

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

IN RE LITERARY WORKS IN ELECTRONIC
DATABASES COPYRIGHT LITIGATION
90 (GBD)

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)
) Master Docket No. M-21-

)
) (MDL # 1379)
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**DECLARATION OF HUGH HART IN SUPPORT OF
FINAL SETTLEMENT APPROVAL**

I, Hugh Hart, declare as follows:

1. I am a freelance author and class member in 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 class action settlement in this lawsuit. 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 selling publication rights to my literary works as a freelance author since 1987

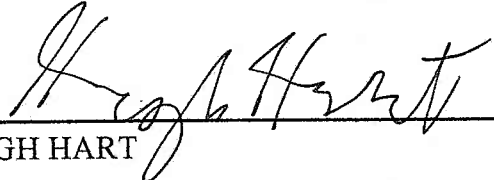
3. I believe that I have literary works that are eligible for a claim under the proposed settlement, and I have filed such claim. This claim is based on approximately 1,100 works, approximately 0 of which fall into Category A; approximately 0, Category B; and 1,100 Category C. Under the plan of allocation granted preliminary approval by the District Court, I

estimate that the total payment for this claim, calculated using the amounts set forth in the Plan of Allocation, is \$ 10,000, approximately.

4. In my claim, I did not enforce my "takedown" rights, as I wish to receive 100% of my claim payment, representing damages for past infringements and compensation for Defendants' right to a broad, non-exclusive electronic use of those works going forward, including the right to convey the works to other entities for resale to end-users.

5. I believe the proposed settlement is fair, adequate, and reasonable for me as a class member, and support final approval of the settlement and plan of allocation so that I can receive my share of the Settlement proceeds as approved by the District Court.

I declare under penalty of perjury under the laws of the United States that the foregoing is true and correct. Executed this 15th of September, 2005, at Van Nuys, California.


HUGH HART