

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

---

In re SONY BMG CD TECHNOLOGIES  
LITIGATION

---

x

· Civil Action No. 1:05-cv-09575-NRB

CLASS ACTION

This Document Relates To:

ALL ACTIONS.

---

x

DECLARATION OF CINDY A. COHN  
FILED ON BEHALF OF ELECTRONIC  
FRONTIER FOUNDATION IN SUPPORT  
OF RICCIUTI GROUP'S MOTION FOR  
AWARD OF ATTORNEYS' FEES AND  
REIMBURSEMENT OF EXPENSES

I, CINDY A. COHN, declare as follows:

1. I am Legal Director of the Electronic Frontier Foundation. I am submitting this declaration in support of my firm's application for an award of attorneys' fees in connection with services rendered in the above-entitled action and the reimbursement of expenses incurred by my firm in the course of this litigation.

2. This firm is counsel of record for plaintiffs Tom Ricciuti, Yvonne Ricciuti, Mary Schumacher, Robert Hull, Joseph Halpin, Edwin Bonner, and Erin Melcon.

3. The identification and background of my organization and its lawyers is attached hereto as Exhibit A.

4. A detailed description of contemporaneous time records, including the date, hours expended and the nature of work done is attached hereto as Exhibit B.

5. The total number of hours spent on this litigation by my firm is 1018.6. The total lodestar amount for attorney/paralegal time based on the firm's current rates is \$418,385.00. The hourly rates shown below are the usual and customary rates charged for each individual in all of our cases. A breakdown of the lodestar is as follows:

**INCEPTION THROUGH MARCH 27, 2006**

NAME		HOURS	RATE	LODESTAR
Cindy A. Cohn		379	\$500	\$189,500.00
Kurt Opsahl		288.75	\$425	\$108,281.25
Corynne McSherry		271.1	\$375	\$101,662.50
Fred von Lohmann		13	\$450	\$5,850.00
Jason Schultz		17	\$375	\$6,375.00
Allison Navone	(PL)	49.75	\$135	\$6,716.25
<b>TOTAL:</b>		1018.6		\$418,385.00

(P) Partner

(A) Associate

(PL) Paralegal

(CA) Contract Attorney

or (OC) Of Counsel

6. My firm incurred a total of \$43,545.07 in unreimbursed expenses in connection with the prosecution of this litigation. They are broken down as follows:

EXPENSES

From Inception to March 27, 2006

<b>DISBURSEMENT</b>	<b>TOTAL</b>
Meals, Hotels & Transportation	\$5,145.07
Experts/Consultants/Investigators	\$38,400.00
<b>TOTAL:</b>	<b>\$43,545.07</b>

7. A true and correct copy of a detailed description of expenses incurred by EFF pertaining to this case is attached hereto as Exhibit C. The expenses incurred pertaining to this case are reflected in the books and records of this firm. These books and records are prepared from expense vouchers and check records and are an accurate record of the expenses incurred.

I declare under penalty of perjury under the laws of the State of New York that the foregoing is true and correct. Executed this 6th day of April, 2006, at San Francisco, California.

  
CINDY A. COHN

T:\Users\SF\Shana\S\Sony NY\Settlement\cohn individual.doc

# EXHIBIT A



> [Home](#) > [About](#)

## About EFF

From the Internet to the iPod, technologies are transforming our society and empowering us as speakers, citizens, creators, and consumers. When our freedoms in the networked world come under attack, the Electronic Frontier Foundation (EFF) is the first line of defense. EFF broke new ground when it was founded in 1990 — well before the Internet was on most people's radar — and continues to confront cutting-edge issues defending free speech, privacy, innovation, and consumer rights today. From the beginning, EFF has championed the public interest in every critical battle affecting digital rights.

Blending the expertise of lawyers, policy analysts, activists, and technologists, EFF achieves significant [victories](#) on behalf of consumers and the general public. EFF fights for freedom primarily in the courts, bringing and defending lawsuits even when that means taking on the US government or large corporations. By mobilizing more than 50,000 concerned citizens through our [Action Center](#), EFF beats back bad legislation. In addition to advising policymakers, EFF educates the press and public. Sometimes just defending technologies isn't enough, so EFF also supports the development of [freedom-enhancing inventions](#).

EFF is a donor-funded nonprofit and depends on your support to continue successfully defending your digital rights. Litigation is particularly expensive; because two-thirds of our budget comes from individual donors, every contribution is critical to helping EFF fight —and win—more cases.

**For information on donating to EFF, see**  
<http://www.eff.org/support/>

**Learn about significant EFF court victories**  
<http://www.eff.org/legal/victories/>

**Learn more about EFF's founding**  
<http://www.eff.org/about/history.php>

**Learn more about current hot cases:**

- » [Sony BMG Litigation](#)
- » [AT&T Class Action](#)
- » [Cell Phone Tracking Cases](#)
- » [Apple v. Does](#)

**Learn more about EFF campaigns, projects, and issues:**

- [File Sharing](#)
- [Bloggers' Rights](#)
- [Intellectual Property](#)

## Contact and Staff Information

- » [Contact Us](#)
- » [Board of Directors](#)
- » [Staff List](#)
- » [Advisory Board](#)
- » [Volunteer, Intern, and Employment Opportunities](#)
- » [How to Support the Electronic Frontier Foundation](#)

Search eff.org




» [About EFF's search](#)

- Contents
- [miniLinks](#)
- [Awards](#)
- [EFF Victories](#)
- [EFF White Papers](#)
- [EFFector](#)

**Subscribe to EFFector!**  
 [our free email newsletter]

Email:

Zip / Postal Code (optional)

» [EFFector Archive](#)

- Topics
- [Anonymity](#)
  - [Biometrics](#)
  - [Bloggers' Rights](#)
  - [Broadcast Flag](#)
  - [CALEA](#)
  - [CAPPS II](#)
  - [Censorship](#)
  - [Copyright Law](#)
  - [Digital Rights](#)
  - [Management \(DRM\)](#)
  - [DMCA](#)
  - [Domain names](#)
  - [E-voting](#)
  - [File-sharing](#)
  - [Filtering](#)
  - [FTAA](#)
  - [Intellectual Property](#)
  - [International](#)
  - [Internet governance](#)

[Tor](#)

**Support EFF's efforts through our Action Center:**

<http://action.eff.org>

To stay up to date on EFF issues, subscribe to our [EFFector](#) newsletter, or check out our weblogs, [Deep Links](#) and [miniLinks](#).

[ISP legalities](#)  
[Licensing/UCITA](#)  
[Linking](#)  
[Patents](#)  
[Pending legislation](#)  
[Privacy](#)  
[Public records/FOIA](#)  
[Reverse engineering](#)  
[RFID](#)  
[Spam](#)  
[Surveillance](#)  
[USA PATRIOT Act](#)  
[Wireless](#)  
[WIPO](#)  
[EFF en Español](#)  
» [Recursos e información de EFF en Español.](#)

[Home](#) | [About EFF](#) | [Cases](#) | [Press Room](#) | [DeepLinks](#) | [Action Center](#) | [Join EFF](#) | [Privacy Policy](#) | [EFF RSS Feeds](#)



> [Home](#) > [About](#) > [Staff](#)

[Board of Directors](#) | [Staff](#) | [Policy Fellows](#) | [Advisory Board](#) | [Interns](#)

jump to:

**Staff**

[[gpg key](#)] [bankston@eff.org](mailto:bankston@eff.org)

+1 415 436 9333 x126 **Kevin Bankston**

*Staff Attorney*



Kevin Bankston, a staff attorney specializing in free speech and privacy law, was the Electronic Frontier Foundation's [Equal Justice Works](#)/Bruce J. Ennis Fellow for 2003-05. His fellowship project focused on the impact of post-9/11 anti-terrorism laws and surveillance initiatives on online privacy and free expression. Before joining EFF, Kevin was the Justice William J. Brennan First Amendment Fellow for the [American Civil Liberties Union in New York City](#). At the ACLU, Kevin litigated Internet-related free speech cases, including First Amendment challenges to both the Digital Millennium Copyright Act (*Edelman v. N2H2, Inc.*) and a federal statute regulating Internet speech in public libraries (*American Library Association v. U.S.*). Kevin received his J.D. in 2001 from the [University of Southern California Law Center](#), and received his undergraduate degree from the [University of Texas in Austin](#).

[katina@eff.org](mailto:katina@eff.org)

+1 415 436 9333 x129 **Katina Bishop**

*Development Associate*



Katina Bishop is one of EFF's "oldest" current employees; she joined the organization in January 2000. As EFF's Program Coordinator, Katina works on the development team, producing education and outreach events, assisting with various aspects of development, and organizing community forums that bring EFF issues and campaigns to the local community. She also produces/writes animated film shorts to accompany EFF campaigns. She has scripted a boxing match between [Barney](#) the purple dinosaur and [Wil Wheaton](#), written and recorded a parody of the Mickey Mouse song, and coordinated musicians, jugglers and unicyclists while producing EFF's annual music festival, all in the name of online freedom and democracy. Previously, she worked as a staff writer and educator for Girltech, a company supporting girls' involvement in the world of technology. Katina is also a musician, writer and educator. She received her BA in Literature from [Scripps College](#), and is currently an MFA candidate in English and Fiction at [Mills College](#). Should you ever call the EFF office, you will hear her singing when you are put on hold.

[ren@eff.org](mailto:ren@eff.org)

+1 416 628 0777 **Ren Bucholz**

*Policy Coordinator, Americas*

Search eff.org



Search EFF

» [About EFF's search](#)

Contents

[miniLinks](#)

[Awards](#)

[EFF Victories](#)

[EFF White Papers](#)

[EFFector](#)

**Subscribe to EFFector!**

[our free email newsletter]

Email:

Zip / Postal Code  
*(optional)*

Subscribe!

» [EFFector Archive](#)

Topics

[Anonymity](#)

[Biometrics](#)

[Bloggers' Rights](#)

[Broadcast Flag](#)

[CALEA](#)

[CAPPS II](#)

[Censorship](#)

[Copyright Law](#)

[Digital Rights](#)

[Management \(DRM\)](#)

[DMCA](#)

[Domain names](#)

[E-voting](#)

[File-sharing](#)

[Filtering](#)

[FTAA](#)

[Intellectual Property](#)

[International](#)



Ren Bucholz is based in Toronto, Ontario, where he works on international policy issues. His primary focus is on Canada and South America, but he occasionally finds himself in other places as well. Before EFF, Ren managed a noncommercial radio station and worked for one of the first Internet broadcasters. He has also helped start a [political action committee](#) that works on many of EFF's issues and a [monthly social night for copyfighters](#). Ren majored in journalism at the University of Colorado at Boulder, where he graduated with honors. He once won an important wager by correctly defining the word "narcolepsy."

[andrea@eff.org](mailto:andrea@eff.org)

+1 415 436 9333 x109 **Andrea Chiang**

*Office Manager & Bookkeeper*



Andrea Chiang is the Bookkeeper and Office Manager for Electronic Frontier Foundation. She came to EFF with years of experience in accounting. Before joining EFF, she was an Airline Accounts Specialist for MSAS Cargo International for 8 years. Before that, she was a Bookkeeper for Spectrel Int'l Corp. Andrea has an A.S. in Finance from [City College of San Francisco](#) and an undergraduate degree in Accounting from [San Francisco State University](#).

[[gpg key](#)] [cindy@eff.org](mailto:cindy@eff.org)

+1 415 436 9333 x108 **Cindy Cohn**

*Legal Director*



Cindy Cohn is the Legal Director for the Electronic Frontier Foundation. She is responsible for overseeing the EFF's overall legal strategy. Cindy first became involved with EFF over seven years ago, when EFF asked her to serve as the lead attorney in [Bernstein v. Dept. of Justice](#), the successful federal court challenge to the U.S. export restrictions on cryptography. That case was the first to hold that source code was protected expression and subject to protection under the [First Amendment](#). Cindy is a graduate of the [University of Michigan Law School](#). She did her undergraduate studies at the [University of Iowa](#) and the [London School of Economics](#). For ten years prior to joining EFF, she was a civil litigator in private practice handling Internet-related cases, including domain name disputes, suits arising from unsolicited commercial e-mail (also known as spam), and challenges to government efforts to gather information from Internet Service Providers about their customers. Before starting private practice, she worked for a year at the [United Nations Centre for Human Rights](#) in Geneva, Switzerland. In 1997, as a result of her work on the Bernstein case, Ms. Cohn was named as one of the "Lawyers of the Year" by *California Lawyer* magazine. [[more...](#)]

[gwen@eff.org](mailto:gwen@eff.org)

+1 415 436 9333 x110 **Gwen Hinze**

*International Affairs Director*



Gwen Hinze is a Staff Attorney with the Electronic Frontier Foundation, specializing in intellectual property and Internet regulation policy issues. She has worked on various EFF cases involving the impact of copyright law on technology and freedom of expression online, including [Newmark v. Turner](#) (EFF's action on behalf of owners of ReplayTV digital video recorders) and [MGM v. Grokster](#) (Morpheus peer to peer software) cases. Before joining EFF, Gwen worked at the [Federal Court of Australia](#), and with the Australian government in public policy and litigation.

[Internet governance](#)  
[ISP legalities](#)  
[Licensing/UCITA](#)  
[Linking](#)  
[Patents](#)  
[Pending legislation](#)  
[Privacy](#)  
[Public records/FOIA](#)  
[Reverse engineering](#)  
[RFID](#)  
[Spam](#)  
[Surveillance](#)  
[USA PATRIOT Act](#)  
[Wireless](#)  
[WIPO](#)  
[EFF en Español](#)  
 » [Recursos e información de EFF en Español.](#)



Prior to that, she practiced in M&A, capital markets, and infrastructure law at the international Australian law firm, [Allens Arthur Robinson](#). Gwen holds a Bachelor of Laws with Honors and a Bachelor of Arts with Honors from Australia's [Monash University](#).

[rebecca@eff.org](mailto:rebecca@eff.org)

+1 415 436 9333 x 125 **Rebecca Jeschke**

*Media Coordinator*



Rebecca Jeschke is EFF's Media Relations Coordinator. Before joining EFF, she worked in television and Internet news for more than ten years, including stints as an Internet producer for CBS 5 in San Francisco and as a senior supervising producer for TechTV. She has also been a travel guide editor, an English teacher in the Dominican Republic, and a worker on a "slime line" gutting fish in Alaska. Rebecca has a Bachelor of Arts in English and American Literature and Language from Harvard University.

[corynne@eff.org](mailto:corynne@eff.org)

+1 415 436 9333 x 122 **Corynne McSherry**

*Staff Attorney*

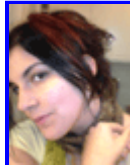


Corynne McSherry is Staff Attorney at EFF, specializing in intellectual property and contract issues. Prior to joining EFF, Corynne was a civil litigator at the law firm of Bingham McCutchen, LLP. Corynne has a B.A. from the University of California at Santa Cruz, a Ph.D from the University of California at San Diego, and a J.D. from Stanford Law School. While in law school, Corynne published *Who Owns Academic Work?: Battling for Control of Intellectual Property* (Harvard University Press, 2001).

[le@eff.org](mailto:le@eff.org)

+1 415 436 9333 x105 **elly millican**

*Webmaster*



As EFF's webmaster, elly maintains and oversees the vast chaotic content legacy known as eff.org, as well as caring for EFF's other smaller websites and online initiatives. Ten years in the www industry have left her as a self proclaimed "web generalist," and as such she can be found doing all manner of www related geekery: PHP, CSS, interface and visual design, and more. When she is not geeking out, she is usually enjoying some combination of naps, trees, coffee, long walks around San Francisco, and cats.

[nicole@eff.org](mailto:nicole@eff.org)

+1 415 436 9333 x120 **Nicole Nguyen**

*Membership Coordinator*



Nicole Nguyen is the EFF's Membership Coordinator. Before joining us she worked as Program Representative for University of California, Berkeley's Haas School of Business, and as Senior International Assignment Consultant for Cendant Mobility. She has a Bachelor of Arts in Economics and a minor in Political Science (with emphasis in International Relations) from University of California, Irvine. Nicole loves to travel, especially to places where she can find asian food. Lots of asian food.

[danny@eff.org](mailto:danny@eff.org)

+1 415 436 9333 x 121 **Danny O'Brien**

## Activism Coordinator



[Danny O'Brien](#) is the Activist Coordinator for the EFF. His job is to help our membership in making their voice heard: in government and regulatory circles, in the marketplace, and with the wider public. Danny has documented and fought for digital rights in the UK for over a decade, where he also assisted in building tools of open democracy like [Fax Your MP](#). He co-edits the award-winning [NTK](#) newsletter, has written and presented science and travel shows for the BBC, performed a solo show about the Net in the London's West End, and once successfully lobbied a cockney London pub to join Richard M. Stallman in a spontaneous demonstration of Bulgarian folk dance.

[gpg key] [kurt@eff.org](mailto:kurt@eff.org)

+1 415 436 9333 x106 **Kurt Opsahl**

*Staff Attorney*



Kurt Opsahl is a Staff Attorney with the Electronic Frontier Foundation focusing on civil liberties, free speech and privacy law. Before joining EFF, Opsahl worked at [Perkins Coie](#), where he represented technology clients with respect to intellectual property, privacy, defamation, and other online liability matters, including working on [Kelly v. Arribasoft](#), [MGM v. Grokster](#) and [CoStar v. LoopNet](#). For his work responding to government subpoenas, Opsahl is proud to have been called a "rabid dog" by the Department of Justice. Prior to Perkins, Opsahl was a research fellow to Professor Pamela Samuelson at the [U.C. Berkeley School of Information Management & Systems](#). Opsahl received his law degree from [Boalt Hall](#), and undergraduate degree from [U.C. Santa Cruz](#). Opsahl co-authored "[Electronic Media and Privacy Law Handbook](#)".

[gpg key] [chris@eff.org](mailto:chris@eff.org)

+1 415 436 9333 x124 **Chris Palmer**

*Technology Manager*

Prior to EFF, Chris worked as a systems administrator and software programmer for ISPs and web application development shops in Minneapolis and San Francisco. He holds a BA degree in Linguistics from the University of Minnesota.

[gpg key] [seth@eff.org](mailto:seth@eff.org)

+1 415 436 9333 x107 **Seth Schoen**

*Staff Technologist*



Seth Schoen created the position of EFF Staff Technologist, helping other technologists understand the civil liberties implications of their work, EFF staff better understand the underlying technology related to EFF's legal work, and the public understand what the technology products they use really do. Schoen comes to EFF from Linuxcare, where he worked for two years as a senior consultant. While at Linuxcare, Schoen helped create the [Linuxcare Bootable Business Card CD-ROM](#). Prior to Linuxcare, Schoen worked at AtreNet, the [National Energy Research Scientific Computing Center](#) at [Lawrence Berkeley National Laboratory](#), and Toronto Dominion Bank. Schoen attended the [University of California at Berkeley](#) with a Chancellor's Scholarship.

[jason@eff.org](mailto:jason@eff.org)

+1 415 436 9333 x112 **Jason Schultz**

*Staff Attorney*



Jason Schultz is a Staff Attorney specializing in intellectual property and reverse engineering. He currently leads EFF's [Patent Busting Project](#). Prior to joining EFF, Schultz worked at the law firm of [Fish & Richardson P.C.](#), where he spent most of his time invalidating software patents and defending open source developers in law suits. While at F&R, he co-authored an amicus brief on behalf of the [Internet Archive](#), [Prelinger Archives](#), and [Project Gutenberg](#) in support of Eric Eldred's challenge to the Sonny Bono Copyright Term Extension Act. Prior to F&R, Schultz served as a law clerk to the Honorable D. Lowell Jensen and as a legal intern to the Honorable Ronald M. Whyte, both in the [Northern District of California](#) federal court system. During law school, Schultz served as Managing Editor of the [Berkeley Technology Law Journal](#) and helped found the [Samuelson Clinic](#), the first legal clinic in the country to focus on high tech policy issues and the public interest. Schultz also has undergraduate degrees in Public Policy and Women's Studies from [Duke University](#). Jason maintains a personal blog at [lawgeek.net](#).

[derek@eff.org](mailto:derek@eff.org)

+1 415 436 9333 x128 **Derek Slater**

*Activist*



Derek Slater is an Activist. He helps craft and communicate EFF's message through its newsletter and website. Having interned for EFF twice before, Derek joined the staff after graduating from Harvard College in January 2006. He was the first undergraduate to be named a student fellow at the [Berkman Center for Internet and Society at Harvard Law School](#), where he co-authored several papers about [digital media](#) and copyright law. Derek has also interned for [Creative Commons](#) and the [Samuelson Clinic for Law, Technology, and Public Policy](#). Along with writing for EFF's blog, he tracks developments in digital media at his blog, [A Copyfighter's Musings](#).

[ssteele@eff.org](mailto:ssteele@eff.org)

+1 415 436 9333 x103 **Shari Steele**

*Executive Director & President*



Prior to becoming EFF's Executive Director in 2000, Shari served as EFF's Legal Director for eight years. She is also co-founder of [Bridges.org](#), a nonprofit working to ensure sound technology policy in developing nations. She has spoken widely on civil liberties law in newly emerging technologies, including on the CBS *Evening News*, C-SPAN's *Washington Journal*, *The Today Show*, CNN, the BBC, and [National Public Radio](#). As EFF's Legal Director, she advised the [NTIA](#) on hate crimes in telecommunications, the [U.S. Sentencing Commission](#) on sentencing guidelines for the [Computer Fraud and Abuse Act](#) and the [No Electronic Theft Act](#), and the [National Research Council](#) on U.S. encryption policy. She has spoken about Internet law as part of the [Smithsonian Institution](#)'s lecture series on the Internet, the [ABA](#)'s TechWorld Conference, the [National Law Journal](#)'s annual Computer Law Conference, and the National Forum for Women Corporate Counsel. A graduate of [Widener University School of Law](#), Shari later served as a teaching fellow at [Georgetown University Law Center](#), where she earned an LL.M. degree in Advocacy. Ms. Steele also holds a Master of Science degree in Instructional Media from [West Chester University](#).

[pgp key] [gsutter@eff.org](mailto:gsutter@eff.org)

+1 415 436 9333 x114 **Gregory Sutter**

*Systems Administrator*



While not solar sailing, communing with dolphins or scaling Olympus Mons, Greg graces the EFF office with his nearly boundless obsolete computer knowledge.

[lee@eff.org](mailto:lee@eff.org)

+1 415 436 9333 x102 **Lee Tien**

*Senior Staff Attorney (Privacy, Free Expression & Freedom of Information)*



Lee Tien is a Senior Staff Attorney with the Electronic Frontier Foundation, specializing in free speech law, including intersections with intellectual property law and privacy law. Before joining EFF, Lee was a sole practitioner specializing in [Freedom of Information Act](#) (FOIA) litigation. Mr. Tien has published articles on children's sexuality and information technology, anonymity, surveillance, and the First Amendment status of publishing computer software. Lee received his undergraduate degree in psychology from [Stanford University](#), where he was very active in journalism at the [Stanford Daily](#). After working as a news reporter at the [Tacoma News Tribune](#) for a year, Lee went to law school at [Boalt Hall](#), University of California at Berkeley. Lee also did graduate work in the Program in Jurisprudence and Social Policy at [UC-Berkeley](#).

[fred@eff.org](mailto:fred@eff.org)

+1 415 436 9333 x123 **Fred von Lohmann**

*Senior Staff Attorney (Fair Use & Intellectual Property)*



Fred von Lohmann is a senior staff attorney with the Electronic Frontier Foundation, specializing in intellectual property matters. In that role, he has represented programmers, technology innovators, and individuals in a variety of copyright and trademark litigation. He is also involved in EFF's efforts to educate policy-makers regarding the proper balance between intellectual property protection and the public interest in fair use, free expression, and innovation. Before joining EFF, Fred was a visiting researcher with the [Berkeley Center for Law and Technology](#) and an associate with the international law firm of [Morrison & Foerster LLP](#). He has appeared on CNN, CNBC, ABC's Good Morning America, and Fox News O'Reilly Factor and has been widely quoted in a variety of national publications. Fred has an A.B. from [Stanford University](#) and a J.D. from [Stanford Law School](#). [\[more...\]](#)

[barak@eff.org](mailto:barak@eff.org)

+1 415 436 9333 x117 **Barak Weinstein**

*Legal Secretary*



Barak Weinstein is EFF's Legal Secretary. He brings to the office years of experience in firms representing employees and unions in labor relations and prison inmates in due process and civil rights claims. In his spare time, Barak enjoys music production, and has recorded rock bands, rap acts and second-engineered Grammy-nominated country songs. He has a B.A. in History from [Grinnell College](#).

[mattz@eff.org](mailto:mattz@eff.org)

+1 415 436 9333 x127 **Matt Zimmerman**

*Staff Attorney*



Matt Zimmerman is a Staff Attorney specializing in electronic voting issues. For the 2004 election, he coordinated a team of nationwide legal volunteers who responded to election-day problems with e-voting technology for the non-partisan Election Protection Coalition. He currently heads EFF's efforts to push for regulatory reform, coordinate nationwide e-voting litigation and amicus support, and evaluate emerging voting technology. He is also actively involved in e-voting-related public education efforts. Prior to joining EFF, Zimmerman was Privacy Fellow at the public interest law firm [The First Amendment Project](#) where he specialized in privacy and open government issues. Prior to working at The First Amendment Project, Zimmerman worked at the international law firm [Morrison & Foerster LLP](#) where he focused on commercial litigation matters, including patent and technology licensing disputes.

[biscuit@eff.org](mailto:biscuit@eff.org)

+1 415 436 9333 xARF **Biscuit**

*Office Dog*



Biscuit is a two year old Corgi mix, specializing in ball chasing and stuffed-animal shredding. His duties include playing with interns, looking cute, and occasional tug-of-war with his owner, Staff Attorney Jason Schultz. Adopted from the [ARF Shelter](#) in Walnut Creek, California, Biscuit believes dogs play a critical role in the office environment, ensuring that staff members don't take themselves too seriously or forget to relax and have fun every once in a while. Among other projects, Biscuit is currently researching constitutional challenges to various overbroad leash laws and "No Dogs Allowed" policies as well as a critical legal studies article on rethinking the "One Bite" rule. He has written for such publications as E-Canine Policy Week and Cryptobone: The Security Magazine With Teeth.

Fellows

[cory@eff.org](mailto:cory@eff.org) **Cory Doctorow**

*Fellow*



Former staff member [Cory Doctorow](#) is an EFF fellow. He's one of EFF's spokespeople, works on policy research and participates in standards bodies, and works to enlist the support of other organizations in EFF's issues. In a previous life, he was a software entrepreneur, co-founding a company called [OpenCola](#). He is an award-winning science fiction writer, and his first novel, "[Down and Out in the Magic Kingdom](#)" was recently published by [Tor Books](#). Another novel and a short story collection are forthcoming in 2003. He is co-editor of the popular weblog [Boing Boing](#) and is a frequent contributor to [Wired Magazine](#) and the [O'Reilly Network](#). He enjoys googling for interesting facts about long walks on the beach.

[jstyre@eff.org](mailto:jstyre@eff.org)

+1 310 839 4114 **James S. Tyre**

*Policy Fellow*

Jim Tyre has been a practicing attorney since 1978, focusing primarily on speech issues. Jim has worked closely with EFF on a wide variety of matters, including [Universal City Studios v. Reimerdes](#), [Felten v. RIAA](#) and [Auerbach v. ICANN](#). Jim is a co-founder of [The Censorware Project](#), which has been studying and criticizing censorware since 1997. In 2003, he [testified](#) before the Copyright Office, Library of Congress in support of the censorware exemption to the circumvention prohibition of Section 1201(a)(1) of the Digital Millennium Copyright Act. That exemption was one of four [granted](#) in the triennial rulemaking proceedings. Jim received his A.B. from [Dartmouth College](#) and his J.D. from [Loyola Law School Los Angeles](#).



# EXHIBIT B

**SONY DRM**  
EFF Fees and Costs Summary

**TOTAL: \$461,930.32**

Fees:

<b>ATTORNEY</b>	<b>HOURS</b>	<b>RATE</b>	<b>TOTAL</b>
Cindy Cohn	379	\$500/hour	\$189,500.00
Kurt Opsahl	288.75	425	108,281.25
Corynne McSherry	271.1	375	101,662.50
Fred von Lohmann	13	450	5,850.00
Jason Schultz	17	375	6,375.00
Allison Navone, paralegal	49.75	135	6,716.25
		<b>SUB-TOTAL</b>	<b>\$418,385.00</b>

Costs:

iSec Partners				34,400.00
Bruce Schneier				4,000.00
EFF travel and other costs				5,145.07
			<b>SUB-TOTAL</b>	<b>43,545.07</b>

**Fees: \$418,385.25**

**Costs: \$43,545.07**

**EFF Total: \$461,930.32**



<u>Date</u>	<u>Cindy Cohn Sony Time</u>	<u>Hours</u>
11/8/05	Consider solicitation rules; draft blog post and newsletter; call for stories; review XCP EULA; consider litigation strategy	4.5
11/10/05	Consider §17200 cases memo, possible clients	1.0
11/11/05	Consider Penal Code §502 cases, CFAA analysis; telephone call with consultant; send reference materials	3.0
11/12/05	Telephone call with consultant re his findings and declaration; review blog post; legal research re preliminary injunction motion standards	3.5
11/13/05	Consider potential plaintiffs; review open letter to Sony	1.0
11/14/05	Consider potential plaintiffs; consider causes of action	1.5
11/15/05	Telephone call with Mr. Cunard; telephone call with consultant; consider strategy	2.5
11/16/05	Telephone call with Mr. Cunard; draft list of issues to discuss	1.0
11/17/05	Review new demand letter; telephone call with consultant re uninstaller vulnerability; telephone call with Sony to report; draft email to _____	4.5
11/18/05	Review letter from Sony and consider strategy; consider causes of action and revised complaint	4.0
11/19/05	Consider complaint strategy	0.5
11/20/05	Review and revised complaint; draft press release and website	4.0
11/21/05	Finalize complaint; revise p.r. and website; respond to media; review Texas case	7.0
11/22/05	Consider strategy re New York case, preliminary injunction	3.0
11/23/05	TT with TX AG's office. TT co-counsel to report	1.0
11/24/05	Consider experts, review Sunncomm response. Review team emails.	2.0
11/27/05	Review early XCP history, response by ATO records, consider case and counsel strategy. Consider possible MediaMax security problem.	2.5
11/28/05	Consider preliminary injunction. Review early First4 Internet information, Review Sunncomm settlement. Consider Canadian issues. Consider MediaMax security problem. Discuss with iSec.	8.0

11/29/05	Consider MediaMax vulnerability and strategy. Discuss with consultants. Email with potential experts. Review NY complaint. Track other class actions filed. Review revised PI motion.	12.0
11/30/05	Consider mediaMax vulnerability strategy. Review vulnerability report. Draft letter to Sony re: new MediaMax security problems. Call from Sony re: delay in public release.	10.0
12/1/05	Call with Sony re: new vulnerability. Consider experts and dr emails to potential experts.	10.0
12/2/04	Review PI draft. Consider client issue.	4.0
12/5/04	Consider package of measures from Sony. Discuss with Sony. Discuss with co-counsel. Review XCP uninstaller and seek reverse engineering protection. Draft joint press release. Comment on draft response to Sony.	10.0
12/6/05	Continue to draft joint press release and discuss with Sony. Continue to revise responsive letter to Sony and call with team to discuss.	10.0
12/7/05	Discuss problem in Mediamax fix with experts and Felten. Write to Sony re: recall. Multiple Calls with Sony re: recall and problems. Consider issue re: Kamber/Pritzker class counsel. Discuss with co-counsel. Consider PI strategy. Call with Elizabeth P.	12.0
12/8/05	Call with Kamber/Pritzker class counsel. Consider strategy. Email and call to Sony re: same. Call with cocounsel. Email to Sony re: notice process. Call with Sony re: advertising campaign. Consider letter to court.	10.0
12/9/05	Consider Kamber/Pritzker complaints. Consider new patch and uninstaller with experts. Discussions with Ms. Pritzker about seeing settlement draft and EFF team role. Discussions with Sony re: settlement and seeing draft. Conference call to consider strategy. Review draft of letter to court re: CMO.	11.0
12/10/05	Revise letter to NY court re: CMO. Consider strategy. Continue discussions with Ms. P re settlement.	8.0
12/11/05	Revise letter to NY court. Consider strategy. Discuss strategy with Mr. Rothken and Mr. Baker.	3.0
12/12/05	Telephone calls and emails with Ms. Pritzker re: settlement documents and EFF team role. Consider strategy with co counsel. DR letter to Sony re: settlement options. Revise letter to court re: response to CMO. Discuss Klemm case with Mr. Rothken.	12.0

12/13/05	Review settlement draft and consider strategy with cocounsel. Discuss settlement with Sony. Consider NY trip. Consider MediaMax additions to settlement and other additions needed. Discuss with cocounsel.	10.0
12/14/05	Consider strategy with co-counsel. Discuss settlement options with Sony BMG counsel over several calls.	5.0
12/15/05	Discuss strategy with Ms. Pritzker. Consider settlement meeting strategy and draft negotiation document.	4.0
12/16/06	Strategy call with cocounsel. Prep for meeting with Sony. Consider potential security people and security response strategy.	10.0
12/17/05	Fly to New York. Prep for meeting with SonyBMG. Review settlement motion documents.	12.0
12/18/05	Settlement meeting with Sony	16.0
12/19/05	Telephone call with Sony re: moving CMC. Call and email with with cocounsel to report meeting and consider strategy. Gather fees. Call with Ms. Pritzker re: next steps. Discuss case with Mr. Baker	14.0
12/20/05	Dr emails re: additional documents for settlement and next steps. Consider strategy. Fly home from NY. Discuss with cocounsel.	8.0
12/21/05	Review Settlement Notice forms. DR email re: banner notice. Review banners used currently for MediaMax 5.	10,0
12/22/05	Call with TX Ag's office. Revise email re: proposed banners. Consider strategy re: Sony and re: Pritzker/Kamber. Consider edits to notices.	10.0
12/23/05	Review Settlement Agreement and draft comments. Call with Pritzker firm re: changes in settlement. Call with Sony re: changes in settlement. Consider strategy.	10.0
12/24/05	Call with Sony re: settlement agreement changes. Consider strategy.	3.0
12/25/05	Consider strategy re: settlement agreement changes. DR email to cocounsel to discuss.	2.0
12/26/05	Call with team re: backsliding. Consider strategy. Review settlement documents.	3.0
12/27/05	Review Final Order and email changes to cocounsel.	3.0
12/28/05	DR email to Sony re: unfinished settlement matters. Consider input from cocounsel and strategy. Consider email from	3.0

	Pritzker.	
12/29/05	DR email to team evaluating settlement. Respond to press calls and emails and consider strategy. DR statement for website and for press. Review press and blog coverage.	3.0
12/30/05	Respond to press and public calls and emails. Consider strategy. Review press and blog coverage.	2.0
1/2/06	Review press and public responses. Consider next steps.	2.0
1/3/05	Consider strategy with cocounsel. Letter to Sony re; next steps. Letter to Pritzker re: designation document. Plan for EFF website, FAQ, etc. Respond to press calls re: settlement.	6.0
1/4/06	Consider strategy re: meeting with Sony. Plan for trip to New York. Send info to consultant re; banners and landing page.	5.0
1/5/06	Fly to New York. Plan for meeting with Sony, landing page, banners, FAQ DR email to Sony re: meeting issues. Discuss look of banners, etc. with consultant.	6.0
1/6/06	Meeting with Sony BMG. Attend hearing on preliminary approval. Email team with results of hearing. Consider strategy.	10.0
1/7/06	DR email to Sony BMG counsel confirming agreements made in meeting and discussing next steps. DR list of remaining issues.	6.0
1/8/06	Respond to class members about settlement concerns. Update FAQ.	3.0
1/9/06	Continue to respond to class members about settlement concerns.	.5
1/12/06	Email and telephone call with Mr. Cunard re Sony BMG's concerns about EFF's FAQ. Draft response	4.0
1/13/06	Review email to Mr. Cunard re: meeting with EFF.	1.0
1/17/06	DR emails re: concerns and suggestions about notice language and review responses from Mr. Jacobsen. Review revised banners from consultant	3.0
1/19/06	Review and comment on revised banners from consultant	1.0
1/20/06	Dr. email to Ms. Pritzker re; delegation agreement. Review correspondence re: full form notice.	1.0
1/30/06	Email to Mr. Jacobson re: unaddressed notice issues and other things promised by Sony BMG at Jan 5 meeting. Conference call re: Friedman meeting with Sony BMG.	3.0

1/31/06	Review email from Mr. Jacobson re: amendment to settlement documents filed without our approval. Consider strategy. Draft response.	4.0
2/1/06	Consider strategy re: amended settlement document. Review and comment on letter to the Court.	2.0
2/2/06	Call with Sony re: objection to court. Consider strategy. Review letter sent by Sony to the court. Review revised banners. Call with Mr. Cunard re: settlement amendment and other issues.	3.0
2/3/06	Call with Judge Buchwald's clerk. Consider strategy in light of call from Mr. Cunard. Review letter from Girard Gibbs to Court re: amended settlement. Draft responsive letter to court. Call with team re: strategy. Review alternate benefit language. Call with Sony BMG and Girard Gibbs re: change to settlement language. DR email to Sony BMG re: delegation agreement dispute.	5.0
2/4/06	Review proposed stipulation and order re: amending settlement agreement.	.3
2/5/06	Continue to negotiate stipulation and order re: amending settlement.	.1
2/6/06	Review and revise letter to Pritzker re: delegation agreement.	1.0
2/7/06	Continue to negotiate stipulation and order amending settlement. Review settlement website and provide comments.	3.3
2/8/06	Continue to review settlement website and provide comments. Review banner and provide comments.	2.2
2/10/06	Review email from Mr. Jacobson stating that no MediaMax 3.0 CDs have banner functionality and only six MediaMax 5.0 CDs do. Consider strategy. Draft response.	1.0
2/13/06	Review response from Pritzker and draft reply.	2.0
2/14/06	Finalize reply to Pritzker.	.6
2/15/06	DR email to Sony BMG re: delegation agreement.	1.2
2/20/06	Prep for meeting with Pritzker. Consider and draft response to cancellation of meeting. Review response from Pritzker. Confirm no MediaMax 3.0 CDs with banner function with Sony BMG.	1.2
2/22/06	Draft letter to Sony BMG re: additional notice in light of lack of banners.	2.1
2/23/06	Finalize letter.	.5

2/27/06	Meeting with Girard Gibbs attorneys. Consider strategy. Review response from Jacobson re: additional notice.	3.0
3/1/06	Telephone call with Ms. Pritzker re: additional notice and related delegation issues.	2.4
3/3/06	Consider strategy and dr email to team.	.8
3/7/06	Draft email to Ms. Pritzker on delegation agreement and review response. Finalize EFF banners re: settlement	.3
3/9/06	Review response from Ms. Pritzker and draft reply.	.5
3/13/06	Draft response to Sony BMG re: banners and attack on EFF banners.	1.5
3/16/06	Review response from Sony BMG re: attack on EFF banners.	.3
3/17/06	Draft response to Sony BMG	1.5
3/20/06	Finalize response to Sony BMG	.5
3/22/06	Review timesheets for Cindy and Corynne.	1.5
	Cindy Cohn Total	387.8 387.8

**SONY TIME-Corynne McSherry**

DATE	TIME	WORK PERFORMED
11/10/05	1.5	Review complaints New York and Chicago complaints; Review contract research
11/15/05	2.0	Conference with co-counsel re: next steps; correspondence re same
11/17/05	8.0	Review and revise complaint
11/14/05	6.5	Telephone conference with opposing counsel; meet and confer with co-counsel re same
11/15/05	2.5	Confer with potential class representatives
11/16/05	4.0	Confer with potential class representatives; telephone call with opposing counsel re open letter and response
11/17/05	2.5	Confer with potential class representatives
11/25/05	5.0	Draft motion for preliminary injunction
11/27/05	8.0	Continue drafting motion for preliminary injunction and supporting documents
11/28/05	8.0	Review and revise motion for preliminary injunction
11/29/05	8.0	Revise Memorandum of Points and Authorities in support of motion for preliminary injunction; revise ltt opposing counsel re security breach; confer with co-counsel re same
11/30/05	8.0.	Revise Memorandum of Points and Authorities in support of motion for preliminary injunction; revise ltt opposing counsel re security breach; confer with co-counsel re same
12/1/05	8.0	Revise Memorandum of Points and Authorities in support of motion for preliminary injunction; confer with co-counsel re same; Field media calls re lawsuit; review documents filed in related cases
12/2/05	2.5	Confer with OPC re; security breach; confer with co-counsel re same and evidence needed for motion for preliminary injunction
12/3/05	3.5	Revise Memorandum of Points and Authorities in support of motion for preliminary injunction; confer with co-counsel re same, draft application in support of temporary restraining order; review and draft correspondence re same
12/4//05	7.8	Revise Memorandum of Points and Authorities in support of motion for preliminary injunction; confer with co-counsel re same, continue drafting application in support of temporary restraining order; review and draft correspondence re same
12/5/05	5.0	Review and revise temporary restraining order

12/6/05	4	Field media calls re security vulnerability; confer with co-counsel re same and next steps
12/7/05	2	Confer with co-counsel re security vulnerability and next steps; Revise Memorandum of Points and Authorities in support of motion for preliminary injunction
12/8/05	7	Review and revise PI motion and supplemental docs; Telephone calls to and from call members re: lawsuit; Telephone call to Bruce Schneier
12/10/05	1	Correspondence with co-counsel re next steps; Confer with Bruce Schneier
12/12/05	1.5	Correspondence with co-counsel re next steps; Confer with Bruce Schneier
12/13/05	4.2	Review draft settlement agreement received from Girard Gibbs; confer re same
12/14/05	6.5	Telephone calls to and from opposing counsel; confer with co-counsel re same
12/15/05	6	Confer with Bruce Schneier re: new developments; preparation for settlement talks
12/16/05	8	Confer with Bruce Schneier re: new developments; preparation for settlement talks; confer with counsel in related cases
12/17/05	8.5	Travel to New York City for settlement talks; preparation for settlement talks
12/18/05	14	Confer with opposing counsel re settlement
12/19/05	7.5	Draft summary of settlement discussions; summarize time spent on case; confer with co-counsel re developments
12/20/05	10	Travel from New York City; confer with co-counsel re settlement discussions; confer with class representatives re: settlement
12/21/05	8	Confer with Federal Trade Commission Representative re MediaMax issues and settlement; Review Preliminary approval documents; Confer with class representatives re: settlement
12/22/05	4.0	Confer with Texas attorney general re: MediaMax issues and settlement; Review Preliminary approval documents; correspondence re same and uninstaller; confer with co-counsel re same
12/23/05	6.5	Review revisions to settlement agreement; correspondence with co-counsel re same; correspondence with class representatives re same
12/24/05	2.0	Confer with class representatives re: settlement revisions; confer with confer with co-counsel re same
12/26/05	3.0	Correspondence with co-counsel re strategy and settlement revisions; review settlement revisions



12/28/05	2.7	Confer with co-counsel re strategy and settlement revisions; confer re press strategy
1/3/06	3.0	Draft designation agreement
1/4/06	5.0	Preparation for and Confer with Florida Attorney General's office re: case and settlement; draft FAQ re: settlement
1/06/06	5.0	Confer re settlement hearing; review and revise FAQ re settlement
1/8/06	2.5	Respond to class member queries re: settlement; respond to media queries re settlement
1/10/06	2.5	Confer with opposing counsel re FAQ re settlement
1/12/06	7.5	Research, draft and revise outline of small claim process for class members that choose to opt out
1/30/06	3.0	Confer with co-counsel re fee issues; review correspondence re notice
1/31/06	6.0	Review filed stipulation amending settlement agreement; review correspondence to and from cocounsel re same; review correspondence to and from opposing counsel re same; confer with co-counsel re fee issues
2/1/06	4.0	Confer with cocounsel re stipulated amendment
2/2/06	6.0	Confer re: fee expert; review correspondence to court re stipulated amendment and confer with cocounsel re same; review correspondence re notice issues and stipulated amendment
2/3/06	5.0	Confer with cocounsel re: Stipulated amendment; review correspondence to court from class counsel re stipulated amendment; review correspondence re: same
2/4./06	4.0	Confer with opposing counsel re: stipulated amendment; confer with class representatives re same; review correspondence re same
2/6/05	3	Draft letter to Class Counsel re: designation agreement; review and revise same
2/8/05	1.0	Review settlement notice documents and correspondence re same
2/13/05	1.0	Review correspondence from class counsel; confer re same
2/14	1	Confer re: designation issues
2/16/05	1.0	Confer re alternative forms of settlement notice
2/20/05	.8	Confer with co counsel re: rescheduling meeting re designation; review corr from pritzker
2/21/05	.8	Confer re alternate forms of settlement notice
2/22/05	.8	Confer re gaps in settlement website
2/27	4	Preparation for and meeting with Class Counsel re designation; confer re same

3/1/05	.5	Confer with co counsel re fee application
3/5/05	4.0	Confer with co-counsel re fee application; telephone calls to and from experts re same; draft chronology of time spent on case
3/7/05	.5	Review correspondence to and from class counsel
3/13/05	2.0	Summarize time spent on case
Corynne TOTAL	271.1	

**SONY TIME-Fred von Lohmann**

DATE	TIME	WORK PERFORMED
11/8/05	5.0	Initial research re XCP; reviewing EULA terms; examining XCP discs; call with A. Halderman re XCP and MediaMax
11/9/05	1.0	Call with R. Green
11/15/05	1.0	Call with J. Cunnard; consult with C. McSherry, R. Green; call with D. Kaminsky re XCP DNS research
11/16/05	1.0	Call with J. Cunnard, R. Green; consult with EFF team re strategy
11/17/05	2.0	Drafting letter to J. Cunnard; review and revise draft complaint
11/18/05	0.5	Call with J. Cunnard; call with R. Green
11/28/05	1.5	Call with R. Green, A. Sharma re remedies, injunctive relief
12/5/05	1.0	Call with J. Cunnard; call with cocounsel re Sony-BMG letter; reviewing letter to J. Cunnard
<b>TOTAL Fred</b>	13	

**SONY TIME-Jason Schultz**

DATE	TIME	WORK PERFORMED
11/14/05	1.5	Review case file, including security research and complaints New York and Chicago complaints; Review Sony EULA.
11/17/05	1.0	Review and comment on draft correspondence w/Sony
11/19/05	0.5	Review and respond to team email; attend strategy session.
11/21/05	0.5	Final comments on complaint
11/22/05	1.5	Speaking to press about suit and class injury
11/27/05	4.0	Research re: First4Internet and MediaMax
12/05/05	0.5	Review uninstaller EULA
12/07/05	1.0	Correspond with team re: mediamax vulnerability
12/24/05	0.5	Review and respond to team emails
12/26/05	2.0	Prep for and participate in team conference call
1/03/06	2.0	Review FAQ
3/16/06	1.0	Review Sony letter re: trademark use
3/27/05	1.0	Summarize time spent on case
<b>Jason Total</b>	17	

**Sony Time: Allison Navone, Paralegal**

October 31	1.5	review emails and members' concerns regarding blog post.
November 1	2.0	meet with legal team to discuss intake messages regarding Sony Rootkit program and blog post and potential action.
November 7	3.0	continue responding to inquiries regarding EFF's action against Sony.
November 8	7.5	compile information from prospective class action representatives.
November 9	7.0	compile information. Respond to inquiries regarding suit. Direct press calls to appropriate staff members.
November 10	3.0	Continue responding to potential clients and general email/phone inquiries regarding the Sony rootkit. Compile information regarding individual's experiences with the program.
November 11	6.0	Disseminate information regarding the program and infected CDs to enquirers.
November 14	1.5	Gather data and information from potential clients and pass on to lawyers.
November 15	1.0	Field requests from EFF members, potential clients, interested attorneys and media.
November 16	2.5	Compile data on customers' experiences with XCP.
November 17	1.0	Respond to member and community inquiries regarding EFF's suit, SunComm and XCP. Record information

		regarding CD titles and individuals' experiences with the DRM.
November 18	0.5	Continue responding to emails and messages about Sony and the class action suit.
November 21	1.5	Continue gathering information about SunComm/MediaMax customers. Respond to usual inquiries regarding the suit and the Sony BMG DRM
November 22	1.5	Respond to inquiries regarding EFF's suit.
December 7	1.5	Respond to and thank EFF members who contacted CA Attorney General regarding Sony Rootkit.
December 22	2.5	Search responses from potential clients by state and forward contact information upon receiving approval to do so.
January 4	3.0	Discuss settlement terms with EFF attorneys and respond to calls and emails regarding initial settlement terms.
January 10	1.0	Respond to several inquiries regarding availability of DRM'd cd's
January 13	2.0	Respond to inquiries regarding settlement terms and availability of DRM cd's.
January 24	.25	Respond to inquiries regarding access to settlement benefits.
<b>Allison Navone Total</b>	49.75	

DETAILED TIME RECORDS OF KURT OPSAHL

Date	Hours	Description
11/7/2005	1.25	Research and analysis of trespass to chattel claim
11/8/2005	1.50	Analysis of possible CFAA claim, Legalteam meeting re analysis of
11/9/2005	1.00	Draft email memo re CFAA claim
11/10/2005	2.75	Analysis legal issues regarding sony update, uninstall and privacy policy, review and analysis of Sony EULA
11/11/2005	2.50	Analysis of Sony causes of action, and Calif Computer crime, review and revise open letter, strategy analysis
11/12/2005	5.25	research CLRA and Spyware, Trespass to Chattel, review and analysis of Sony EULA
11/13/2005	2.25	review and revise complaint
11/14/2005	2.50	Analysis of strategy for causes of action, review and revise complaint
11/15/2005	3.00	Call with Sony re efforts to resolve
11/16/2005	4.25	Confer with Sony on efforts to resolve, develop issues to take up, CFAA
11/17/2005	5.50	Develop SunnComm facts for complaint, CFAA public safety argument
11/18/2005	7.25	review and revise complaint, analysis of Sony response
11/19/2005	2.75	SunnComm facts for complaint, analysis of MM software, analysis of
11/20/2005	5.25	Review and analysis of complaint, potential security issue
11/21/2005	6.75	Confer with expert re security analysis, revise text on Sony page. MM factual development
11/22/2005	5.00	Formalize expert retainer, prepare for TX Ag call, review cust svc responses, analysis of copyright issues
11/23/2005	3.50	Call with TX AG, factual development on DRM
11/24/2005	0.50	Review SoundScan numbers on effected discs. Analysis of expert
11/28/2005	2.25	Analysis of security issues with MM5
11/29/2005	6.25	Review expert report on security issue, draft email to Sony, analysis of MM strategy
11/30/2005	8.50	Prepare for negotiations with Sony regarding MediaMax security vulnerability response
12/1/2005	6.25	MediaMax response, call with Sony, revise complaint
12/2/2005	7.25	Analysis of MM response, research experts
12/3/2005	3.00	Work with Sony regarding response vis-à-vis MM5
12/4/2005	3.25	Conference calls with Sony regarding MM response
12/5/2005	6.75	Work with Sony regarding response vis-à-vis MM5
12/6/2005	8.50	Work with Sony regarding response vis-à-vis MM5
12/7/2005	8.75	Call with Pritzker, settlement analysis, study on spyware, MM security
12/8/2005	7.75	All day conference calls. Sony in the morning, plaintiffs counsel

12/19/2005	2.75 Analysis of Settlement/CMC; MM CDs technical
12/20/2005	3.25 Analysis of Settlement/CMC, MDL; Review mediamax Cds patch Review and analysis of banner text; Confer with FTC re lawsuit; Review
12/21/2005	5.50 Texas action; review MM cds re uninstaller problems
12/22/2005	4.75 Analysis of anti-spyware, disclosure, uninstaller issues; draft email to
12/24/2005	0.75 Review draft compromise language
12/25/2005	1.25 Analysis of settlement issues
12/26/2005	3.25 Analysis of settlement issues
12/27/2005	1.25 Analysis of settlement issues
12/29/2005	1.50 Review and revise press in support of settlement
12/30/2005	1.25 Confer with Illinois AG office
1/1/2006	0.50 Confer with expert re security analysis; review FL Ag action
1/3/2006	4.75 Prepare for Sony hearing; review list of effected discs
1/4/2006	5.00 Prepare for Sony hearing; comment on banners
1/5/2006	10.50 Prepare for Sony hearing; FAQ; Banners; travel to NYC
1/6/2006	8.50 Meeting with Sony; Prepare for hearing; Hearing; FAQs; press
1/7/2006	8.00 Travel from NYC; follow up from Sony meeting
1/8/2006	1.25 FAQs; Anti-cirus/spyware sftware
1/9/2006	1.00 Analysis of texas AG communciations
1/10/2006	2.75 Sony calander; Review and analysis of notice campaign
1/11/2006	3.00 Conference call re MM issues; Analysis of FAQ issues
1/12/2006	1.25 Analysis of DRM security issues; Review proposed changes to FAQs
1/13/2006	0.25 Analysis of delegation agreement issues
1/16/2006	0.50 Analysis of scope of XCP problem
1/17/2006	2.75 Letter to Sony re Full Form Notice
1/18/2006	1 Finalize and send letter re full form notice
1/19/2006	1.25 Review and revise banners
1/26/2006	2 Draft responsive email re Sony DRM
1/31/2006	2.25 Analyais of Sony changes to settlement
2/1/2006	1.75 Analysis of response to Sony changes to settlement
2/2/2006	2.25 Call with Sony re notice issues
2/3/2006	5.25 Analysis of post-expiration valuation issue; loyalty program law; anti-
2/6/2006	1.5 Analysis of response to Sony changes to settlement
2/7/2006	4.5 Analysis of draft motion and proposed order; review settlement
2/8/2006	4.25 Analysis of banners; email to Sony re Settlement Website
2/10/2006	0.75 Analysis of designation issue4s
2/13/2006	0.5 Analysis of deligation dispute
2/16/2006	2 Analysis of how to increase uptake of settlement, Sony notice
2/20/2006	1.5 Strategy meeting; Review and edit email corespondance



# EXHIBIT C

Electronic Frontier Foundation  
Class QuickReport

All Transactions

Type	Date	Num	Name	Memo	Amount
<b>Sony Case - (Hull v. Sony BMG)</b>					
Bill	12/02/2005		Platinum Plus for Business	CDs for Sony Rootkit	-273.15
Bill	01/09/2006		Platinum Plus for Business	airfares for Cindy and Corynne, depart: 12/17/2005	-479.20
Bill	01/09/2006		Platinum Plus for Business	CDs for Sony rootkit investigation	-186.98
Check	01/20/2006	4668	Cindy A. Cohn	Cindy's taxi fares for Hull v. Sony BMG case	-63.60
Check	01/20/2006	4668	Cindy A. Cohn	Cindy's taxi fares for Hull v. Sony BMG case	-85.95
Check	02/03/2006	4708	Corynne McSherry	Corynne's airfare to NY	-307.70
Check	02/03/2006	4708	Corynne McSherry	cab fare in NY	-6.90
Check	02/03/2006	4708	Corynne McSherry	Corynne's meal while traveling	-71.17
Bill	02/03/2006		Platinum Plus for Business	Cindy's airfare to NY, depart:12/24/05	-179.20
Bill	02/03/2006		Platinum Plus for Business	Cindy's airfare from NY, depart: 12/20/05	-307.70
Bill	02/03/2006		Platinum Plus for Business	Cindy's hotel charges in NY, Cindy + Corynne	-920.10
Bill	02/03/2006		Platinum Plus for Business	dinner, Cindy and Kurt	-96.36
Bill	02/03/2006		Platinum Plus for Business	lunch in NY	-45.17
Bill	02/03/2006		Platinum Plus for Business	Cindy's airport parking	-29.47
Bill	02/03/2006		Platinum Plus for Business	Cindy's hotel charges in NY	-462.24
Bill	02/03/2006		Platinum Plus for Business	Kurt's hotel charges in NY	-462.24
Bill	02/03/2006		Platinum Plus for Business	airfare for Cindy to NY, depart:1/5/2006,	-567.10
Bill	02/03/2006		Platinum Plus for Business	Kurt's airfare for NY trip, depart:1/05/2006	-537.10
Bill	02/27/2006		Federal Express	Sony	-18.74
Check	03/14/2006		Kurt B. Opsahl	cab fare for NY trip	-45.00
Total Sony Case - (Hull v. Sony BMG)					<u>-5,145.07</u>
<b>TOTAL</b>					<b><u>-5,145.07</u></b>



January 29, 2006

Kurt Opsahl  
Staff Attorney  
545 Shotwell St.  
San Francisco, CA 94107

Dear Kurt:

This letter is an invoice for the security analysis services provided by us in relation to Sunncomm MediaMax. Below is a daily listing of hours spent and a description of the work done by each resource. The total cost of the work comes to \$36,400. Please let me know if you have any questions or comments. We look forward to working with you in the future.

Sincerely,

Alex Stamos  
Principal Partner

<b>Date</b>	<b>Resource</b>	<b>Time</b>	<b>Work Performed</b>
19-Nov	Jesse Burns	4	Initial CD analysis
20-Nov	Jesse Burns	4	Network analysis, test environment setup
21-Nov	Jesse Burns	4	Middle person attack
26-Nov	Jesse Burns	6	API Tracing and Reverse Engineering
26-Nov	Jesse Burns	6	Installation tracing and analysis.
26-Nov	Alex Stamos	4	Installation tracing, file analysis
27-Nov	Jesse Burns	4	Vuln analysis
28-Nov	Jesse Burns	10	Verification and document preparation
28-Nov	Alex Stamos	6	Verification and document preparation
30-Nov	Jesse Burns	3	Meetings
30-Nov	Alex Stamos	3	Meetings
1-Dec	Jesse Burns	4	Meetings and binary analysis
1-Dec	Alex Stamos	8	Driver binary analysis
3-Dec	Alex Stamos	2	Meetings
5-Dec	Alex Stamos	4	Patch and uninstaller analysis
6-Dec	Alex Stamos	6	Meetings, patch analysis
9-Dec	Alex Stamos	4	Meetings, new patch analysis
12-Dec	Alex Stamos	3	Driver analysis
12-Dec	Scott Stender	6	Driver analysis
	<b>Total Hours</b>	91	
	<b>Hourly Rate</b>	\$400	
	<b>Total Cost</b>	\$36,400	

COUNTERPANE SYSTEMS 101 E. Minnehaha Parkway phone 612.823.1098  
Minneapolis, MN 55419 fax 612.823.1590  
USA http://www.counterpane.com

INVOICE



13 January 2006

Corynne McSherry  
Staff Attorney  
Electronic Frontier Foundation  
454 Shotwell Street  
San Francisco, CA 94110

For: Expenses Related to Sony Litigation

8 hours work                      \$4000.00

TOTAL DUE: \$4,000.00