

Note:

Addresses &
phone numbers
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April 14, 2003

VIA FACSIMILE AND U.S. MAIL

Tesfaye W. Tsadik, Esq.
Law Offices of Tesfaye W. Tsadik

Oakland, CA 94612

Re: *Not the Enemy Media and Pete Livingston v. Universal Studios et al.*, Case
No. C02-05717 JSW

Dear Mr. Tsadik:

I am writing on behalf of Lucasfilm Ltd., which owns the copyrights in the *Star Wars* and *Indiana Jones* series of motion pictures. Lucasfilm received a copy of the above-referenced declaratory relief action (the "Action") filed by Mr. Livingston with respect to the production "Over Nine Billion Dead Served" (the "Video"). A copy of the Video was provided to Lucasfilm along with the Action.

As we discussed on April 10, 2003, although Mr. Livingston alleges in his complaint that he sent Lucasfilm a copy of the Video along with a letter seeking permission to use footage from the *Star Wars* and *Indiana Jones* films, we have no record that we received any such correspondence. Lucasfilm was not aware of the contents of the Video until it learned of the Action. Nor does Mr. Livingston allege that he received any response from Lucasfilm to his request for permission, as no response was sent.

While we disagree with Mr. Livingston's interpretation of fair use law, Lucasfilm never threatened Mr. Livingston with litigation. Based on the facts known to us today, Lucasfilm will not file suit for copyright infringement with respect to the Video it received. As a result, there is no actual case or controversy between Lucasfilm and your clients, and the Action with respect to Lucasfilm has no basis. Lucasfilm therefore requests that it immediately be dismissed from the Action as you offered during our conversation on April 10.

Please respond to our request to dismiss the Action by the close of business on Wednesday, April 16, 2003. We appreciate your agreement to grant Lucasfilm a two-week extension of time to file a responsive pleading while the parties discuss resolution of this matter.

Sincerely,

A handwritten signature in black ink, appearing to read "David J. Anderman", with a long horizontal flourish extending to the right.

David J. Anderman
Director of Corporate Business Affairs

cc: William M. Simpich, James Wheaton