We confirm that British Telecommunications Pic's charges (if any) for provision of the personal data exclusive of VAT (if applicable), will be per hour. 18 per IP address TO £ Date (PRINT) Name For British Telecommunications Plc PLEASE RETURN TO DAVENPORT LYONS AT THE ABOVE ADDRESS (THE ADDRESS CHOILL O CHOW IN A WINDOW ENVELOPE)

#### EXTRACT FROM SPREADSHEET SENT TO YOUR ISP

File Name

File Size

Address				
86 128 23 216	11 04 2008 13 14 07	11 04 2005 12 14 07	Scotter - Jumping All Civer (2007)(CO+2 SkidVid_XviO+Cov)	151,86

File ID GUID

Hit Date and Time UK Date & Time

Host IP

F7FD8E0F74584762892D414F22DD042B8FEFFDCC 2D55543Y3737302DF39F51CACE448BF13F8888D3

## EXTRACT FROM SPREADSHEET RECEIVED BACK FROM YOUR ISP

Host IP Address UK Date & Time Tel No. Name Address
86 128 23 216 11 04 2008 12 14 07

#### NOTES ON EVIDENCE

This note accompanies the letter you will have received ("Letter of Claim") regarding unauthorised infringement(s) of our client's copyright in a named work ("Work") on peer-topeer (i.e. file sharing) networks. It is intended to help you to understand how the evidence we hold about you has been obtained and used to obtain your name and address. This note is intended to answer the majority of the important questions you may have in relation to our

Our Letter of Claim sets out the claim against you in detail and is intended to comply with the (non-binding) Code of Practice for Pre-Action Conduct in Intellectual Property Disputes However, in the spirit of co-operation and acting reasonably in the exchange of documents and information relating to the claim and in an attempt to avoid the need for legal

proceedings, we set out further detail below of how our client's evidence has been obtained and enclose appropriate documentation, where necessary. We will of course, prepare detailed evidence in support of our client's claim following the issue of proceedings, should it be necessary to do so. Forensic Computer Analyst's Report

Letter of Claim

Our expert IT consultants (the "Monitors") use a sophisticated software program (the "Monitoring Program") to locate an individual's IP address in circumstances where the Work (as defined in the Letter of Claim) is being made available by an individual (the "User") from his or her personal or office computer and which is connected via the internet to a peer to peer network.

The Monitors are not only able to monitor activity solely relating to the Work, but also, to filter

the results of their searches to IP addresses in a given territory. In the present case, our client asked the Monitors to monitor UK-based IP addresses offering the Work for download during a period of several weeks. As a conclusion to the monitoring process, a test download was then made of the Work Identified IP addresses including yours, were provided to our client by the Monitors, together

with the details of the relevant ISP. The Monitoring Program does not provide the name of contact details of any subscriber whose IP address it has identified. These details are only available from the ISP in question. We wrote to your ISP setting out the basis of our claim and inviting them to provide the details behind your IP address. Because of data protection law, the ISP will normally require us to apply to the court for a so-called Norwich Pharmaca (or disclosure) order. Full evidence of the nature of our claim against you is provided to the Court, which is then invited to order your ISP to disclose your contact details. This enables

against your ISP, pursuant to which your ISP provided your name and address some weeks later and we were then able to write to you In the event that court action is necessary (if you choose not to accept the offer made in ou Letter of Claim) and following the issue of any proceedings, appropriate witnesses will

us to write to you. On the date set out in the Letter of Claim, such an order was made

provide statement in relation to the activity of the Monitors and the evidence against you

# and will attend court as appropriate

2.

Evidence made available by the Monitors

Enclosed with the Letter of Claim, you should have found the following documentation:

a one page statement report ("Statement Report") showing the date, time, IP address, use [16] ID (flavalable) time zone and other relevant information, indicating the date and time upon because the data was captured in Central European Time and accordingly, the time stated in that column is one hour ahead of the UK time. We convert the data to UK time (as shown in the UK Date Time column) before sending it to your ISP You will note that included in the information about you is the "File ID" (eg F7FD8E0F74584762892D414F22DD042B6FEFFDCC) This is a unique number (also known as the "MD4" number and which may also currently be called the "MD5" or "SHA1"

which the IP address was captured when the Work was made available to the Monitors using the Monitoring Program. You should note that the time zone in which the data was captured is referred to implicitly by reference to 'GMT+1' in the 'Hit Date' field. This is

number in some P2P networks) allocated by the P2P network in guestion to each file. In this case the Work(s), made available for sharing. The unique file ID identified in this case relates to the copyright work Scooter - Jumping All Over The World As stated a paragraph 5 below the Monitors download a copy of the copyright material shared and verify that it is both a genuine copy of the Work and has the same File ID as that stated in the evidence about you

an extract from the spreadsheet sent to your ISP containing the details set out in the (b) Statement Report, requesting details of the name and address of the subscriber relating to the IP address(es) listed in it for the relevant date(s) and time(s). You will note that the applicable time zone has been converted in the spreadsheet to 'UK Date' and UK Time (see the column with heading UK Date Time) column in order to avoid any issues as to exactly when the data was captured. Please note that this spreadsheet is attached to the

court order referred to at paragraph 6 below. an extract from the spreadsheet received back from the ISP containing details of your name (C) address and telephone number (where available). We are also sent a witness statemen from a responsible person at your ISP, confirming that the information provided is accurate and complete to the best of the ISP's knowledge and belief

**Evidence of Copyright Infringement** 3. It is irrelevant for the purposes of our client's evidence how the Work came to be resident or the computer connected to the IP address in question at the time of upload and/or making

date and time

IP Addresses

available on a P2P network. Phor to making the Work available on P2P networks, it may have been copied from a CD or DVD ROM (or other medium) or indeed downloaded from either a bona fide website or obtained through file sharing on a P2P website, either by you o a third party using your internet connection. What our client's evidence shows is that the Work was made available from an internet connection registered to your name on a certain

# You may have noticed that the IP addresses listed on page one of this letter (if more than one) are all different. This is because your ISP has allocated dynamic, rather than static, if

addresses and therefore your IP address may change over time. This may also explain why you may not now have the same IP address as any of those listed on page one of this letter. Evidence of Uploading/Making the Work Available

As you will be aware from the letter of claim which accompanies this note making copyright work available to other users on the internet is unlawful under sections 16(1)(d and 20 of the Copyright. Designs and Patent Acts 1988. The evidence on which we rely it referred to at paragraph 2 above and enclosed with our letter. As far as verification of the

work in question being made available, you will note above that the Monitors download.

6. Court Documents
We are unable to provide with you a copy of our client's application notice to the court or the documents relied upon in support of that application, as these are confidential and only

copy of the Work being made available and verify that it is indeed a bona fide working

available by your making an application to the Court to obtain a copy. We are, however, able to provide you with (and enclose) a copy of the order for disclosure made by the court ordering your ISP to release details of your name, address and telephone number. This is the order which was sent to your ISP.

# We enclosed with the Letter of Claim a copy of our original letter to your ISP (their address has been removed at their request) requesting the information relating to your name.

Correspondence with Your ISP

version in each case

7.

How the Settlement Figure is calculated

The ours of money starmed in our property letter to you is not the amount that would to

The sum of money claimed in our original letter to you is not the amount that would be claimed in the event that our client commences proceedings against you. Damages and costs are likely to be much greater than that sum. It is the sum that our client is prepared to accept (on this occasion only) by way of settlement to help defray its costs if you are prepared to give the undertakings sought and sent to you in our original letter. If you are no

prepared to accept that offer then we suggest that you seek legal advice as a matter of urgency.

Details of how the amount claimed is calculated is set out in the letter of claim.

addition to that contemplated in this letter may result

# . Has of Due Bos montation

Use of Our Documentation
 Finally please note that the information and documents contained in this letter are the opportant of Davenport Lyons. Any unauthorised use, e.g. posting on websites and fora, will

copyright of Davenport Lyons. Any unauthorised use, e.g. posting on websites and fora will render the persons responsible liable to Davenport Lyons for copyright infringement in addition to any liability which may be owed to our client for the same. Further action in

@ Dayses | Lone 2009

N THE HIGH COURT OF JUSTICE CHANCERY DIVISION

BEFORE CHIEF MASTER WINEGARTEN ON 30 JUNE 2008

BETWEEN

#### DIGIPROTECT GESELLSCHAFT ZUM SCHUTZE DIGITALE MEDIEN OMBH

#### Applicant

- and -

(1) BE UN LIMITED
(2) BRITISH TELECOMMUNICATIONS PLC

(3) EASYNET LIMITED

(4) ENTANET INTERNATIONAL LIMITED

(5) KCOM GROUP PLC

(6) ORANGE HOME UK PLC (7) PLUSNET PLC

(8) THUS PLC

(9) TISCALI UK LIMITED

Value



Respondents

#### ORDER

UPON the Application of the Applicant by Notice dated 15 June 2008;

AND UPON hearing scalcitors for the Applicant.

AND UPON reading the documents manual in the Court the as having been read and it appearing that there is a pinthal table case that each of the subscribers associated with the IP addresses listed in Schooute 1 to this Order have copied the Applicant's work(s) on his or her personal or office computer (the "Work(s)") without the Applicant's permission for the purpose of making it systable via the sharing websites for third parties to download, which may give rise to a claim for copyright intergement.

AND UPON the Applicant undertaking not to disclose to the general public, by making or souring a statement to the media, the names or addresses of any person or persons whose identity is made known to the Applicant as a result of the grant of the neiter ordered below until after the Applicant has began the process of enforcing its copyright and related rights against such person or persons as contemplated by paragraph one of this Order.

#### T IS ORDERED THAT:

- The Respondents shall by the bates set out in paragraph 2 disclose to the Applicant's solicitors (if or to the extent known or otherwise available to the Respondents after carrying out a ressorable search) the name and postal address ("personal data") of the registered subscriber or subscribers to each of the Respondents' internet account or accounts that were assigned to the internet protocor address listed in Schedule 1 herein, on the dates and times shown therein and which relate to the Respondents in question Such disclosure shall be in an aditable electronic text format by way of Microsoft Excellible in the form submitted by the Applicant to the Respondents.
- The date for disclosure of personal data as regards each Respondent, shall be as follows:
  - (a) for all Respondents other than Respondent 2, 3 and 7; by 4pm on Tuesday, 20 July 2008.
  - (b) for Respondents 2, 3 and 7, by 4pm on Tuesday, 30 September 2008.

As regards all Respondents other than Respondents 2 and 7.

 The respondence costs of complying with this Order shall be paid by the Applicant to the Respondents in any event.

#### As regards Respondents 2 and 7.

The Applicant shall pay each of those Respondents' costs (including its solicitors' reasonable costs) of considering the Application, preparing for and attending the hearing (if necessary) and the reasonable costs of complying with this Order shall be paid by the Applicant to each of those Respondents in any event.

#### As regards all Respondents:

- The Respondents shall supply at the same time as complying with paragraphs 1-2 of this Order details of their administrative and legal costs incomed in complying with this Order
- The Applicant be permitted to use occurrents and information disclosed gursually to this Order for the burposes of enforcing its suppright and related rights against all and any persons identified pursuant to this Order.

- Each Respondent shall within saven days of complying with the Order file and serve on the Applicant's solicitors a signed witness statement verified by a statement of truth confirming that it has tully complied with the socilicadia provisions of the Order. The Applicant and the Respondents have permission to apply Dated this 30 June 2008