

January 11, 2010

By Hand and Email

Copyright Royalty Judges  
Library of Congress  
James Madison Memorial Building  
101 Independence Avenue, SE  
Washington, DC 20055-6000

*Re: In the Matter of Digital Performance Right in Sound Recordings and Ephemeral Recordings, Docket No. 2009-1 CRB Webcasting III*

To the Copyright Royalty Judges:

Pursuant to the Copyright Royalty Judges' November 10, 2009 Order setting the Discovery Schedule ("Discovery Order"), this letter provides notice to the Judges that RealNetworks has noticed and scheduled the deposition of Barrie Kessler for Friday, January 15, 2010, commencing at 10:00 AM. The deposition will take place at the law offices of Wiltshire & Grannis LLP, 1200 18th Street, NW, Washington, DC 20036.

Below is contact information for counsel for this deposition.

Kelley Shields  
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RealNetworks requests, pursuant to the Discovery Order, that a Judge be available by telephone during this deposition to resolve disputes that may arise.

Please let us know if you require any additional information regarding this matter.

Best regards,

A handwritten signature in black ink, appearing to read "Kelley A. Shields". The signature is fluid and cursive, with a long horizontal flourish extending to the right.

Kelley A. Shields  
Service list (via email)

## CERTIFICATE OF SERVICE

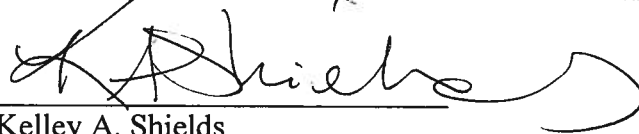
I, Kelley A. Shields, do hereby certify that copies of the foregoing letter providing notice of the deposition of Barrie Kessler were sent via electronic mail this 11th day of January, 2010 to the following:

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