

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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THE AMERICAN SOCIETY OF MEDIA	:
PHOTOGRAPHERS, INC., GRAPHIC ARTISTS	:
GUILD, PICTURE ARCHIVE COUNCIL OF	:
AMERICA, INC., NORTH AMERICAN NATURE	:
PHOTOGRAPHY ASSOCIATION,	:
PROFESSIONAL PHOTOGRAPHERS OF	:
AMERICA, LEIF SKOOGFORS, AL	:
SATTERWHITE, MORTON BEEBE, ED KASHI,	:
JOHN SCHMELZER, SIMMS TABACK,	:
LELAND BOBBE, JOHN FRANCIS FICARA,	:
and DAVID W. MOSER,	:
on behalf of themselves and all others	:
similarly situated,	:
	:
Plaintiffs,	:
	:
-against-	:
	:
GOOGLE, INC.,	:
	:
Defendant.	:
-----X	

Case No. 10-CV-02977 (DC)

DECLARATION OF
MICHAEL HAYS
IN SUPPORT OF
PLAINTIFFS' OPPOSITION
TO DEFENDANT GOOGLE,
INC.'S MOTION TO DISMISS

I, MICHAEL HAYS, declare the following pursuant to 28 U.S.C. § 1746:

1. I am a professional illustrator, artist and member of the Graphic Artists Guild, Inc. ("GAG"), an Associational Plaintiff in the above-captioned action. I respectfully submit this declaration in support of Plaintiffs' Opposition to Defendant Google, Inc.'s Motion to Dismiss.
2. I am fully familiar with the facts and circumstances set forth herein. This Declaration is based upon my personal knowledge and discussions with GAG executives, except where expressly based upon information and belief. As to those matters, I believe them to be true.
3. I have been a member of GAG for approximately 30 years.

4. Without my authorization, Google has, upon information and belief, scanned, digitized, reproduced, distributed, and/or displayed my illustrations, including but not limited to those in the book entitled Abiyoyo (“Work”). I am the exclusive copyright holder in the Work.

5. The Work is registered with the United States Copyright Office, and is identified by the Register of Copyrights Certificate of Registration as VA0000237795, dated June 23, 1986.

I declare under penalty of perjury that the foregoing is true and correct.

Executed this 26th day of January 2012.



Michael Hays