

**To: AUTHORS OF ENGLISH LANGUAGE LITERARY WORKS,
INCLUDING WORKS IN CANADIAN PUBLICATIONS**

Please Read This Legal Notice - It May Affect Your Rights

Summary Notice Of Class Action Settlement

A settlement has been reached in a class action lawsuit alleging that commercial electronic databases and newspapers and magazines infringed the copyrights of freelance authors. The lawsuit alleges that, after publishing the works with the authors' permission, they sold them to electronic databases without the authors' permission.

The settlement applies to English language literary works that were reproduced on a commercial electronic database without the authors' permission. Excluded are works for hire or for which the author granted electronic rights to the original publisher. **Please read the full Settlement Notice at www.copyrightclassaction.com for a full description of the benefits offered in the settlement, and of which works are included in and excluded from the settlement.**

This settlement also covers English language works in Canadian publications and Canadian editions of non-Canadian publications.

Canadian authors should know that two similar class actions are pending in Canada. One will not be affected by this settlement, so if you submit claims in this settlement you will not release any claims you may have that are compensable in that Canadian action. The second Canadian action may be affected by this settlement. If plaintiff prevails, or if that case settles, the potential recovery may be greater or less than what you could receive under this proposed settlement. **The Defendants In That Action May Take The Position That If You Do Not Exclude Yourself From This Settlement, You Will Be Releasing Your Claims In The Second Canadian Action.**

There is a difference of opinion whether the proposed settlement is satisfactory regarding Canadian claims. The U. S. plaintiffs and their lawyers support this settlement as it relates to Canadian claims.

Heather Robertson, the plaintiff in the Canadian cases, and her lawyers (McGowan & Company,

Suite 1400, 10 Bay St., Toronto, Ontario, Canada, M5J 2R8), oppose this settlement as it relates to the Canadian claims. They believe that (1) under Canadian law the U.S. Court does not have jurisdiction over Canadian claims, and, if the proposed U.S. settlement proceeds, Ms. Robertson will ask the Ontario Superior Court of Justice for an order to that effect; and (2) the proposed U.S. settlement is against the interests of Canadian claimants because, among other things, it treats Canadian copyrights like unregistered U.S. copyrights even though Canadian copyright protection does not require registration. Ms. Robertson's lawyers recommend that **all Canadian claimants immediately opt out of the U.S. settlement by going online at www.copyrightclassaction.com**. You may wish to consult your own lawyer on this matter.

To remain a class member, you do not need to do anything. If the settlement is approved, you will be bound by its terms, and you will need to submit a claim form to be eligible for a settlement award. Claims forms are available at www.copyrightclassaction.com.

To exclude yourself from the settlement you must file a written request postmarked by **(45 days after mailed notice)** and mailed to: *Literary Works In Electronic Databases Copyright Litigation*, c/o The Garden City Group, Inc., PO Box 9000 #6250, Merrick, NY 11566-9000; or by going online at www.copyrightclassaction.com. To object to the settlement, you must follow the instructions as set forth in the Settlement Notice.

A hearing will be held (**date, 2005**) before the Honorable George B. Daniels, U.S. District Court, 500 Pearl St., New York NY 10007, to determine whether the settlement and plaintiffs' attorneys' fee should be approved. Class members or their counsel may appear in Court.

The entire settlement agreement, full settlement notice, and Claim Form are available at www.copyrightclassaction.com.

Dated: March x, 2005

1-800-330-0316

www.copyrightclassaction.com