

EXHIBIT C

Declaration of Dean Kawamoto in Support of
Supplemental Brief of Courtroom View Network
(1st Cir., case no. 09-1090).

IN THE
UNITED STATES COURT OF APPEALS
FOR THE FIRST CIRCUIT

No. 09-1090

IN RE: SONY BMG MUSIC ENTERTAINMENT;
WARNER BROS. RECORDS, INC.; ATLANTIC RECORDING CORPORATION;
ARISTA RECORDS LLC; AND UMG RECORDINGS, INC.

Petitioners

ON PETITION FOR EXTRAORDINARY WRIT TO THE UNITED STATES

DISTRICT COURT FOR THE DISTRICT OF MASSACHUSETTS

District Court Case No. 07-11446-NG (D. Mass)

(Consolidated with District Court Case No. 03-11661-NG (D. Mass.))

Hon. Nancy Gertner, United States District Judge, presiding

**Declaration of Dean Kawamoto in Support of Supplemental Brief of
Courtroom View Network**

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Dated: March 11, 2009

I, Dean Kawamoto, do hereby declare under penalty of perjury as follows:

1. I am a member of the California Bar and an associate at Boies, Schiller & Flexner LLP, 5301 Wisconsin Avenue, NW, Washington DC 20015. The firm is counsel for *Amicus Curiae* Courtroom View Network (“CVN”) in the above-captioned matter, and I am admitted to practice before this Court.

2. I submit this declaration in support of CVN’s supplemental brief addressing the legal effect, if any, of a June 12, 1996 Resolution (the “Resolution”) of the First Circuit Judicial Council (“FCJC”).

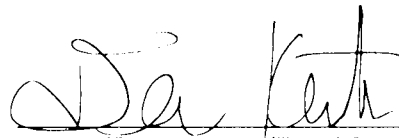
3. On March 9, 2009, I spoke telephonically with Ms. Susan Goldberg of the Circuit Executive’s office for the First Circuit. Ms. Goldberg informed me that she could not find any record of the Resolution having been distributed to the public, or having been subject to public notice and comment.

4. Ms. Goldberg informed me that FCJC “amendments” to the local rules of the First Circuit district courts were required by statute to undergo a formal public notice and comment process, which involved the dissemination of a “Public Notice” and posting of the amendment on the Court’s web page. According to Ms. Goldberg, the Resolution did not constitute an “amendment” and therefore was not subject to any statutory notice and comment requirements.

5. To my knowledge, neither counsel for the Petitioners, counsel for the Respondent, counsel for *amici* or proposed *amici*, nor the District Court were

aware of the existence of the Resolution prior to issuance of this Court's February 20, 2009 Order in which the Court invited supplemental briefing on the legal effect of the Resolution.

I declare under penalty of perjury that the foregoing is true and correct. Executed on this 11th day of March, 2009.


Dean Kawamoto (Bar No. 1184545)