

**IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF NEW YORK**

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IN RE LITERARY WORKS IN ELECTRONIC  
DATABASES COPYRIGHT LITIGATION  
\_\_\_\_\_

)  
)  
) Master Docket No. M-21-90 (GBD)  
) (MDL # 1379)  
)

**DECLARATION OF GARY TAYLOR IN SUPPORT OF  
FINAL SETTLEMENT APPROVAL**

I, Gary Taylor, being duly sworn, deposes and says:

1. I am a freelance author and class member in the In re Literary Works In Electronic Databases Copyright Litigation, MDL 1379. I submit this declaration in support of Plaintiffs' motion for final approval of the proposed Settlement. I have personal knowledge of the facts stated herein and, if called on to do so, could and would testify competently thereto.

2. I have been publishing literary works as a freelance author since 1980.

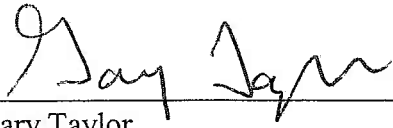
3. I believe that I have literary works which are covered under the proposed Settlement, and I have filed my claim in the Settlement. My claim under the Settlement is comprised of approximately 1,200 works, categorized as C works. Under the plan of allocation matrix preliminarily approved by the District Court, I have estimated that my claim is worth at least \$13,000.

4. In my claim, I did not enforce my "takedown" rights, as I wish to receive 100% of my allocated Settlement proceeds, representing damages for the past infringements and a dollar value for the Defendants' non-exclusive use of those works going forward.

5. I support this class action Settlement as fair to the Class members, and want to receive my permitted share of the Settlement proceeds as approved by the District Court.

6. To further underscore the level of my support, I would like to add the following statement to this declaration: I feel the terms of the settlement are more than fair and I actually view the proposed payment as money deferred from amounts that should have been paid back when my subject works were resold to the electronic databases. As someone who scratched out a living and raised two children by himself as a self-employed freelancer for 17 years, I am familiar with the process of reprints from the days before electronic databases came along. During those years I often received extra payments from publications reprinting my original stories or from individuals who purchased the rights to use them for their own purposes. And I often wondered why that principle of business did not apply to wholesale transfer of my stories to electronic databases for a cumulative price. I am honored to have so many stories included in the Lexis database, for example, because I believe they play their archival role in the history of this country. At the same time, I want to receive my share of the commercial benefit for providing subscribers with that history whenever they need it. I feel the payment negotiated in this settlement is more than fair because it would never have been available without a class action case such as this one. As an individual, I could never have financed the prosecution of an individual case like this so my settlement would have been money lost and will continue in that vein until the settlement is approved. My payments would stem from work originally completed between 1980 and 1996 so this constitutes a bill that is long overdue. With more than 1,200 subject works in my claim, I hope the court appreciates the amount of time I have invested completing individual claim forms in my effort to finally collect those long-delayed fees.

I declare under penalty of perjury under the laws of the United States that the foregoing is true and correct. Executed September 15, 2005 at Houston, Texas.

  
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Gary Taylor