

**Before the
COPYRIGHT ROYALTY BOARD
LIBRARY OF CONGRESS
Washington, D.C.**

In the Matter of:

**Digital Performance Right in Sound
Recordings and Ephemeral Recordings**

**Docket No. 2009-1
CRB Webcasting III**

NOTICE OF DEPOSITION

Please take notice that Live365, Inc., by and through undersigned counsel, will take the deposition upon oral examination of Mr. Tucker McCrady commencing at 9:30 a.m. on January 21, 2010, at the law offices of Davis Wright Tremaine, 1633 Broadway, 27th Floor, New York, NY 10019, or at another mutually agreeable location. Counsel for any other participant in this proceeding wishing to depose Mr. McCrady may attend as well. The deposition will be taken before a notary public or other person authorized to administer oaths and will be recorded by stenographic means.

Dated: January 7, 2010

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CERTIFICATE OF SERVICE

I, Rhea Lytle, a secretary with the law firm of Davis Wright Tremaine LLP, do hereby certify that copies of the foregoing “**Notice of Deposition**” were sent via electronic email and via first-class, postage prepaid, United States mail, this 7th day of January, 2010 to the following:

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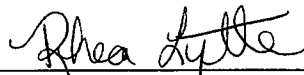
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