

I. DAMAGES

There is no issue as to liability in this case. You must determine the just amount of damages to award for each act of infringement, as set out below.

| SOUND RECORDING | PLAINTIFF | With respect to this sound recording, was the defendant's infringement committed willfully ? | Damages Award |
|-----------------------------------|------------------------------|---|--|
| 1 Incubus "New Skin" | Sony BMG Music Entertainment | NO | If you answered "NO", what damages do you award the Plaintiff for <u>this</u> copyrighted work, from \$750 to \$30,000? If you answered "YES", what damages do you award the Plaintiff for <u>this</u> copyrighted work, from \$750 to \$150,000? |
| 2 Green Day "Minority" | Warner Bros. Records, Inc. | YES | If you answered "NO", what damages do you award the Plaintiff for <u>this</u> copyrighted work, from \$750 to \$30,000? If you answered "YES", what damages do you award the Plaintiff for <u>this</u> copyrighted work, from \$750 to \$150,000? |
| 3 Outkast "Wheelz of Steel" | Arista Records LLC | NO | If you answered "NO", what damages do you award the Plaintiff for <u>this</u> copyrighted work, from \$750 to \$30,000? If you answered "YES", what damages do you award the Plaintiff for <u>this</u> copyrighted work, from \$750 to \$150,000? |
| 4 Incubus "Pardon Me" | Sony BMG Music Entertainment | NO | If you answered "NO", what damages do you award the Plaintiff for <u>this</u> copyrighted work, from \$750 to \$30,000? If you answered "YES", what damages do you award the Plaintiff for <u>this</u> copyrighted work, from \$750 to \$150,000? |

| SOUND RECORDING | PLAINTIFF | With respect to this sound recording, was his infringement committed willfully? | Statutory Damages Award |
|--|----------------------------|---|---|
| 5 Nirvana "Come as You Are" | UMG Recordings, Inc. | NO | If you answered "NO", what damages do you award the Plaintiff for <u>this</u> copyrighted work, from \$750 to \$30,000? |
| 6 Green Day "When I Come Around" | Warner Bros. Records, Inc. | NO | If you answered "NO", what damages do you award the Plaintiff for <u>this</u> copyrighted work, from \$750 to \$30,000? |
| 7 Green Day "Nice Guys Finish Last" | Warner Bros. Records, Inc. | YES | If you answered "YES", what damages do you award the Plaintiff for <u>this</u> copyrighted work, from \$750 to \$150,000? |
| 8 Nirvana "Heart Shaped Box" | UMG Recordings, Inc. | NO | If you answered "NO", what damages do you award the Plaintiff for <u>this</u> copyrighted work, from \$750 to \$30,000? |
| 9 Nine Inch Nails "The Perfect Drug" | UMG Recordings, Inc. | YES | If you answered "YES", what damages do you award the Plaintiff for <u>this</u> copyrighted work, from \$750 to \$150,000? |

| SOUND RECORDING | PLAINTIFF | With respect to this sound recording, was his infringement committed willfully? | Statutory Damages Award |
|--|----------------------------|---|---|
| 10 Blink-182 "Adam's Song" | UMG Recordings, Inc. | NO | If you answered "NO", what damages do you award the Plaintiff for <u>this</u> copyrighted work, from \$750 to \$30,000? |
| 11 Limp Bizkit "Rearranged" | UMG Recordings, Inc. | <input checked="" type="radio"/> YES | If you answered "YES", what damages do you award the Plaintiff for <u>this</u> copyrighted work, from \$750 to \$150,000? |
| | | NO | If you answered "NO", what damages do you award the Plaintiff for <u>this</u> copyrighted work, from \$750 to \$30,000? |
| 12 Limp Bizkit "Leech" | UMG Recordings, Inc. | <input checked="" type="radio"/> YES | If you answered "YES", what damages do you award the Plaintiff for <u>this</u> copyrighted work, from \$750 to \$150,000? |
| | | NO | If you answered "NO", what damages do you award the Plaintiff for <u>this</u> copyrighted work, from \$750 to \$30,000? |
| 13 Linkin Park "Crawling" | Warner Bros. Records, Inc. | <input checked="" type="radio"/> YES | If you answered "YES", what damages do you award the Plaintiff for <u>this</u> copyrighted work, from \$750 to \$150,000? |
| | | NO | If you answered "NO", what damages do you award the Plaintiff for <u>this</u> copyrighted work, from \$750 to \$30,000? |
| 14 Deftones "Be Quiet And Drive" | Warner Bros. Records, Inc. | <input checked="" type="radio"/> YES | If you answered "YES", what damages do you award the Plaintiff for <u>this</u> copyrighted work, from \$750 to \$150,000? |
| | | NO | If you answered "NO", what damages do you award the Plaintiff for <u>this</u> copyrighted work, from \$750 to \$30,000? |

| SOUND RECORDING | PLAINTIFF | With respect to this sound recording, was his infringement committed willfully? | Statutory Damages Award |
|--|------------------------------|---|---|
| 15 The Fugees "Killing Me Softly" | Sony BMG Music Entertainment | NO | If you answered "NO", what damages do you award the Plaintiff for <u>this</u> copyrighted work, from \$750 to \$30,000? |
| 16 Red Hot Chili Peppers "Californication" | Warner Bros. Records, Inc. | NO | If you answered "NO", what damages do you award the Plaintiff for <u>this</u> copyrighted work, from \$750 to \$30,000? |
| 17 Red Hot Chili Peppers "By The Way" | Warner Bros. Records, Inc. | YES | If you answered "YES", what damages do you award the Plaintiff for <u>this</u> copyrighted work, from \$750 to \$150,000? |
| 18 Red Hot Chili Peppers "My Friends" | Warner Bros. Records, Inc. | NO | If you answered "NO", what damages do you award the Plaintiff for <u>this</u> copyrighted work, from \$750 to \$30,000? |
| 19 Beck "Loser" | UMG Recordings, Inc. | YES | If you answered "YES", what damages do you award the Plaintiff for <u>this</u> copyrighted work, from \$750 to \$150,000? |

| SOUND RECORDING | PLAINTIFF | With respect to this sound recording, was his infringement committed willfully? | Statutory Damages Award |
|---|----------------------------|---|---|
| 20 Eminem "My Name Is" | UMG Recordings, Inc. | NO | If you answered "NO", what damages do you award the Plaintiff for <u>this</u> copyrighted work, from \$750 to \$30,000? |
| 21 Eminem "Drug Ballad" | UMG Recordings, Inc. | NO | If you answered "NO", what damages do you award the Plaintiff for <u>this</u> copyrighted work, from \$750 to \$30,000? |
| 22 Eminem "Cleaning Out My Closet" | UMG Recordings, Inc. | YES | If you answered "YES", what damages do you award the Plaintiff for <u>this</u> copyrighted work, from \$750 to \$150,000? |
| 23 Beastie Boys "(You Gotta) Fight For Your Right (To Party)" | UMG Recordings, Inc. | NO | If you answered "NO", what damages do you award the Plaintiff for <u>this</u> copyrighted work, from \$750 to \$30,000? |
| 24 The Ramones "The KKK Took My Baby Away" | Warner Bros. Records, Inc. | YES | If you answered "YES", what damages do you award the Plaintiff for <u>this</u> copyrighted work, from \$750 to \$150,000? |

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|--|------------------------------|---|--|
| 25 Monster Magnet "Look To Your Orb For The Warning" | UMG Recordings, Inc. | NO | If you answered "NO", what damages do you award the Plaintiff for <u>this</u> copyrighted work, from \$750 to \$30,000? If you answered "YES", what damages do you award the Plaintiff for <u>this</u> copyrighted work, from \$750 to \$150,000? |
| 26 Aerosmith "Pink" | Sony BMG Music Entertainment | NO | If you answered "NO", what damages do you award the Plaintiff for <u>this</u> copyrighted work, from \$750 to \$30,000? If you answered "YES", what damages do you award the Plaintiff for <u>this</u> copyrighted work, from \$750 to \$150,000? |
| 27 OutKast "Rosa Parks" | Arista Records LLC | NO | If you answered "NO", what damages do you award the Plaintiff for <u>this</u> copyrighted work, from \$750 to \$30,000? If you answered "YES", what damages do you award the Plaintiff for <u>this</u> copyrighted work, from \$750 to \$150,000? |
| 28 Rage Against the Machine "Guerrilla Radio" | Sony BMG Music Entertainment | NO | If you answered "NO", what damages do you award the Plaintiff for <u>this</u> copyrighted work, from \$750 to \$30,000? If you answered "YES", what damages do you award the Plaintiff for <u>this</u> copyrighted work, from \$750 to \$150,000? |
| 29 Goo Goo Dolls "Iris" | Warner Bros. Records, Inc. | NO | If you answered "NO", what damages do you award the Plaintiff for <u>this</u> copyrighted work, from \$750 to \$30,000? If you answered "YES", what damages do you award the Plaintiff for <u>this</u> copyrighted work, from \$750 to \$150,000? |

| SOUND RECORDING | PLAINTIFF | With respect to this sound recording, was his infringement committed willfully ? | Statutory Damages Award | | |
|---|-------------------------|---|-------------------------|----|-----|
| 30 Aerosmith "Water Song/Janie's Got A Gun" | UMG Recordings, Inc. | <table border="1"> <tr> <td data-bbox="1222 720 1328 1056">NO</td> <td data-bbox="1112 720 1222 1056">YES</td> </tr> </table> | | NO | YES |
| NO | YES | | | | |
| | | | 00,500.00 | | |

Shirley Chandler
JURY FOREPERSON (please sign and date)
 BOSTON, MASSACHUSETTS

DATE *July 31, 2009*