

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF NEW YORK**

IN RE LITERARY WORKS IN ELECTRONIC
DATABASE COPYRIGHT LITIGATION

MDL No. 1379

**DECLARATION OF LAEL D. DOWD CONCERNING
IMPLEMENTATION OF CLASS NOTIFICATION PROGRAM**

I, LAEL D. DOWD, declare as follows:

INTRODUCTION

1. I am a Director of The Garden City Group, Inc. (“GCG”) and of GCG Communications, a division of GCG. This Declaration is based upon my personal knowledge, as well as on information provided by class counsel in the above-captioned action, my associates and staff, who are under my direction and control, and information reasonably relied upon in the fields of advertising, media and communications.

2. GCG was retained to develop and implement a proposed legal notice program (the “Program”) to inform Class members about the revised settlement in the above-captioned action.

3. Pursuant to the Order Preliminarily Approving the Class Settlement, entered January 22, 2014 (“Order”), Paragraph 7, the Class is defined as follows:

“All persons who, individually or jointly, own a copyright under the United States copyright laws in an English language literary work that has been reproduced, displayed, adapted, licensed, sold and/or distributed in any electronic or digital format, without the person’s express authorization by a member of the Defense Group or any member’s subsidiaries, affiliates, or licensee (a) at any time on or after August 15, 1997 (regardless of when the work first appeared in an electronic database) or

(b) that remained in circulation after August 15, 1997, even if licensed prior thereto, including English language works qualifying for U.S. copyright protection under an international treaty (hereinafter “Subject Work”). Notwithstanding anything in the immediately preceding sentence to the contrary, a copyrighted work created prior to January 1, 1978, is a Subject Work only if it (a) has been electronically or digitally reproduced, displayed, adapted, licensed, sold and/or distributed by a Participating Publisher without the person’s express authorization and (b) is from a publication whose pre-1978 works have not been excluded from this settlement, as indicated on Exhibit A to the Agreement. Included in the Class are all copyright owners of Subject Works who, after June 25, 2001, responded to The New York Times Company’s Restoration Request website or print advertisements.”

4. The purpose of this Declaration is to report to the Court, that in compliance with the Court’s Order, all elements of the Program have been successfully implemented. The Program commenced on February 24, 2014 and was substantially completed on March 25, 2014.

5. This Declaration also describes and details why this Program was reasonably calculated, using tools and methods accepted in the advertising and communications fields, to have reached an estimated 77 percent of the target audience, defined as “Professional writers 18 years old and older in the United States,” on average 2.5 times. In total, the Program delivered 227,118,552 online impressions, or opportunities to see the notice, as well as traditional print media and news articles both in the United States and internationally to reach Class members in this case.

QUALIFICATIONS

6. I began my tenure at GCG in 2002, building the media team and consulting and implementing many extensive, domestic and international, ground-breaking notice programs that have been approved by numerous courts throughout the country. Some of the major cases I have worked on are listed below. In developing these notice programs, and working with plaintiff’s counsel, defense counsel, and the courts, I have gained valuable and extensive experience in

designing and implementing legal advertising and notice programs in consumer, security, and bankruptcy cases.

7. I have implemented or consulted on many large and high profile legal notice programs, both nationally and internationally, for a wide range of class actions, regulatory, and consumer matters that include consumer fraud, antitrust, telecommunication, media, environment, securities, banking, insurance, and bankruptcies. The cases include, but are not limited to:

In re Polyurethane Foam Antitrust Litigation, No. 1:10-md-02196-JZ (N.D. Ohio 2010);

In re Cobb EMC Class Action, Civil Action File No. 10:100353-48 (GA Super. Ct., Cobb County)

Steven Brody, et al. v. Merck & Co., Inc., et al., Case No. 12-cv-4774-PGS-DEA (D.N.J. 2012);

In re: Federal-Mogul Global Inc., T&N Limited, No. 01-10578 (Bankr. D.Del. 2002);

Schonning v Abit ComputerCorp., No. RG 03109308 (Cal. Super. Ct. 2005);

In re: Acands, Inc., No. 02-12687 (Bankr.D.Del. 2007);

Ellerbrake v Campbell No. 01-L-540 (Ill. Cir. Ct. 2004);

Synfuel Technologies, LLC v Airborne Express, Inc., No: 02-324-DRH (S.D. Ill. 2004);

DeHoyos v Allstate Insurance Co. No. SA-01-CA-1010-FB (W. D. Tex.2006);

Sarah Clough v America Online, Inc., No. D-CJ-2001-13, District Court For Creek County, Oklahoma – Drumright Division. 2004);

Bruno v AT&T Wireless PCS, LLC, No. Cal 03-07692 (Md. Cir. Ct. 2004);

Kruman v Christie's International PLC, No. 00 CIV 6322 (S.D.N.Y. 2003);

In re: Literary Works in Electronic Databases Copyright Litigation, No. 1379 (S.D.N.Y. 2005);

Lobo Exploration Co. v BP America Production Co., No. CJ-97-72 (Okla. D.C. 2005);

Bristol v Allstate Insurance Co., No. SU04CV2971 (Ga. S.C. 2005);

In re: Western Union Money Transfer Litigation, No. Cv 01 0335 (E.D.N.Y. 2004);

Coburn v Daimler Chrysler Services North America LLC, No. 03-C-00759 (N.D. Ill. 2005);

Dichter v BP America Production Co., No. D-0101-Cv-200001620 (N.M. First Jud. Dist. 2007);

Leach v E. I. Du Pont De Nemours And Co., No. 01-C-608 (W. Va. Cir. Ct. 2005);

In re: Global Crossing Ltd. Securities Litigation, No. 02 CIV 910 (S.D.N.Y. 2004);

Allapattah Services, Inc. v Exxon Corp., No. 91-0986-Civ-Gold (S.D.Fla. 2006);

Meyenburg v Exxon Mobil Corp., No. 3:05-CV-15 (S.D.Ill. 2005);

Farmer v Jackson National Life Insurance Co., No. 02 L 433 (Ill. Cir. Ct. 2007);

Foultz v Erie Insurance Exchange, No. 003053 (Phil. Cty. Ct. 2003);

Hurkes Harris Design Associates, Inc. v Fujitsu Computer Products of America, Inc., No. CV 812127 (Cal. Super. Ct. 2004);

Gonzalez v Abercrombie & Fitch Stores, Inc., No. 03-2817 SI; No. 04-4731 (N. D. Cal. 2005);

Spartanburg Regional Health Services Dist., Inc. v Hillenbrand Ind., Inc., No. 7:03-2141-HFF (D. S.C. 2006);

In Re: Initial Public Offering Securities Litigation, No. 21 MC 92(SAS) (S.D.N.Y. 2006);

Lucas v KMART Corp., No. 99-cv-01923-JLK (D. Colo. 2006);

SEC v Vivendi Universal, S.A., No. 03 Civ. 10195 (S.D.N.Y.);

In re: Nortel Network Corp. Sec. Litig., No. 01-CV-1855; No. 05 MD 1659 (S.D.N.Y.);

In re: Visa Check-Mastermoney Antitrust Litigation, No. CV-96-5238 (E.D.N.Y.);

In re Worldcom, Inc. Securities Litigation, Master File No. 02 Civ. 3288 (S.D.N.Y.)

8. In addition to my background in the area of legal notification, I have extensive experience in communications and public relations. I have served as associate at Sciens Worldwide, a healthcare issues PR firm in Washington, DC, developing public relations campaigns for numerous issues and clients.

METHODOLOGY

9. To appropriately design and target the notice publication component of the Program, we have used a methodology that is used throughout the advertising industry and that has been embraced by courts in the United States. See Daubert v. Merrell Dow Pharmaceuticals, 509 U.S. 579 (1993) (experts must apply a technique that may be tested by peers and use industry accepted methodology); Kumho Tire Co. v. Carmichael, 526 U.S. 137 (1999) (same). The methodology discussed in this declaration has been accepted by numerous courts.

10. Media is typically purchased based on both demographic (i.e., age, gender, ethnicity, income, education) and psychographic (i.e., lifestyle, product and brand preference, media usage, and media definition) characteristics. Based on these characteristics, populations will tend to use media in differing ways.

11. In order to determine the most appropriate media to employ in this notice publication program, my staff studied data provided by nationally syndicated media research bureaus, including GfK Mediamark Research and Intelligence, LLC (“GfK MRI”) and comScore.¹ Media research bureaus characterize populations in clusters by demographic factors including age, ethnicity, income, geographical distribution, income, gender, and profession. Once the demographic profile has been established, research continues to include a target audience’s psychographic characteristics, such as their choice of media. A media study can

¹ **GfK MRI** is a nationally syndicated research tool. It is the leading supplier of multi-media audience research, and provides comprehensive reports on demographic, lifestyle, product usage and media exposure. GfK MRI conducts more than 26,000 personal interviews annually to gather their information, and is used by more than 450 advertising agencies as the basis for the majority of media and marketing campaigns. **comScore** is a global Internet information provider on which leading companies and advertising agencies rely for consumer behavior insight and Internet usage data. comScore maintains a proprietary database of more than 2 million consumers who have given comScore permission to monitor their browsing and transaction behavior, including online and offline purchasing. comScore panelists also participate in survey research that captures and integrates their attitudes and intentions.

define a target audience by product, service, and brand usage habits. The study can identify which media channels are favored by the target audience. For instance, what magazines are they reading, how frequently, and whether they are reading the daily newspaper or visiting a favored website.

12. In this instance, our final media delivery analysis was calculated based on a target of “Professional writers 18 years old and older in the United States.” While we relied on both GfK MRI and comScore to guide us on media preferences, we were also cognizant to include titles published by parties that were Defendants in the settlement.

13. Based on all the steps described above, we were then able to measure and report to the Court the percentage of the target audience that was reached by the notice publication component and how many times the target audience had the opportunity to see the message. In advertising, this is commonly referred to as a “Reach and Frequency” analysis, where “Reach” refers to the estimated percentage of the unduplicated audience exposed to the campaign, and “Frequency” refers to how many times, on average, the target audience had the opportunity to see the message. The calculations are used by advertising and communications firms worldwide, and have become a critical element to help provide the basis for determining adequacy of notice in class actions.

NOTICE PROGRAM

14. In compliance with Paragraph 13 of the Order, this Program incorporated traditional and online media outlets, along with the creation of a settlement website. Specifically, the Program included the following components:

- Publication of a short-form notice (“Publication Notice”) in nationally and internationally circulated consumer magazines;
- Publication in national, local and international newspapers;

- Banner advertising on highly trafficked websites;
- An informational website (www.copyrightclassaction.com) on which the Full Notice and other important Court documents are posted.

PLAIN LANGUAGE NOTICE

15. The Publication Notice was written in a clear, plain and concise style appropriate for the target audience. It comports with the plain language standards for legal noticing. The Publication Notice included a description of the nature of the action, including information on the identity of Class members, their rights as well as important dates and deadlines. Additionally, the Publication Notice included the website address and toll-free number, which were prominently positioned in the Publication Notice, so Class members could easily obtain more detailed information.

MAGAZINE

16. The summary notice was published once each in *People Magazine*, *USA Weekend*, *Good Housekeeping*, *Parade*, *Time* and *The Atlantic*. Attached as Exhibit A are tear sheets of the ads as they appeared in each magazine.

Title	Circulation	Unit Size	Insertions	Issue Dates	On-Sale Dates
<i>People</i>	3,542,185	½ Page	1	3/10/14	2/28/14
<i>USA Weekend</i>	22,250,000	Digest	1	3/2/14	3/2/14
<i>Good Housekeeping</i>	7,624,505	½ Page	1	April	3/11/14
<i>Parade</i>	32,500,000	2/5 Page	1	3/9/14	3/9/14
<i>Time</i>	3,301,056	½ Page	1	3/10/14	2/28/14
<i>The Atlantic</i>	477,990	½ Page	1	April	3/25/14
Total	98,894,680		6		

NATIONAL NEWSPAPERS

17. The summary notice was published as a one-sixth page legal notice once in each of the U.S. national newspapers below. Attached as Exhibit B are tear sheets of the ads as they appeared in each newspaper.

Title	Circulation	Issue/On-Sale Date
<i>USA Today</i>	1,674,306	3/5/14
<i>Wall Street Journal</i>	1,356,065	2/28/14
<i>The New York Times</i>	660,779	2/24/14
Total:	3,691,150	

LOCAL NEWSPAPERS

18. In addition to the national newspapers, the summary notice was also published as a one-sixth page legal notice once in each of the local newspapers below. The book review or arts section of the paper was requested, where available. Attached as Exhibit C are tear sheets of the ads as they appeared in each newspaper.

Title	Circulation	Issue/On-Sale Date
<i>New York Daily News</i>	516,165	3/1/14
<i>Los Angeles Times</i>	610,592	2/24/14
<i>Chicago Tribune</i>	414,930	2/24/14
<i>Dallas Morning News</i>	257,133	2/26/14
<i>San Jose Mercury News</i>	611,206	3/13/14
<i>Oakland Tribune</i>	4,066	3/13/14
<i>Boston Globe</i>	245,572	3/2/14
<i>The Washington Post</i>	473,462	3/3/14
<i>Houston Chronicle</i>	333,574	3/2/14
TOTAL	3,466,700	

INTERNET

19. Internet banner ads were posted on the sites identified below for approximately 4 weeks. Facebook.com was added to the Program to increase the overall reach of the plan. In total over 227,000,000 impressions were delivered. Attached as Exhibit D are screen shots of the banner ads as they appeared on the various web properties.

INTERNET SCHEDULE

Website	URL	Banner Ad Size	Impressions	Run Dates
Facebook	www.facebook.com	Custom	186,426,718	2/27 – 3/10/14
Hearst Digital Network	Various	728 x 90 & 300 x 250	2,000,751	2/24 – 3/25/14
McClatchy Newspaper Network	Various	728 x 90 & 300 x 250	1,000,155	2/24 – 3/25/14
Conde Nast Digital Network	Various	728 x 90 & 300 x 250	28,388,375	2/24 – 3/25/14
Wall Street Journal	www.wsj.com	300 x 250	1,529,128	2/24 – 3/25/14
The New York Times	www.nytimes.com	728 x 90	1,001,245	2/24 – 3/25/14
People	www.people.com	728 x 90	2,550,873	2/24 – 3/25/14
USA Today	www.usatoday.com	300 x 250	650,093	2/24 – 3/25/14
Gannett Network	Various	728 x 90 & 300 x 250	3,571,184	2/24 – 3/25/14
Total Impression Delivery:			227,118,552	

INTERNATIONAL MEDIA

20. The summary notice was published globally in order to reach class members who may have published in the United States, but are living elsewhere. Specifically, the legal notice was published once in each of the international publications below. Attached as Exhibit E are tear sheets of the ads as they appeared in each publication.

Title	Circulation	Issue Date	On-Sale Date
<i>Time Europe- Middle East, Africa, Asia and South Pacific</i>	826,000	3/10/14	2/28/14
<i>Wall Street Journal - Europe and Asia</i>	143,348	2/28/14	2/28/14
<i>The Economist Worldwide</i>	1,555,917	3/8/14	3/7/14
<i>International New York Times</i>	218,563	3/3/14	3/3/14
Total:	2,743,828		

OFFICIAL SETTLEMENT WEBSITE

21. In compliance with the Order, GCG established and continues to host and maintain an official website dedicated to the Settlement, www.copyrightclassaction.com. This website serves as a “landing page for the banner advertising,” where Class members may obtain further information about the class action, their rights, dates and deadlines and related information. The website includes: (1) an overview of the proposed settlement; (2) important dates and deadlines; (3) frequently asked questions and answers; (4) a downloadable copy of the Full Notice; and (5) downloadable copies of important Court documents including the Order and the Settlement Agreement with exhibits. Class members were able to exclude themselves or object to the settlement by May 9, 2014. The website address was prominently displayed in the Publication Notice. The website is accessible 24-hours a day, 7-days a week.

CONCLUSION

22. Based on our extensive experience in planning and implementing class action notice programs, it is our judgment that this broad reaching Program is consistent with other similar, effective, court-approved programs. Using tools and methods accepted within the advertising industry, as discussed above, this Program is estimated to have reached 77 percent of the target audience, with an average frequency of 2.5 times.

I declare under the penalty of perjury under the laws of the United States of America that the foregoing is true and correct. Executed on June 3, 2014, in Arlington, Virginia.

A handwritten signature in black ink that reads "Lael D. Dowd". The signature is written in a cursive, slightly slanted style.

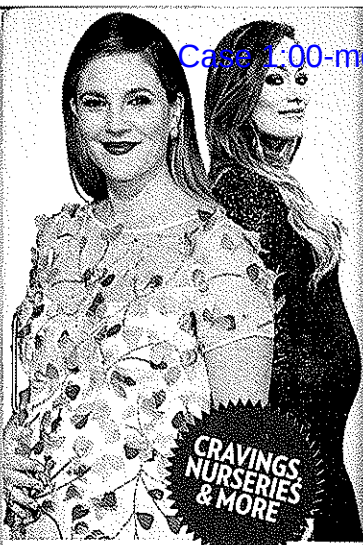
Lael D. Dowd

Exhibit A

Magazine Tearsheets

MARCH 10, 2014

DEATH OF A COMEDY LEGEND
p. 28



CRAVINGS NURSERIES & MORE

HOLLYWOOD MOMS-TO-BE
How They're Getting Ready!



Robin Thicke & Paula Patton
HIGH SCHOOL SWEETHEARTS SPLIT



GEORGE STINNEY, 1944
EXECUTED AT 14
A FAMILY'S FIGHT FOR JUSTICE

EXCLUSIVE INTERVIEW

Her Struggle to Start Over

Paula's LIFE AFTER SCANDAL

'I'VE LEARNED A LOT'

Nine months after an explosive controversy, Paula Deen opens up about the toll it took and how she's rebuilding her world

PAULA DEEN IN MIAMI BEACH, FEBRUARY 22, 2014

#BXDB8D *****CAR-RT LOT**C-023
#2737 7288 600#PE 4570R20 B SMP
MOM ON MOST MAJOR TABLETS!
0031
#00232
5335 3M MEADOWS RD SUITE 365 P00140
LAKE OSWEGO OR 97035-3112

Legal Notice

U.S. District Court for the
Southern District of New York

**Literary Works in Electronic
Databases Copyright Litigation**

**To: Freelance authors of
English language literary works**

This is a summary notice of a revised class action settlement. Please read this notice. It may affect your legal rights.

What is this proposed settlement about?

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 newspapers and magazines, after publishing the works with the authors' permission, then sold them to the electronic databases without the authors' permission. The current settlement is a revision of a previous proposed settlement that was reached in 2005.

The settlement applies to English language literary works that were reproduced on a commercial electronic database without the authors' permission. Works may still be eligible even if not registered with the U.S. Copyright Office, and even if they were originally published outside the U.S. Excluded are works for hire and works for which the author granted electronic rights to the original publisher.

Freelance authors were notified of the previous settlement, and the deadline for submitting compensation claims under that settlement was September 30, 2005. Additional details about eligible works and your options are contained in the full Notice of Revised Class Action Settlement, available at www.copyrightclassaction.com.

What do I need to do?

Class members have three options: (i) do nothing; (ii) exclude yourself from the settlement; (iii) object to the settlement.

To remain a class member, you do not need to do anything. **To be eligible for a settlement payment, you must have already submitted a timely, valid claim under the previous settlement in 2005.** If you did so, then you need to do nothing further to participate in the settlement. (You will eventually hear from the Claims Administrator about the validity of your claim.)

You may still exclude yourself from the settlement. You must (1) mail a written request for exclusion, postmarked by May 9, 2014, *Electronic Databases Copyright Litigation, EXCLUSION REQUEST, c/o GCG, PO Box 10033, Dublin, OH 43017-6633, or* (2) submit an exclusion request online at www.copyrightclassaction.com by that date.

To object to the settlement, you must file a written objection by May 9, 2014.

Further information on each option is available at www.copyrightclassaction.com.

Final Fairness Hearing

A hearing on the proposed settlement will be held June 10, 2014 at 10:00 a.m. by U.S. District Judge George B. Daniels, U.S. District Court, 500 Pearl Street, New York, NY 10007, to determine whether the settlement should be approved. Class members or their counsel may appear in Court.

I have new contact information, whom should I contact?

If you have changed your mailing or e-mail address since the original settlement in 2005, you should notify the Claims Administrator, whose contact information is in the full Notice of Revised Class Action Settlement. If the Claims Administrator does not have your correct contact information, you may not receive your settlement payment (assuming you already submitted a valid claim in 2005) or notice of important developments in this class action.

Please do not contact the Court.

Dated: January 22, 2014

By Order of the Court
The Honorable George B. Daniels

www.copyrightclassaction.com

TV



Rhys and Russell
play house while under-
cover for the KGB.

Secret Agent Man

The Americans' Matthew Rhys
dishes on sex scenes, '80s style and
explaining dating rumors to Mom

You play an undercover Soviet spy in 1982. That's got to be a fun role. It's my childhood dream. I get to do peel-outs in the car and fight sequences. But the sex scenes don't go down well in my house. I've been told I must warn them which episodes they should look the other way.

There were reports that you and costar Keri Russell were dating. That is the best [rumor]. I tell my mother, "You have to take me off your Google alerts," because she calls up going, "Is this true?" I'm like, "Mum, when are you going to get it? No!"

Between the two of you, who is better in a fight scene?

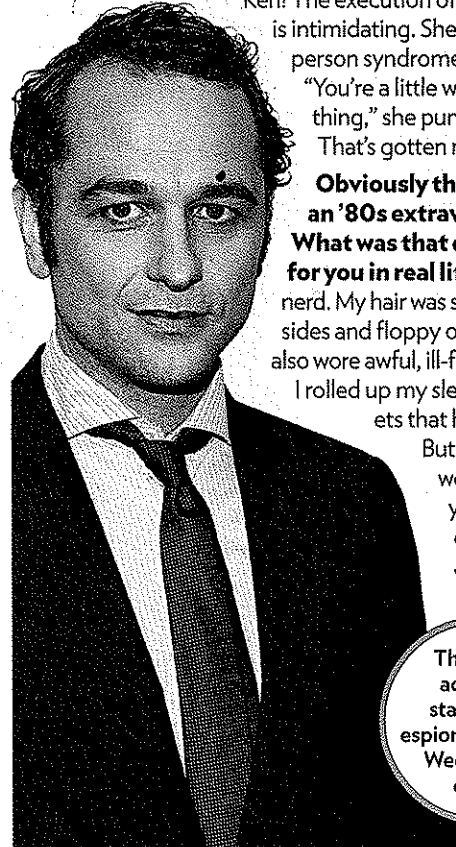
Keri! The execution of her moves is intimidating. She has small-person syndrome. If you say, "You're a little width of a thing," she punches harder. That's gotten me slapped.

Obviously this show is an '80s extravaganza. What was that decade like for you in real life? I was a

nerd. My hair was shaved on the sides and floppy on the top. I also wore awful, ill-fitting clothes. I rolled up my sleeves on jackets that had linings.

But the '80s were formative years: I discovered girls and music.

—PAUL CHI



The Welsh actor, 39, stars on the espionage drama, *Wednesdays* on FX.

USA WEEKEND

FEB. 28 - MARCH 2, 2014 • usaweekend.com

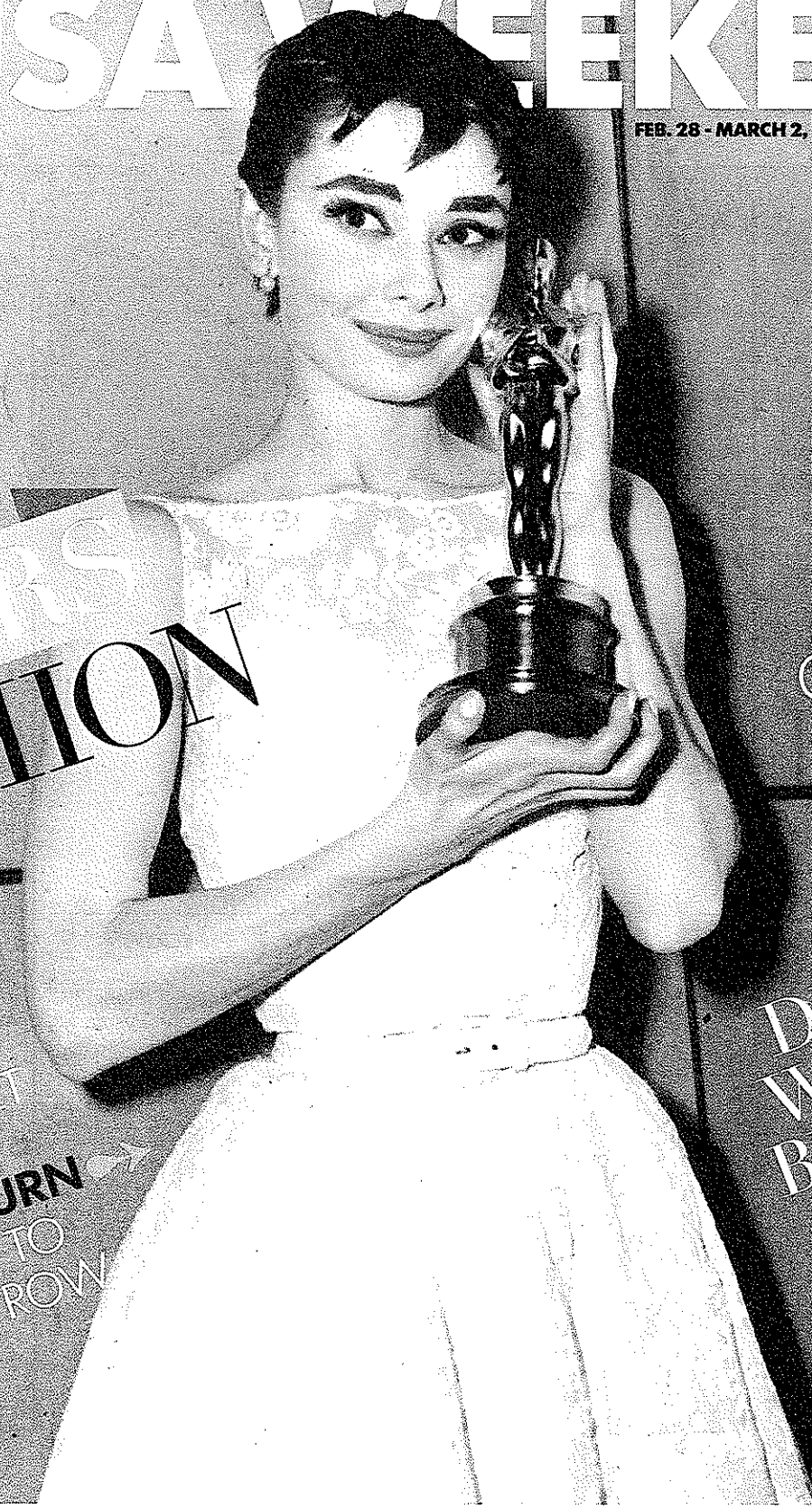
50 YEARS OF FASHION

GLAMOUR, GLITZ, GRACE — WE PRESENT THE ALL-TIME BEST RED CARPET STYLES — FROM **AUDREY HEPBURN** TO HALLE BERRY TO GWYNETH PALTROW

MARDI GRAS! GET YOUR GUMBO ON

MARCH DEALS WHAT TO BUY THIS MONTH

Audrey Hepburn with her 1954 Best Actress Oscar for "Roman Holiday"





FRAME GAMES

BY TERRY STICKELS

Can you solve these puzzles?
Each communicates a well-known saying, person, place or thing. Answers below.



FRAME GAMES™ BY TERRY STICKELS © 2014 TERRY STICKELS TERRY STICKELS.COM

STICKDOKU

BY TERRY STICKELS

Use your logic to find the correct number for each square. When finished, all nine rows across, all nine columns down and all nine 3-by-3 boxes must contain all nine numbers, 1 through 9, with no repeats.

Answers below.

				2	7	8		
							2	3
1		8			4			
					9	7		
6	5			1			8	4
		3	6					
			5				1	8
5	9							
		6	7	3				

At usaweekend.com, click on the "Games" tab to play our online interactive sudoku.

Legal Notice

U.S. District Court for the Southern District of New York

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The settlement applies to English language literary works that were reproduced on a commercial electronic database without the authors' permission. Works may still be eligible even if not registered with the U.S. Copyright Office, and even if they were originally published outside the U.S. Excluded are works for hire and works for which the author granted electronic rights to the original publisher.

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The Honorable George B. Daniels

www.copyrightclassaction.com

NEXT WEEK IN USA WEEKEND



Will summer ever get here?
Christopher Meloni is already making plans!

- FRAME GAMES ANSWERS:
1. Pyramid
 2. Crooked
 3. Split-second
 4. Sundown

BLANK LITTLE FOR USA WEEKEND

2	8	6	7	3	1	4	5	9
5	9	1	8	4	6	3	7	2
7	3	4	5	9	2	1	6	8
9	4	4	3	6	7	8	2	1
6	5	7	2	1	3	9	8	4
8	1	2	4	5	9	7	3	6
1	2	8	3	6	4	5	9	7
4	7	9	1	8	5	6	2	3
3	6	5	9	2	7	8	4	1

STICKDOKU ANSWERS:



Vote by March 4 to pick our Make A Difference Day All-Star!

makeadifferenceday.com/vote-now

Good *Housekeeping*

WHY CHOCOLATE DOESN'T MAKE YOU FAT p62
EGG CELLENT DECORATING IDEAS

SPRING FLING!

**FUN, FESTIVE
EASTER**

Effortless Meals
for Every Occasion

**Make \$200
Instantly**

It's Lying Around
Your House!

**15
Minutes
to Fit**

Anyone
Can Do It



**TRY OUR
EASIEST
EVER
STICKY
BUNS**

p147



**RISKY DRUGS
WHEN TO SAY "NO"
TO YOUR DOC** p75



U.S. District Court for the
Southern District of New York

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Please do not contact the Court.

Dated: January 22, 2014

By Order of the Court
The Honorable George B. Daniels

www.copyrightclassaction.com

**for a chance to win the Lubbock
Uncorked Sweepstakes!**

The winner will get a trip for two to Lubbock, Texas. Filled with hospitality and West Texas charm there is something for everyone in Lubbock. From award-winning wineries to its rich musical heritage an unexpected adventure awaits!



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10 MUST-
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BOOKS
FOR
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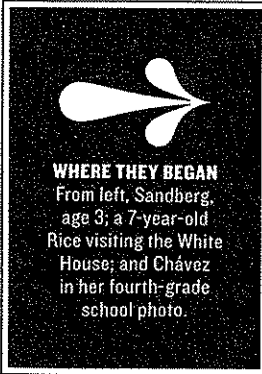
THE PARADE INTERVIEW

3 Influential Women, ONE POWERFUL MESSAGE

What Condoleezza Rice,
Sheryl Sandberg, and
Girl Scouts CEO
Anna Maria Chávez
want girls everywhere
to know

This trio,
sporting their
"Ban Bossy"
buttons, aim
to change the
conversation
about girls
and leadership.





WHERE THEY BEGAN
From left, Sandberg, age 3; a 7-year-old Rice visiting the White House; and Chávez in her fourth-grade school photo.



So, you were bossy?

CR: Yes, I was. But in a good way. The word has a bad connotation.

SS: I tell parents, instead of saying, "My daughter is bossy," try, "My daughter has executive leadership skills." I've never had anyone say that without laughing. Now say it for a boy: "My son has executive leadership skills." There's no humor in that sentence, which reveals the difference in our expectations. Women still represent only 4 percent of Fortune 500 CEOs. And more worrisome is

COVER AND INSIDE, STYLING, MICAH BISHOP FOR ARTIST UNITED; CHÁVEZ, HAIR AND MAKEUP, TAMARA BROWN FOR ARTIST UNITED; SANDBERG, HAIR AND MAKEUP, JOHN OLAVARRIA

LYNN SHERR: You've all reached great heights in your careers. Who encouraged you?

CONDOLEEZZA RICE: My parents elected me president of the family when I was 4. We actually had an election every year and I always won. I'm an only child, and I could count on my mother's vote. But the role had substantive responsibility. I would call meetings where we'd decide things like what color to paint the living room. As I got older, I realized that what my parents were doing was sending messages about leadership potential.

ANNA MARIA CHÁVEZ: Instead of teaching me how to cook, my mother taught my brothers how to cook, and me how to run a board meeting. She was an elected official, and she used to take me to meetings so I could see how leadership played out.

SHERYL SANDBERG: I, too, had very supportive parents who told me I could do everything. But the rest of the messages I got from society were pretty negative on leadership.

When I first got to New York in my 20s, I was told by every newspaper editor, "We don't hire girls." Do you have similar horror stories?

AMC: In the 1950s and '60s, you did not see women of color, especially Latinas, in leadership positions. When my family would go to support my mother's campaigns, people would yell at my father, "Put your woman in her place!" My dad had to fight men in the community to say, "This is her place. Her place is to lead."

CR: I remember when I was 6 years old, we were having an event at school where different dolls were on display. I said that the tallest doll needed to be on the end, and my little friend said to me, "Oh, you're just so bossy." I remember thinking that wasn't a good thing. But I kept insisting the doll had to be on the end anyway. *[laughs]*

Legal Notice

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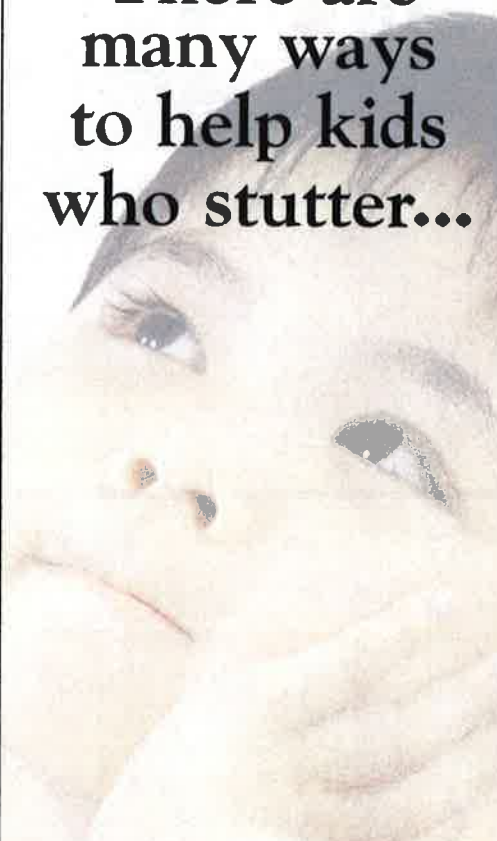
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**There are
many ways
to help kids
who stutter...**



**Doing nothing
is not one
of them!**



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The Culture | Movies

Zweig's influence on the film means that *The Grand Budapest Hotel* takes place against a real-world historical backdrop, fictional though the movie's version may be. More than any of Anderson's previous films, it makes clear that the distance he puts between cinema and reality doesn't mean he's not thinking about something big and real. It's got stand-ins for Nazism, with adherents dubbed the Zig Zags, and for communism too. So though Anderson doesn't depict the actual history of 1930s Europe—that's already been done so many ways, he says, that M. Gustave's story is more interesting without it—he's not skirting the issue.

"I don't think I would think of actively staying away from one thing or another," he says. "I can't say that I have some new analysis of totalitarianism. I don't want to stay away from anything or steer away from anything or avoid anything. I just want to make my story. What we know and the politics and meanings of all this stuff, it ought to be in there."

Well Suited

A MYSTIQUE CAN SPRING UP AROUND A filmmaker with a unique aesthetic, the idea that he or she is personally responsible for every second of every shot. But what reads to audiences as the individual will of the auteur is, Anderson is quick to acknowledge, largely the result of the auteur's skill at choosing a team. "It's a collaboration," he says. "[Costume designer] Milena Canonero and [composer] Alexandre Desplat and these actors and all these voices ... You cannot end up with the same thing if you change those names and keep mine." Successful working relationships are how the sausage gets made, even when the sausage is a perfectly cooked, regionally appropriate, vintage-looking bratwurst.

That cooperation is part of the reason his merry crew keeps coming back. This is a man who admits he would time actors walking down a hallway and then ask them to do it again until they shaved off 15 seconds, a man who doesn't shoot much coverage because he already knows which angles he'll use, but his

precision is a gentle one. Wilson, a long-time friend and collaborator, compares him to a ship's captain rather than a solo sailor. "Sometimes you work on a movie and you're not quite sure. You sense some anxiety in the director, that they're not sure exactly what they want," Wilson says. "But with Wes, you know he's definitely steering the ship and doing exactly what he thinks is best for the movie."

You can see it in the pastry boxes that show up throughout *Grand Budapest*. It's hard to see the ribbon-trussed cubes as anything other than another confection, something from Anderson's fertile imagination. But they're also a practical solution to a directorial problem. Anderson wanted a box that could go from closed to flat in one motion, having learned that showing characters opening regular boxes is a waste of film. Roman Coppola, a frequent colleague with a good eye for mechanics, stepped in to create just such a box. When the ribbon is undone, all four sides of the

box fall away like the petals of a flower. Anderson doesn't mind fans' analyzing and categorizing his work—he did the same with favorite directors when he was a young film buff—but he doesn't think his aesthetic can be attributed to hard-and-fast rules; he just likes what he likes. "In a funny way, I still don't really know what a Wes Anderson movie looks like," says *Grand Budapest*'s production designer, Adam Stockhausen. "It really is from scratch each time. There are no magic decoder rings. It's not a formula."

The openness partly explains how Anderson is still surprised when he sees dailies, a feeling he first encountered two decades ago. "I thought, O.K., so that's what this is like," he recalls of working on *Bottle Rocket*. "It was a good feeling."

That balance works for actors too, explains Revolori. "It's a bit like he makes a tailored suit and he makes it exactly the way he would like it, then finds someone to fit it," he says. "When you put it on, you're able to walk wherever you want with this great suit."

Which is appropriate, because a suit is the only concession Anderson will make to the idea that part of him is, indeed, reflected in the movie. This particular train will leave the station eventually. After a dinner at the U.S. ambassador's residence in Prague, there'll be Copenhagen, Amsterdam, Paris, New York City and Los Angeles. He won't discuss his next big project, but he wants to go to Japan soon, maybe to shoot another installment in a series of shorts he's made for Prada. So this particular chance to observe that Anderson's life looks like a scene from *The Grand Budapest Hotel* will vanish like the past the movie recalls.

Except for one thing, something the filmmaker will carry with him even then. During the shoot, it was cold. The Zweig stand-in character had a warm suit in a nice herringbone fabric. Anderson had another one made. For himself. "There's an identification with that character based on the fact that I actually stole his wardrobe," he says with a laugh. "Other than that, I don't really see anything."

At work Anderson, left, in a suit inspired by the film, directs Revolori, center, and Fiennes



MARTIN SCALI—FOX SEARCHLIGHT

TIME March 10, 2014

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his bill by any stretch"—is perplexing. In an otherwise strong book, his revisionist view is less a question of facts than of emphasis: after all, Purdum too notes that Johnson "strategically limit[ed] his own role" at key moments (careful, for example, not to upstage Dirksen). But Risen seems bent on denying Johnson his due, drawing nearly every inference against him and repeatedly overstating the anti-Johnson case. On the one hand, Risen is right to take a fresh look at the evidence and tell the story from a new perspective, focusing on unsung heroes such as Dirksen, Humphrey, Representative William McCulloch, and Nicholas Katzenbach of the Justice Department. He makes a fair point in questioning the way history awards presidents the credit for measures that by necessity cross many desks. On the other hand, Risen is simply wrong to portray Johnson as some hapless operator for trying multiple tactics and targets, some of them unsuccessfully. Johnson's very comprehensiveness is what jarred the sluggish and paralyzed Capitol into action and ultimately moved the bill.

IF THE PRESIDENT LED and Congress followed, where did that leave the Supreme Court? Three months after Johnson signed the Civil Rights Act, the Court heard arguments in a pair of cases challenging the constitutionality of its most contentious provision—Title II, which outlawed segregation in public accommodations. In December 1964 the Court decided *Katzenbach v. McClung* and *Heart of Atlanta Motel v. United States*, upholding Title II as a valid exercise of Congress's commerce power. In the years since, the act has been a remarkable success. Its acceptance in the South was surprisingly quick and widespread. In a stroke, the act demolished the rickety but persistent foundation for segregation and Jim Crow. Title II reached far into the daily lives of southerners, creating an unprecedented level of personal mingling between the races and making integration a fact of daily life. Title VII, meanwhile, has vastly reduced workplace discrimination, through the efforts of the Equal Employment Opportunity Commission. Although years of toil, struggle, and bloodshed still lay ahead, the 1964 law dealt a major blow to the system of segregation. The past

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Exhibit B

National Newspaper Tearsheets

PRIME-TIME NIELSEN RATINGS

BEYOND THE NUMBERS

THE NEWS BEHIND THE RATINGS
BY GARY LEVIN



GOLD (RATINGS) TICKET
ABC's *Academy Awards* won 43.7 MILLION viewers Sunday, up more than 3 million from last year to its biggest crowd since 2000.

Host **Ellen DeGeneres** takes "selfie."

SING A SONG
NBC's *The Voice* returned Monday with 15.9 MILLION viewers, up from 15 million for last September's start and matching *American Idol*'s January return among young adults.

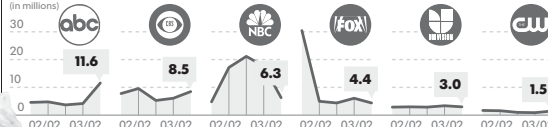
LATE NIGHT
NBC's *Late Night With Seth Meyers* averaged 2.7 MILLION viewers for its first week, while *The Tonight Show* starring *Jimmy Fallon* claimed 5.5 MILLION in its second, down 3 million from its premiere week.

Seth Meyers made his debut on *Late Night*.

TOP 10 TWEETED-ABOUT PROGRAMS OF THE WEEK

Show	Tweets	Unique audience
1 <i>Oscars</i> (ABC, Sun.)	11,163,000	13,923,600
2 <i>Walking Dead</i> (AMC, Sun.)	439,100	4,810,100
3 <i>The Voice</i> (NBC, Mon.)	329,700	4,459,000
4 <i>Pretty Little Liars</i> (ABC Family, Tue.)	397,400	3,885,900
5 <i>The Bachelor</i> (ABC, Tue.)	193,300	3,805,200
6 <i>The Bachelor</i> (ABC, Mon.)	126,200	3,319,200
7 <i>Scandal</i> (ABC, Thu.)	584,900	3,249,000
8 <i>Teen Wolf</i> (MTV, Mon.)	419,600	2,943,900
9 <i>The Voice</i> (NBC, Tue.)	102,200	2,451,300
10 <i>WWE Raw</i> (USA, Mon.)	256,900	2,304,700

THE NETWORK RATINGS RACE, WEEK BY WEEK ENDING MARCH 2



SEASON TO DATE (in millions)

Network	Total Viewers	Ages 18-49
CBS	10.9	3.1
NBC	10.3	3.9
Fox	8.2	3.5
ABC	7.4	2.7
UNI	3.1	1.5
CW	1.9	1.0

NIGHT-BY-NIGHT RATINGS

LEGEND: VIEWERS = IN MILLIONS (*) = NIELSEN RATINGS TIE (R) = REPEAT EPISODE (S) = SPECIAL BROADCAST SOURCE: NIELSEN

MONDAY, Feb. 24

Time	Program	Viewers	Rank	Season to date
8:00	<i>The Voice</i> (NBC)	15.9	6	15.0
9:00	<i>How I Met Your Mother</i> (CBS)	8.3	27	8.8
9:00	<i>The Bachelor</i> (ABC)	8.2	27	9.1
9:00	<i>Almost Human</i> (Fox)	5.7	45	7.8
9:00	<i>The Mindy Project</i> (ABC)	1.1	113	1.2
8:30	<i>2 Broke Girls</i> (CBS)	8.0	31	9.4
9:00	<i>Mike & Molly</i> (CBS)	8.2	27	10.0
9:00	<i>The Following</i> (Fox)	4.6	53	8.8
9:00	<i>Beauty and the Beast</i> (CW)	0.6	134	1.2
9:00	<i>Que Pasa</i> (ABC)	3.9	39	3.8
9:30	<i>Men</i> (CBS)	7.2	38	8.8
10:00	<i>Intelligence</i> (CBS)	5.4	46	10.9
10:01	<i>The Blacklist</i> (NBC)	11.2	11	14.9
10:01	<i>Castle</i> (ABC)	8.7	24	6.2
10:02	<i>Que Pasa</i> (ABC)	2.7	80	3.3

TUESDAY, Feb. 25

Time	Program	Viewers	Rank	Season to date
8:00	NCIS (CBS)	17.0	5	20.2
8:00	<i>The Voice</i> (NBC)	13.0	9	14.2
8:00	<i>The Bachelor</i> (ABC)	8.1	29	8.1
8:00	<i>Glee</i> (Fox)	3.0	73	5.3
9:00	<i>Per Slempra MI Amor</i> (Uni)	2.8	76	3.1
9:00	<i>The Originals</i> (CW)	1.8	103	2.9
9:00	NCIS: Los Angeles (CBS)	13.2	8	15.9
9:00	<i>Que Pasa</i> (ABC)	4.0	58	4.0
9:00	<i>New Girl</i> (Fox)	2.8	76	5.3
9:00	<i>Supernatural</i> (CW)	2.1	98	3.0
9:01	<i>About a Boy</i> (NBC)	8.1	27	8.1
9:30	<i>Brooklyn Nine-Nine</i> (Fox)	2.7	80	5.0
9:30	<i>Growing Up Fisher</i> (NBC)	7.0	40	7.9
10:00	<i>Chicago Fire</i> (NBC)	7.1	39	10.8
10:00	<i>Mind Games</i> (ABC)	1.6	111	1.6
10:01	<i>Person of Interest</i> (CBS)	11.0	12	14.0
10:02	<i>Que Pasa</i> (ABC)	2.7	80	3.2

WEDNESDAY, Feb. 26

Time	Program	Viewers	Rank	Season to date
8:00	<i>American Idol</i> (Fox)	10.8	14	14.0
8:00	<i>Survivor</i> (CBS)	9.4	18	11.2
8:00	<i>The Middle</i> (ABC)	7.0	40	6.6
8:00	<i>Revolution</i> (NBC)	4.6	53	7.2
8:00	<i>Per Slempra MI Amor</i> (Uni)	2.8	76	2.8
8:00	<i>Arrow</i> (CW)	4.2	49	3.6
8:30	<i>Suburgatory</i> (ABC)	5.2	49	5.4
9:00	<i>Modern Family</i> (ABC)	8.5	26	12.1
9:00	<i>Law & Order: SVU</i> (NBC)	7.8	31	8.9
9:00	<i>Que Pasa</i> (ABC)	4.2	53	3.7
9:00	<i>Tomorrow People</i> (CW)	1.5	108	2.2
9:31	<i>Midwest</i> (ABC)	5.0	50	5.0
10:00	<i>Criminal Minds</i> (CBS)	9.4	18	7.5
10:01	<i>NCIS: Los Angeles</i> (CBS)	4.8	31	7.5
10:01	<i>Que Pasa</i> (ABC)	2.8	76	1.9
10:01	<i>Chicago PD</i> (NBC)	8.0	31	9.3

THURSDAY, Feb. 27

Time	Program	Viewers	Rank	Season to date
8:00	<i>Big Bang Theory</i> (CBS)	17.7	4	19.8
8:00	<i>American Idol</i> (Fox)	10.0	16	13.0
8:00	<i>Countdown to Oscars</i> (ABC)	4.7	42	4.6
8:00	<i>Community</i> (NBC)	2.6	84	3.8
9:00	<i>The Voice</i> (NBC, Tue.)	2.5	78	3.0
9:00	<i>Per Slempra MI Amor</i> (Uni)	2.5	78	3.0
9:00	<i>Vampire Diaries</i> (CW)	2.0	92	3.0

NETWORK TOP 20

Viewers (millions)

Rank	Program	Viewers
1	<i>Oscars</i> (ABC)	43.7
2	<i>Oscars Red Carpet Pt. 3</i> (ABC)	26.9
3	<i>Oscars Red Carpet Pt. 2</i> (ABC)	18.7
4	<i>Big Bang Theory</i> (CBS)	17.7
5	NCIS (CBS)	17.0
6	<i>The Voice</i> (Mon., NBC)	15.9
7	<i>Oscars Red Carpet Pt. 1</i> (ABC)	14.8
8	NCIS: Los Angeles (CBS)	13.2
9	<i>The Voice</i> (Tue., NBC)	13.0
10	<i>Blue Bloods</i> (CBS)	12.0
11	<i>The Blacklist</i> (NBC)	11.2
12	<i>The Millers</i> (CBS)	11.0
13	<i>Person of Interest</i> (CBS)	11.0
14	<i>American Idol</i> (Wed., Fox)	10.8
15	<i>How I Met Your Mother</i> (CBS)	10.6
16	<i>Two and a Half Men</i> (CBS)	10.0
17	<i>American Idol</i> (Thu., Fox)	10.0
18	<i>Criminal Minds</i> (CBS)	9.4
19	<i>Grey's Anatomy</i> (ABC)	9.4
20	<i>Survivor</i> (CBS)	9.4

CABLE TOP 10

Viewers (millions)

Rank	Program	Viewers
1	<i>Walking Dead</i> (AMC, Sun.)	12.6
2	<i>Duck Dynasty</i> (A&E, Wed.)	5.2
3	<i>Ballers</i> (AMC, Sun.)	5.0
4	<i>Power Stars</i> (History, Thu.)	4.9
5	<i>WWE Raw</i> (USA, Mon.)	4.9
6	<i>WWE Raw</i> (USA, Mon., 8:00)	4.8
7	<i>WWE Raw</i> (USA, Mon., 10:00)	4.3
8	<i>Power Stars</i> (History, Thu., 9:00)	4.3
9	<i>Gold Rush</i> (Discovery, Fri.)	4.0
10	<i>Rizzoli & Isles</i> (TNT, Tue.)	3.7

TELEVISION

New pairings, new twists for 'Dancing With the Stars'

Season 18 kicks off with diverse lineup and partner swaps

Ann Oldenburg
@annoldenburg
USA TODAY

Dancing With the Stars has rounded up another cast of celebrity characters for Season 18 amid several changes to the show.

Competing on the series, which kicks off March 17 (ABC, 8 p.m.), two Olympic ice-dancing darlings (Charlie White and Meryl Davis), three singers (including pop star Cody Simpson), former child TV actors, a double amputee snowboarding champ, a former pro hockey player, distance swimmer Diana Nyad, reality star NeNe Leakes and comedian Drew Carey.

Also spicing up the mix: Bad-boy pro Maks Chmerkovskiy returns to the ballroom.

The show is in transition. Tom Bergeron's co-host, Brooke Burke-Charvet, was fired and replaced by Fox Sports' Erin Andrews. New bandleader Ray Carey joins the team as Harold Wheeler left his gang exits.

Pro Derek Hough announced another twist on Tuesday's *Good Morning America*, saying that at some point, the cast members will all switch partners.

"You have to change things every so often to keep them fresh," says executive producer Conrad Green.

The show's audience was slightly smaller (averaging 15 million viewers) and older last fall. And while it is roughly tied with *The Voice* in total viewers, *Dancing* has only about half that show's young-adult audience. The median age of a *Dancing* viewer is 61.6, the second-oldest of any major-network prime-time series.

"We have to be mindful of

MEET THE COUPLES

The complete list of stars and the dancing pros they'll be paired with:

- 'Full House' actress **Candice Cameron Bure** & **Mark Ballas**
- 'Wonder Years' actress **Danica McKellar** & **Valentin Chmerkovskiy**
- *Survivor*'s **Diana Nyad** & **Henry Buylkov**
- 'Real Housewives of Atlanta' star **NeNe Leakes** & **Tony Dowlati**
- Pop star **Cody Simpson** & **Whitney Carson**
- 'The Price Is Right' host **Drew Carey** & **Cheryl Burke**
- Olympic ice-dancing gold medalist **Meryl Davis** & **Maksim Chmerkovskiy**
- Olympic ice-dancing gold medalist **Charlie White** & **Sharna Burgess**
- Para-snowboarder **Amy Purdy** (who lost her legs after contracting meningitis) & **Derek Hough**
- Former NHL player **Sean Avery** & **Karina Smirnova**
- Singer/actor **Billie Dee Williams** & **Ernie Stouter**
- Big Time Rush band member/actor **James Maslow** & **Peta Murgatroyd**

keeping hold of younger audiences," Green says.

But he defends the show that has had so many years of success. "I think we've held our own remarkably well."

Olympians White and Davis seem to have an obvious advantage. Green expects that they will bring beautiful dance moves to the ballroom but points out that they will not be dancing with each other.

But they'd better watch out for *Wonder Years* star and math whiz Danica McKellar, 39, who is more than rarin' to go.

"I love challenges," she says. "I love spunky outfits. Saying I'm excited is an understatement. I'm thrilled."

For Leakes, 46, the challenge will be her health. After suffering a pulmonary embolism in November, she says, she has put on some pounds. "Being sick made me gain some weight. So I'm hoping this will help me lose 20 pounds."

The *Real Housewives of Atlanta* star says that "there will be doctors on set for me," but "I feel pretty good."

Carey is hoping for staying power. "I just don't want to get voted off first, like Jeffrey Ross," another comedian who was the first to go in 2008.

Carey, 55, hopes his *Price Is Right* fans will vote for him. "*Dancing With the Stars* and *The Price Is Right* audiences are the same age group and wheelhouse. That's my ace in the hole."

DANCING WITH THE STARS
MARCH 17, ABC, 8 ET/PT

Legal Notice

U.S. District Court for the Southern District of New York

Literary Works in Electronic Databases Copyright Litigation

To: Freelance authors of English language literary works

This is a summary notice of a revised class action settlement. Please read this notice. It may affect your legal rights.

What is this proposed settlement about?

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 newspapers and magazines, after publishing the works with the authors' permission, then sold them to the electronic databases without the authors' permission. The current settlement is a revision of a previous proposed settlement that was reached in 2005.

The settlement applies to English language literary works that were reproduced on a commercial electronic database without the authors' permission. Works may still be eligible even if not registered with the U.S. Copyright Office, and even if they were originally published outside the U.S. Excluded are works for hire and works for which the author granted electronic rights to the original publisher.

Freelance authors were notified of the previous settlement, and the deadline for submitting compensation claims under that settlement was September 30, 2005. Additional details about eligible works and your options are contained in the full Notice of Revised Class Action Settlement, available at www.copyrightclassaction.com.

What do I need to do?

Class members have three options: (i) do nothing; (ii) exclude yourself from the settlement; (iii) object to the settlement.

To remain a class member, you do not need to do anything. To be eligible for a settlement payment, you must have already submitted a timely, valid claim under the previous settlement in 2005. If you do so, then you need to do nothing further to participate in the settlement. (You will eventually hear from the Claims Administrator about the validity of your claim.)

You may still exclude yourself from the settlement. You must (1) mail a written request for exclusion, postmarked by May 9, 2014, *Electronic Databases Copyright Litigation*, EXCLUSION REQUEST, c/o GCG, PO Box 10033, Dublin, OH 43017-6633, or (2) submit an exclusion request online at www.copyrightclassaction.com by that date.

To object to the settlement, you must file a written objection by May 9, 2014. Further information on each option is available at www.copyrightclassaction.com.

Final Fairness Hearing

A hearing on the proposed settlement will be held June 10, 2014 at 10:00 a.m. by U.S. District Judge George B. Daniels, U.S. District Court, 500 Pearl Street, New York, NY 10007, to determine whether the settlement should be approved. Class members or their counsel may appear in Court.

I have new contact information, whom should I contact?

If you have changed your mailing or e-mail address since the original settlement in 2005, you should notify the Claims Administrator, whose contact information is in the full Notice of Revised Class Action Settlement. If the Claims Administrator does not have your correct contact information, you may not receive your settlement payment (assuming you already submitted a valid claim in 2005) or notice of important developments in this class action.

Please do not contact the Court.

Dated: January 22, 2014

By Order of the Court
The Honorable George B. Daniels

www.copyrightclassaction.com

MONEY & INVESTING

The Talent Chase Gets Speedier

Continued from the prior page

The in-demand candidates are typically graduates of Ivy League or other elite universities who have been hired by investment banks for the famously grueling two-year stints.

Private-equity firms covet these candidates because they come from top schools and, by the time they join the firms, have been through the Wall Street equivalent of basic training. If the up-and-comers land a private-equity job, they can expect to make between \$250,000 and \$300,000 a year, according to people familiar with the process.

Privately, executives blame the jump in the competitive nature of the industry. They say the brass just want first dibs on the 400 or 500 candidates headhunters deem the top of the heap.

"We can't help ourselves," said one private-equity executive involved in the pursuit. "It's always someone that convinces themselves that they can do this and no one will notice."

The demand for these candidates is in large part a reflection of the shrinking talent pool on Wall Street. Since the financial crisis, many college graduates have turned to other fields.

Technology companies overtook financial firms last year as the top destination for graduates of Stanford University's business school for the first time. At Harvard Business School, the proportion of job-seeking graduates going to tech companies rose, while those headed into finance fell last year.

Meanwhile, banks are working harder to keep the college graduates they hire from decamping to private equity or other pastures, such as technology companies or hedge funds. Goldman Sachs Group Inc. announced efforts in October aimed at reducing the work hours for its junior bankers, and banks across the industry have also sought to improve working conditions for their youngest employees in an effort to retain talent.

But private-equity firms are determined. One first-year analyst said he started getting invited for coffee from private-equity recruiters in November. "I'd move some consider a sort of velvet interview of the sort blushed for prompting the February rush for 2015 hires. The 2013 Harvard University graduate said recruiters told him they would be back in touch between late February and April.

Last Friday morning, a private-equity recruiter emailed him, asking for an updated résumé. On Sunday, the recruiter asked him to complete personality tests and financial models by the next morning and clear Wednesday for interviews. Other recruiters came calling Monday. "It's absurd," he said. "I've been out of college six months. I don't know what I'll be doing 18 months from now."

Mortgage Servicer Faces Legal Action

By Andrew R. Johnson and Alan Zibel

Federal regulators plan to file a legal action against a unit of mortgage-servicing firm Walter Investment Management Corp. over alleged violations of consumer financial laws, the company said in a regulatory filing Thursday.

Walter said the Federal Trade Commission and Consumer Financial Protection Bureau advised Walter's Green Tree Servicing LLC on Feb. 20 that the agencies have sought authority to file an action and "negotiate a resolution" with the company over "alleged violations of various federal consumer financial laws."

"The company anticipates meeting with the staff in the near future to get a better understanding of the staff's concerns and to see if the matter can be resolved," Walter said in its annual report filed with the Securities and Exchange Commission.

Denmar Dixon, chief investment officer of Walter, said during a conference call Thursday that it expects the agencies' approval process to take about 30 days, after which "we should receive more specific information regarding the inquiry."

"We are very proud of the servicing standards we maintain," Mr. Dixon said.

The disclosure Thursday is the latest indication of the growing reach of federal and state probes into the mortgage-servicing industry.

Walter had previously disclosed that the CFPB notified Green Tree in October that the agency was considering taking action against the company. The FTC first issued a civil investigative demand to Green Tree in 2010, according to filings.

The CFPB has highlighted that the mortgage-servicing industry is one of its top concerns. The agency's deputy director, Steve Antonakes, issued a stern warning to an industry conference earlier this month, saying he was "deeply disappointed" with

how the industry treats consumers and demanded improvements. "Business as usual has ended in mortgage servicing," Mr. Antonakes said.

The regulator said earlier this year that its examinations of servicers have unveiled numerous problems in the industry, such as the failure to honor existing agreements to modify loans after the right to collect payments on a loan is transferred from one servicer to another.

New rules written by the CFPB that went into effect in January establish new responsibilities for servicers, including requirements for evaluating borrowers' loan-assistance applica-

tions. The regulator has the authority to examine whether mortgage servicers are complying with these rules and could penalize those who aren't.

The CFPB and state officials reached a \$2.1 billion settlement in December with mortgage servicer Ocwen Financial Corp. over allegations it charged unauthorized fees, failed to credit borrowers' mortgage payments in a timely fashion, and improperly imposed expensive insurance policies, among other problems. Ocwen didn't admit to or deny the allegations. And in 2012, five large banks reached a \$25 billion foreclosure-abuse settlement that imposed new standards for industry practices.

SunTrust Is Probed Over Its Fannie Dealings

By Nick Timiras and Andrew R. Johnson

SunTrust Banks Inc. is the subject of an investigation into whether its actions may have resulted in unspecified losses to Fannie Mae, the government-backed mortgage-finance company, according to federal filings and people familiar with the matter.

In a filing Monday, SunTrust, the 11th-largest U.S. mortgage lender, according to Inside Mortgage Finance, said that federal authorities are looking at whether it broke civil or criminal laws and added that authorities "may impose substantial penalties" against it.

The continuing investigation shows the extent to which regulatory consequences of the financial crisis have spread beyond the nation's largest banks to regional lenders and smaller mortgage servicers.

Late last year, SunTrust said



SunTrust says authorities may impose substantial penalties on it.

it would have to pay more than \$1 billion under various agreements it reached with regulators to settle alleged mortgage violations.

In recent months, midsize financial institutions from Fifth Third Bancorp to Regions Financial Corp. have disclosed probes into their mortgage businesses.

The disclosure Thursday is the latest indication of the growing reach of federal and state probes into the mortgage-servicing industry.

The bank said it is cooperating with the investigation and "believes that it has substantial defenses to the asserted allegations."

A spokesman for SunTrust declined to elaborate earlier this week.

The June 17, 2013, memo was sent to the FHFA from the office of its inspector general, which

serves as an independent watchdog of the agency. The memo was published as part of a report designed to identify and remediate potential weaknesses in controls at Fannie and Freddie.

The inspector general said it became aware of the alleged deficiencies "through information gathered during an ongoing criminal investigation." It added that it was investigating "a significant mortgage modification fraud by a GSE mortgage servicer."

SunTrust also disclosed Monday that it is the subject of a separate investigation by the Justice Department concerning mortgages that it sold to Fannie and Freddie. That inquiry is in its "preliminary stages," the filing said. "No allegations have been raised against" the bank, it said.

Fannie and Freddie don't make loans but instead buy them from lenders and package them into securities.

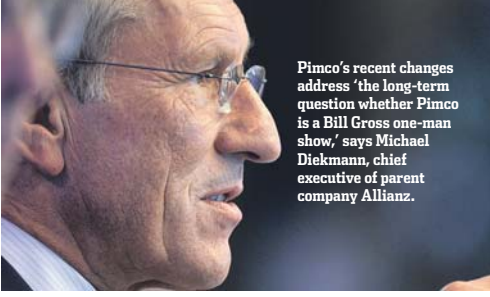
Pimco's Gross Defends Competitive Culture at the Firm

Continued from the prior page

and is weighing whether to trim them further.

Likewise, Richard Kaye, 69, who is retired and lives in Chicago, says he was concerned about his investment in Pimco's funds, including Mr. Gross' Pimco Total Return Fund, after reading about the internal clashes at the firm.

Mr. Kaye said he views Mr. Gross as brilliant and "the equivalent of Steve Jobs of the financial world." But Mr. Kaye emailed his financial adviser nonetheless to see if he should make changes to his portfolio. Mr. Kaye didn't make a change. "I am cautious," Mr. Kaye said. "I just think that at least for the time being I'm going to certainly keep an eye on what's going on at Pimco."



Bill Gross and Michael Diekmann, chief executive of parent company Allianz.

deliver performance," he said.

So far this year, Pimco's flagship bond fund—run by Mr. Gross—has turned in mixed results. The Pimco Total Return Fund has scored a return of 1.86% this year through Wednesday, nearly eliminating the loss of

1.92% for 2013, according to fund tracker Morningstar Inc. The \$237 billion fund has benefited from a surprising drop in U.S. bond yields that has boosted prices of many U.S. fixed-income assets.

But the fund's return has been slightly behind a gain of 1.9% by

the Barclays US Aggregate Bond Index and the fund's return trails 64% of its peers. The fund remains a winner in the longer term, gaining an annualized 6.68% on average in the past 15 years, beating the 5.44% return on the benchmark index and

ahead of 96% of comparable funds, Morningstar says.

Pimco contributes about 80% of Allianz's asset-management revenue. Mr. Diekmann, the German insurer's CEO, said the management changes reflected deeper diversification at Pimco and dismissed calls for Allianz to exercise more control.

"We are very active in the governance issues, but we're not getting involved in investment decisions because those are third-party assets," he said.

Meanwhile, Allianz signaled its interest in continuing to work with Mr. El-Erian. The company said he would become the chief economic adviser to Allianz, formalizing a previous decision to continue to employ Mr. El-Erian on a part-time basis.

Daniel B. Roe, chief investment officer in Buenos Aires, said he and his firm have other large advisory firms he has spoken to see how he could fit in. "We are sticking [with Pimco] for now," he said.

—Ulrike Daur, Min Zeng and Corrie Driebusch contributed to this article.

Legal Notice
U.S. District Court for the Southern District of New York
Literary Works in Electronic Databases Copyright Litigation
To: Freeland authors of English language literary works
This is a summary notice of a revised class action settlement. Please read this notice. It may affect your legal rights.
What is this proposed settlement about?
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 newspapers and magazines, after publishing the works with the authors' permission, then sold them to the electronic databases without the authors' permission. The current settlement is a revision of a previous proposed settlement that was reached in 2005.
The settlement applies to English language literary works that were reproduced on a commercial electronic database without the authors' permission. Works may still be eligible even if not registered with the U.S. Copyright Office, and even if they were originally published outside the U.S. Excluded are works for hire and works for which the author granted electronic rights to the original publisher.
Freeland authors were notified of the previous settlement, and the deadline for submitting compensation claims under that settlement was September 30, 2005. Additional details about eligible works and your options are contained in the full Notice of Revised Class Action Settlement, available at www.copyrightclassaction.com.
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Please do not contact the Court.
Dated: January 22, 2014
By Order of the Court
The Honorable George B. Daniels
www.copyrightclassaction.com

FINANCIAL BRIEFING BOOK: FEB. 28
◆ KPMG
Global Chairman Andrew Steps Down, Citing Health
Michael Andrew, the global chairman of Big Four accounting firm KPMG, is retiring after being diagnosed with a "serious medical condition" and will be succeeded by John Velhimer, the firm's U.S. chairman and chief executive.
The firm didn't provide details of Mr. Andrew's condition in its news release, saying only that he "will focus on his treatment and recovery."
Mr. Andrew has been KPMG's global chairman since May 2011 and was slated to serve a four-year term.
Mr. Velhimer has been chairman and CEO of KPMG's U.S. firm since 2010. Like other major accounting firms, KPMG is structured as an international network of separate member firms located in each country in which it does business. Mr. Velhimer has received the unanimous support of KPMG's board to become global chairman, and his selection is expected to be ratified at a March meeting of KPMG senior partners from around the world, the accounting firm said.
Michael Rapoport
◆ LEHMAN BROTHERS
Deal With Holdout Set
Lehman Brothers Holdings Inc. has reached a deal with the lone holdout to a multibillion-dollar settlement with its former Swiss derivatives unit, freeing up an additional \$1.8 billion for the failed investment bank's creditors.
Entities with ties to Klaus Tschira, founder of German software company SAP AG, have agreed to
◆ MONEYS FUNDS
Assets Rise \$19.96 Billion
Assets in money-market funds climbed by \$19.96 billion for the latest week, as investors put more money into institutional funds than they pulled from retail assets, according to the Investment Company Institute.
For the week ended Wednesday, total assets grew to \$2.684 trillion.
John Sells
◆ CARLYLE GROUP
Founders Net \$750 Million
The founders of private-equity firm Carlyle Group took home about \$750 million for 2013, according to data from a filing Thursday.
The three founders—William E. Conway Jr., Daniel A. D'Amico and David M. Rubenstein—each took home \$92.6 million in dividends

A Hint of Jazz From a Classical Quartet Biographer's Portrait of His Own Family

The superb Quatuor Ébène has made a name for itself not only as an elegant purveyor of classical fare but also for jazz performances. That influence could be heard on Friday evening at Zankel Hall in the group's encore, an arrangement of Erroll Garner's "Misty" and in its interpretation of Schumann's String Quartet in A (Op. 41, No. 3).

The finale of the Schumann took on a decidedly jazz swing, its syncopations particularly pronounced in the Ebène's distinctive dynamics. Unexpected shifts in dynamics, alluring phrases and idiosyncratic touches rendered the Schumann and the other works on the program memora-

Quatuor Ébène
Zankel Hall

ble.

In Haydn's String Quartet in F minor (Op. 20, No. 5), which opened the program, the concluding fugue unfolded with dramatic contrasts in dynamics. The first violinist, Pierre Colombet, played with exquisite sensitivity and precision, his elegant musicianship complimented by the playing of the second violinist, Gabriel Le Magaudre, the violist, Mathieu Herzog, and the cellist, Raphaël Merlin.

After the Haydn, the Schumann raised the dramatic temperature several notches, and the ensemble's performance of Mendel-

sohn's String Quartet in F minor (Op. 30) concluded the program on a blazing note.

Mendelssohn wrote the piece in 1847, shortly after the sudden death of his beloved elder sister Fanny, also a gifted composer and her brother's artistic confidante. Mendelssohn, who died six months later, channeled his grief into this turbulent quartet, whose character, according to the composer and pianist Ignaz Moscheles, seemed "consistent with his deeply disturbed frame of mind."

The Ebène played with noholds-barred fervor, the first movement imbued with a tension and vigor that revealed myriad shades of sorrow and the poignant Adagio rendered with searing introspection.

From First Arts Page

He also takes a perverse pleasure in noting that Scott was a lousy writer, who wrote a Salinger knockoff, "a short story about an impossibly precocious toddler who kills himself because the adult world is a terrible place."

And once their father began to fade before high school was over, As Scott began his long boozey, druggily fall from grace, it became almost too easy for Blake to assume the role of responsible guardian for his errant older sibling.

"The Splendid Things We Planned" takes its wistful title from a 1969 Roy Clark song, "Yesterday When I Was Young." The next line: "I always built to last on weak and shifting land." Those lyrics make it a good evocation of the precariousness that rattled through the Bailey brothers' youth and early adulthood, when stability was in short supply, and the danger signals grew more and more alarming. Their parents divorced; Blake tried to end his own life; his mother remarried, his new family could not fail to notice that Blake had become a blackout drink, which rendered him almost comatose.

The book brings a surprising degree of humor and frankness to describing some of the most humiliating moments in its author's life.

Blake is freed from the biographer's burden of fleshing out his story with layers of fact and detail. This is a slender book, one that relies only on memory and acknowledges memory's weakness, especially when alcoholism is involved. And however painful the process of putting it together might have been, he gives it a



MR. BRONXVILLE

novelist's flair. This narrative begins slowly, but it quickly picks up steam and becomes a sleek, dramatic, authentically lurid story fueled by candid fraternal rivalry. However aghast and pained he is at the mounting calamities in his brother's life, there is a part of him that not so secretly revels in being the survivor.

The book details every painful stage of Scott's increasing strangeness, some but not all of it fueled by drugs. Blake speaks of how Scott managed to alienate all

The Splendid Things We Planned
A Family Portrait
By Blake Bailey
254 pages, W. Norton & Company, \$25.95.

He describes a Christmas dinner full of snarling, the heart-breaking family scene in which Blake and Scott's father, a tough guy by nature, went at the news that Scott had lasted only two months at New York University. The one and only Bailey Christmas card photo, he says, has a "curatorial quality" arranged to preserve a happiness that perhaps was never there.

This book has, to use the title of Blake's Richard Yates book, "a tragic honesty" running through it. He is able to summon his own uncertainty about what he would become, wondering whether he could save him from the vagrancy and madness that eventually made Scott a danger to himself and others. He remembers each of his own literary afflictions—like his Yates phase, when he "began to fancy myself a kind of knockabout intellectual à la Frank Wheeler in 'Revolutionary Road' and thus I contrived to feel superior to certain old friends who'd surrendered themselves to the rat race." He adds, "At bottom I was sure I knew it better than anybody."

The takeaway from this vivid, tender book is that it can be as valuable for a reader to know a biographer as it is for a biographer to know his or her subject. Anyone who reads Blake Bailey's future work—and his margin opus is to be Philip Roth's biography—will find it illuminating to know who's telling the story: an erudite, dedicated scholar who still remembers himself looking "like a baggy old cadaver crouching in the set of Ozzie and Harriet" in his golden youth.

A book that relies only on memory.

but his most worthless friends; of his first car wreck, first arrest and first obviously stoned behavior. "I know that as every time he opened his mouth something strange came out, as though he were addressing us from the fog of some alien world." He describes how the brother who once at least made an effort to be interested in books refused to touch anything more demanding than the magazines *High Times* or *Tiger Beat*.

Bridge

Phillip Alder

At the New England Knout Team Regional in Cromwell, Conn., this month Jared Lilienstein and Michael Polowan of New York City entered the two-session Wednesday A/B Pairs. In the diagrammed deal, they got a tied top, but it cost them first place. How?

The winners were Karen Callahan of Westwood, an 11-time Hotamistligli of Westley, Mass., just ahead of Sheila Gabay of Newton, Mass., and Lewis Gammeter of Westwood, Mass.

The problem for Lilienstein and Polowan was the convention that they used after West opened with one weak no-trump, showing 12 to 14 points. Lilienstein (North) overcalled two diamonds, indicating a major one-suiter. East called tournament director and said that he thought this method was not permitted.

The director agreed.

The American Contract Bridge League divides conventions into three categories: general, mid-chart and superchart. General contains everything well known and may be played in any event. Superchart methods are permitted only in top-ranked tournaments.

Anything in the mid-chart list is also acceptable in an top event, but is permissible in a sectional or regional tournament only with the agreement of the organizers. In Cromwell, just general conventions were allowed in events that included non-Flight-A players. Users of a midchart convention must provide a written suggested defense, which Lilienstein and Polowan had done, but that did not help here.

The director told Lilienstein and Polowan that play should continue, and they would get average minus or their result, whichever was the worse.

Polowan (South) jumped with two no-trump. North showed hearts with extra effort, based on his seventh heart. South jumped to four hearts.

West led a spade. East won with his ace and understandably shifted to a diamond, not to a club. No declarer game or an overtrick. He won with his ace, drove out the heart ace and took the rest.

Plus 50 would have been a tied top, 25 match points out of 26. Lilienstein and Polowan lost almost 15 match points when given average minus. Now they came third, just over nine match points behind first.

Two days later, with no convention problems, they won another A/B pair event.

The moral, of course, is to check before play if your mid-chart conventions are permitted.

Neither side was vulnerable.

The bidding:
West North East South
1.N.T. 2 ♠ Pass 2.N.T.
Pass 3 ♣ Pass 4 ♠
Pass Pass Pass
West led the spade six.

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NYTimes.com/Video.

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Group: 646-238-6800
Tel: 212-239-6000
Group: 646-238-6800
Minskoff Theatre, 200 West 42nd Street

mothers and sons
TONIGHT 7:30
THE MUSICAL
"MOTHERS AND SONS"
Tel: 212-239-6000
Group: 646-238-6800
Tel: 212-239-6000
Group: 646-238-6800
Minskoff Theatre, 200 West 42nd Street

MOTOWN
TONIGHT 7:30
THE MUSICAL
"MOTOWN THE MUSICAL"
Tel: 212-239-6000
Group: 646-238-6800
Tel: 212-239-6000
Group: 646-238-6800
Minskoff Theatre, 200 West 42nd Street

Beautiful
TONIGHT 7:30
"MISSIE MULLER" Times
Tel: 212-239-6000
Group: 646-238-6800
Tel: 212-239-6000
Group: 646-238-6800
Minskoff Theatre, 200 West 42nd Street

BRIDGES
TONIGHT 7:30
"MUSICAL THEATER SUPREMACY"
Tel: 212-239-6000
Group: 646-238-6800
Tel: 212-239-6000
Group: 646-238-6800
Minskoff Theatre, 200 West 42nd Street

CHICAGO
TONIGHT 7:30
"STARRING BEBE NEUWIRTH" NY Times
Tel: 212-239-6000
Group: 646-238-6800
Tel: 212-239-6000
Group: 646-238-6800
Minskoff Theatre, 200 West 42nd Street

JERSEY BOYS
TONIGHT 7:30
"ONE EMOTIONAL CRESCHENDO"
Tel: 212-239-6000
Group: 646-238-6800
Tel: 212-239-6000
Group: 646-238-6800
Minskoff Theatre, 200 West 42nd Street

Kinky Boots
TONIGHT 7:30
"2013 Tony Award Winner"
Tel: 212-239-6000
Group: 646-238-6800
Tel: 212-239-6000
Group: 646-238-6800
Minskoff Theatre, 200 West 42nd Street

Phantom of the Opera
TONIGHT 7:30
"2013 Tony Award Winner"
Tel: 212-239-6000
Group: 646-238-6800
Tel: 212-239-6000
Group: 646-238-6800
Minskoff Theatre, 200 West 42nd Street

OFF-BROADWAY

50 Shades
TONIGHT 7:30
"THE MUSICAL"
Tel: 212-239-6000
Group: 646-238-6800
Tel: 212-239-6000
Group: 646-238-6800
Minskoff Theatre, 200 West 42nd Street

MY MOTHER HAS 4 NOSES
TONIGHT 7:30
"THE MUSICAL"
Tel: 212-239-6000
Group: 646-238-6800
Tel: 212-239-6000
Group: 646-238-6800
Minskoff Theatre, 200 West 42nd Street

THE OPEN HOUSE
TONIGHT 7:30
"THE MUSICAL"
Tel: 212-239-6000
Group: 646-238-6800
Tel: 212-239-6000
Group: 646-238-6800
Minskoff Theatre, 200 West 42nd Street

APPROPRIATE
TONIGHT 7:30
"THE MUSICAL"
Tel: 212-239-6000
Group: 646-238-6800
Tel: 212-239-6000
Group: 646-238-6800
Minskoff Theatre, 200 West 42nd Street

BILL W. and Dr. BOB
TONIGHT 7:30
"THE MUSICAL"
Tel: 212-239-6000
Group: 646-238-6800
Tel: 212-239-6000
Group: 646-238-6800
Minskoff Theatre, 200 West 42nd Street

BUYER & CELLAR
TONIGHT 7:30
"THE MUSICAL"
Tel: 212-239-6000
Group: 646-238-6800
Tel: 212-239-6000
Group: 646-238-6800
Minskoff Theatre, 200 West 42nd Street

NO MAN'S LAND
TONIGHT 7:30
"THE MUSICAL"
Tel: 212-239-6000
Group: 646-238-6800
Tel: 212-239-6000
Group: 646-238-6800
Minskoff Theatre, 200 West 42nd Street

FORBIDDEN BROADWAY
TONIGHT 7:30
"THE MUSICAL"
Tel: 212-239-6000
Group: 646-238-6800
Tel: 212-239-6000
Group: 646-238-6800
Minskoff Theatre, 200 West 42nd Street

ALIVE AND STILL KICKING!
TONIGHT 7:30
"THE MUSICAL"
Tel: 212-239-6000
Group: 646-238-6800
Tel: 212-239-6000
Group: 646-238-6800
Minskoff Theatre, 200 West 42nd Street

THE GREAT COMET
TONIGHT 7:30
"THE MUSICAL"
Tel: 212-239-6000
Group: 646-238-6800
Tel: 212-239-6000
Group: 646-238-6800
Minskoff Theatre, 200 West 42nd Street

THE HAPPY SONG PLAYS LAST
TONIGHT 7:30
"THE MUSICAL"
Tel: 212-239-6000
Group: 646-238-6800
Tel: 212-239-6000
Group: 646-238-6800
Minskoff Theatre, 200 West 42nd Street

THE HAPPY SONG PLAYS LAST
TONIGHT 7:30
"THE MUSICAL"
Tel: 212-239-6000
Group: 646-238-6800
Tel: 212-239-6000
Group: 646-238-6800
Minskoff Theatre, 200 West 42nd Street

KUNG FU
TONIGHT 7:30
"THE MUSICAL"
Tel: 212-239-6000
Group: 646-238-6800
Tel: 212-239-6000
Group: 646-238-6800
Minskoff Theatre, 200 West 42nd Street

LION KING
TONIGHT 7:30
"THE MUSICAL"
Tel: 212-239-6000
Group: 646-238-6800
Tel: 212-239-6000
Group: 646-238-6800
Minskoff Theatre, 200 West 42nd Street

THE LION KING
TONIGHT 7:30
"THE MUSICAL"
Tel: 212-239-6000
Group: 646-238-6800
Tel: 212-239-6000
Group: 646-238-6800
Minskoff Theatre, 200 West 42nd Street

PHANTOM OF THE OPERA
TONIGHT 7:30
"THE MUSICAL"
Tel: 212-239-6000
Group: 646-238-6800
Tel: 212-239-6000
Group: 646-238-6800
Minskoff Theatre, 200 West 42nd Street

LONDON WALL
TONIGHT 7:30
"THE MUSICAL"
Tel: 212-239-6000
Group: 646-238-6800
Tel: 212-239-6000
Group: 646-238-6800
Minskoff Theatre, 200 West 42nd Street

THE PHANTOM OF THE OPERA
TONIGHT 7:30
"THE MUSICAL"
Tel: 212-239-6000
Group: 646-238-6800
Tel: 212-239-6000
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Minskoff Theatre, 200 West 42nd Street

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Legal Notice

U.S. District Court for the Southern District of New York

Literary Works in Electronic Databases Copyright Litigation

To: Freelance authors of English language literary works

This is a summary notice of a revised class action settlement. Please read this notice. It may affect your legal rights.

What is this proposed settlement about?

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 newspapers and magazines, in publishing the works with the authors' permission, then sold them to the electronic databases without the authors' permission. The current settlement is a revision of a previous proposed settlement that was reached in 2005.

The settlement applies to English language literary works that were reproduced on a commercial electronic database without the authors' permission. Works may be eligible even if not registered with the U.S. Copyright Office, and even if they were originally published outside the U.S. Excluded are works for hire and works for which the author granted electronic rights to the original publisher.

Freelance authors were notified of the previous settlement, and the deadline for submitting compensation claims under that settlement was September 30, 2005. Additional details about eligible works and your options are contained in the full Notice of Revised Class Action Settlement, available at www.copyrightclassaction.com.

What do I need to do?

Class members have three options: (i) do nothing; (ii) exclude yourself from the settlement; (iii) object to the settlement.

To remain a class member, you do not need to do anything. To be eligible for a settlement payment, you must have already submitted a timely, valid claim under the previous settlement in 2005. If you did so, then you need to do nothing further to participate in the settlement. (You will eventually hear from the Claims Administrator about the validity of your claim.)

You may still exclude yourself from the settlement. You must (1) mail a written request for exclusion, postmarked by May 9, 2014, *Electronic Databases Copyright Litigation, EXCLUSION REQUEST*, to CGO, P.O. Box 10033, Dublin, OH 43017-0633, or (2) submit an exclusion request online at www.copyrightclassaction.com by that date.

To object to the settlement, you must file a written objection by May 9, 2014.

Further information on each option is available at www.copyrightclassaction.com.

Final Fairness Hearing

A hearing on the proposed settlement will be held June 10, 2014 at 10:00 a.m. by U.S. District Judge George B. Daniels, 500 U.S. District Court, 500 Pearl Street, New York, NY 10007, to determine whether the settlement should be approved. Class members or their counsel may appear in Court.

I have new contact information, whom should I contact?

If you have changed your mailing or e-mail address since the original settlement in 2005, you should notify the Claims Administrator, whose contact information is in the full Notice of Revised Class Action Settlement. If the Claims Administrator does not have your correct contact information, you may not receive your settlement payment (assuming you already submitted a valid claim in 2005) or notice of important developments in this class action.

Please do not contact the Court.

Dated: January 23, 2014

By Order of the Court
The Honorable George B. Daniels

www.copyrightclassaction.com

Exhibit C

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Continued from page 30

11.40, 2.10, 4.40, 7.15, 9.45, 12.15.
Non-Stop (PG-13) 1.40, 4.10, 6.45, 9.15, 11.45.
Son of God (PG-13) 12.30, 3.45, 7, 10.15.
Stalingrad: An IMAX 3D Experience (R) 12.20, 3.30, 6.30, 9.30, 12.30.
3 Days to Kill (PG-13) 1.35, 4.20, 7.10, 9.55, 12.35.
Pompeii (PG-13) 11.55, 2.35, 5.10, 7.40.
Pompeii 3D (PG-13) 10.10, 12.40.
About Last Night (R) 4.55, 7.25, 10, 12.25.
RoboCop (PG-13) 7, 9.50, 12.35.
The Lego Movie in 3D (PG) 11.35, 2, 4.30, 7.05, 9.35, 12.
The Lego Movie (PG) 12.05, 2.30, 5, 7.35, 10.05, 12.30.
The Monuments Men (PG-13) 11.30, 2.10, 6.55, 9.40, 12.20.
Ride Along (PG-13) 9.40, 12.05.
The Wolf of Wall Street (R) 11.55, 3.55, 7.45, 11.30.
American Hustle (R) 1, 4.10, 7.15, 10.15.
Frozen (PG) 11.30, 1.50.
Philomena (PG-13) 4.45, 7.20.
Tillie's BIG Camping Adventure (NR) 10.
YONKERS ALAMO DRAFTHOUSE CINEMA — 2548 Central Park Ave. (914) 226-3082
Non-Stop (PG-13) 1.45, 4.30, 8, 10.45.
Non-Stop (PG-13) 1.45, 4.30, 8, 10.45.
3 Days to Kill (PG-13) 12, 3.15, 6.15, 9.15.
RoboCop (PG-13) 12, 3.15, 6.15, 9.15.
The Lego Movie (PG) 11, 2.25, 5.05, 7.45, 10.15.
American Hustle (R) 6, 9.30.
The Wind Rises (Kazetachinu) (PG-13) 3.25, 6.30, 9.35.
The Wind Rises (Kazetachinu) (PG-13) 12.15, 3.25, 6.30, 9.35.
The Wind Rises (Kazetachinu) (PG-13) 12.15.
Pop Goes The Culture Award & Variety Show 2.40, 5.
CROSS COUNTY MULTIPLEX CINEMAS — 2 South Drive, (800-315-4000)
Non-Stop (PG-13) 11.50, 2.15, 4.45, 7.15, 9.45, 12.15.
Non-Stop (PG-13) 12.15, 2.45, 5.15, 7.45, 10.15, 12.40.
Son of God (PG-13) 12,

3.15, 6.35, 9.35, 12.30.
3 Days to Kill (PG-13) 1.10, 4, 6.50, 9.30, 12.10.
Pompeii (PG-13) 12.25, 2.50, 5.15, 7.40.
Pompeii 3D (PG-13) 10.20, 12.50.
About Last Night (R) 12.45, 3.10, 5.30, 7.55, 10.15, 12.40.
RoboCop (PG-13) 12.40, 3.30, 6.30, 9.20, 12.
The Lego Movie in 3D (PG) 11.55, 2.25, 4.50, 7.15, 9.40, 12.05.
The Lego Movie (PG) 12.30, 2.55, 5.20, 7.45, 10.10, 12.35.
Ride Along (PG-13) 12.10, 2.45, 5.10, 7.35, 10.10, 12.40.
SHOWCASE CINEMA DE LUX RIDGE HILL — 29 Fitzgerald St., (800-315-4000)
Non-Stop (PG-13) 11.45, 2.15, 4.15, 4.45, 6.50, 7.20, 9.20, 9.50, 11.50, 12.20.
Son of God (PG-13) 12, 3.15, 6.35, 9.35, 12.30.
3 Days to Kill (PG-13) 1.30, 4.20, 7.10, 10, 12.40.
Pompeii (PG-13) 11.30, 1.55, 4.20, 6.55.
Pompeii 3D (PG-13) 9.30, 12.15.
About Last Night (R) 12.05, 2.30, 4.55, 7.25, 10.05, 12.25.
RoboCop (PG-13) 1, 3.50, 6.45, 9.25, 12.10.
The Lego Movie in 3D (PG) 11.55, 2.25, 4.50, 7.15, 9.45, 12.05.
The Lego Movie (PG) 12.30, 2.55, 5.20, 7.45, 10.10, 12.35.
The Monuments Men (PG-13) 12.55, 3.40, 6.40, 9.15, 11.55.
The Nut Job (PG) 11.50, 2.05.
Ride Along (PG-13) 11.35, 2, 4.30, 7.05, 9.40, 12.
Frozen (PG) 11.30, 1.50, 4.10, 6.30.
Philomena (PG-13) 9.10, 11.40, 12.10.
Tillie's BIG Camping Adventure (NR) 10.

ROCKLAND

NEW CITY BOW TIE CINEMA — 202 S. Main St., (845-634-5100)
Omar (NR) 2.20, 4.45, 7.20, 9.45.
Gloria (R) 11.30, 2.05, 4.40, 7.15, 9.50.
August: Osage County (R) 12.20, 3.20, 6.40, 9.40.
Tim's Vermeer (PG-13) 12.10, 2.15, 4.30, 7, 9.10.
Philomena (PG-13) 12, 2.30, 5, 7.30, 10.
The Wind Rises (Kazetachinu) (PG-13) 11.45, 2.40, 6.30, 9.25.
On the Waterfront

(1954) (NR) 11.
SUFFERN LAYFETTE THEATRE — Route 69, (845-547-2121)
Frozen Sing Along (PG) 2, 4, 30, 7.
WEST NYACK IMAX THEATRE PALISADES CENTER — Exit 12 NY Thruway, (845-358-IMAX)
Gravity: An IMAX 3D Experience (PG-13) 10.05, 12.25, 2.45, 5.05, 7.30, 9.50, 12.15.
AMC LOEWS PALISADES CENTER — 4403 Palisades Center Drive, (800-326-3264 #787)
Anchorman 2: Supersized (R) 10, 1.10, 4.20, 7.30, 10.45, 12.20.
Non-Stop (PG-13) 10.05, 11, 12.40, 1.45, 3.20, 4.30, 6, 7.20, 8.20, 9.25, 10.10, 11, 12.
Shaadi Ke Side Effects (NR) 10, 3.35, 9.20.
Son of God (PG-13) 11.05, 12.30, 2.10, 3.50, 5.20, 6.20, 7.10, 8.30, 10.15, 11.35.
Son of God (PG-13) 12.30, 30, 12.15.
3 Days to Kill (PG-13) 10.20, 1.20, 4.10, 7, 9.45, 12.25.
Pompeii (PG-13) 1.50, 7.20.
Pompeii 3D (PG-13) 11, 4.25, 10.05.
About Last Night (R) 11.40, 2.15, 5, 7.35, 10.20, 12.10.
Endless Love (PG-13) 12.50, 11.10.
Winter's Tale (PG-13) 9.30.
RoboCop (PG-13) 11.20, 2.10, 9.10, 8, 10.45.
The Lego Movie in 3D (PG) 11.30, 2.05, 4.45, 7.25.
The Lego Movie (PG) 10.05, 12.35, 1.05, 3.10, 5.45, 6.40, 8.35, 9.35.
The Monuments Men (PG-13) 10.50, 1.35, 4.50, 7.45, 10.40.
That Awkward Moment (R) 10, 12.20.
The Nut Job (PG) 11.55, 2.20.
Ride Along (PG-13) 10.25, 1.05, 3.40, 6.15, 8.45, 11.20.
The Wolf of Wall Street (R) 10.35, 2.25, 6.30, 10.15.
American Hustle (R) 11.05, 2.10, 5.25, 8.30.
Frozen (PG) 11, 1.40, 4.15, 7.
Philomena (PG-13) 4.35, 7.05.
The Wind Rises (Kazetachinu) (PG-13) 10.30, 1.35, 4.40, 7.45, 10.50, 12.30.
A Slave (R) 9.50, 3.20.
Gravity: An IMAX 3D Experience (PG-13) 10.05, 12.25, 2.45, 5.05, 7.30, 9.50, 12.15.
2014 Best Picture Showcase 12.

Legal Notice

U.S. District Court for the Southern District of New York

Literary Works in Electronic Databases Copyright Litigation

To: Freelance authors of English language literary works

This is a summary notice of a revised class action settlement. Please read this notice. It may affect your legal rights.

What is this proposed settlement about?

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 newspapers and magazines, after publishing the works with the authors' permission, then sold them to the electronic databases without the authors' permission. The current settlement is a revision of a previous proposed settlement that was reached in 2005.

The settlement applies to English language literary works that were reproduced on a commercial electronic database without the authors' permission. Works may still be eligible even if not registered with the U.S. Copyright Office, and even if they were originally published outside the U.S. Excluded are works for hire and works for which the author granted electronic rights to the original publisher.

Freelance authors were notified of the previous settlement, and the deadline for submitting compensation claims under that settlement was September 30, 2005. Additional details about eligible works and your options are contained in the full Notice of Revised Class Action Settlement, available at www.copyrightclassaction.com.

What do I need to do?

Class members have three options: (i) do nothing; (ii) exclude yourself from the settlement; (iii) object to the settlement.

To remain a class member, you do not need to do anything. To be eligible for a settlement payment, you must have already submitted a timely, valid claim under the previous settlement in 2005. If you did so, then you need to do nothing further to participate in the settlement. (You will eventually hear from the Claims Administrator about the validity of your claim.)

You may still exclude yourself from the settlement. You must (1) mail a written request for exclusion, postmarked by May 9, 2014, *Electronic Databases Copyright Litigation*, EXCLUSION REQUEST, c/o GCG, PO Box 10033, Dublin, OH 43017-6633, or (2) submit an exclusion request online at www.copyrightclassaction.com by that date.

To object to the settlement, you must file a written objection by May 9, 2014.

Further information on each option is available at www.copyrightclassaction.com.

Final Fairness Hearing

A hearing on the proposed settlement will be held June 10, 2014 at 10:00 a.m. by U.S. District Judge George B. Daniels, U.S. District Court, 500 Pearl Street, New York, NY 10007, to determine whether the settlement should be approved. Class members or their counsel may appear in Court.

I have new contact information, whom should I contact?

If you have changed your mailing or e-mail address since the original settlement in 2005, you should notify the Claims Administrator, whose contact information is in the full Notice of Revised Class Action Settlement. If the Claims Administrator does not have your correct contact information, you may not receive your settlement payment (assuming you already submitted a valid claim in 2005) or notice of important developments in this class action.

Please do not contact the Court.

Dated: January 22, 2014

By Order of the Court
 The Honorable George B. Daniels

www.copyrightclassaction.com

DODGERS FYI

Wright is a bit more relaxed

By DYLAN HERNANDEZ

PHOENIX — In each of the last eight years, Jamey Wright reported to spring training on a minor league contract. All eight times, he made a major league opening-day roster.

Now, at 39, Wright has broken the cycle. The right-handed reliever has a guaranteed contract with the Dodgers.

"Christmas miracle," Wright said. "Supply and demand, I guess."

The last time Wright was in camp with the Dodgers, in 2012, he had no guarantees he would make the team. He faced the possibility of having to decide whether to pitch in the minor leagues or re-enter the free-agent market.

The absence of that uncertainty made for a more pleasant off-season. Wright, who had 3.06 earned-run average in 66 appearances with the Tampa Bay Rays last year, landed a one-year, \$1.8-million deal with the Dodgers.

The security made Wright feel as if he was a better father to his three children. Unlike previous off-seasons, his mind wouldn't wander as much when he was in their company.

"That stress wasn't there," he said. When Wright wasn't spending time with his children, he was often throwing with Clayton Kershaw, who also makes his off-season home in the Dallas area.

"We live less than a mile apart," Wright said. Wright has pitched for 10 teams over 18 major league seasons, with one of the benefits being that he has played with several of the relievers with whom he will share the bullpen.

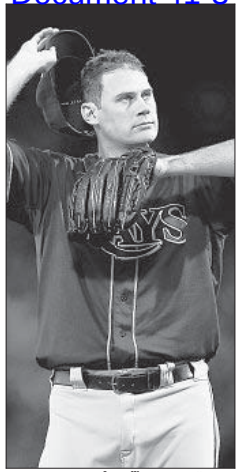
Wright pitched with Brian Wilson in San Francisco, Brandon League in Seattle and Chris Perez in Cleveland.

First intrasquad game
In a four-inning intrasquad game Sunday, Yasiel Puig looked a lot like the player he was last season.

Puig stretched a first-inning single against Matt Magill into a double. Later in the inning, he scored from second base when Hanley Ramirez made an error on a grounder by Scott Van Slyke.

Puig's Team Koufax lost, 3-1, as Dee Gordon and Ramirez hit home runs for Team Willa.

Gordon, who said he gained 13 pounds over the off-season, led off the game with a



JAMEY WRIGHT/Associated Press

DODGERS RELIEVER Jamey Wright is in camp with a guaranteed contract for the first time in several years.

home run against Hyun-Jin Ryu. Juan Uribe followed with a double, which set up a two-run home run by Ramirez.

Ryu pitched two innings. As he walked off the field, Uribe playfully said to him, "I'm sorry. I still love you," Ryu smiled.

Stir Down Under
Organizers of the season-opening series in Australia between the Dodgers and Arizona Diamondbacks are upset with Zack Greinke, according to the Sydney Morning Herald.

"I would say there's absolutely zero excitement for it," Greinke told ESPN. Greinke isn't alone. Other Dodgers have said privately they would prefer not to start their season overseas.

Looking ahead
The Dodgers have four players in Baseball America's list of top 100 prospects: outfielder Joe Pederson (No. 34), shortstop Corey Seager (No. 37), left-hander Julio Urias (No. 51) and right-hander Zach Lee (No. 95).

Pederson and Lee are in the Dodgers' major league camp. Urias, 17, is the youngest player on the list.

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Jepsen is trying a new angle

By MIKE DIGIOVANNA

TEMPE, Ariz. — No one in camp is comparing Kevin Jepsen to sidearm-throwing Joe Smith, but there is a noticeable difference in the delivery of the Angels reliever, who has gone from a straight-over-the-top motion to a three-quarter-arm slot.

"This off-season I thought, 'As a kid, you pick up a rock and throw it, you're going to throw your natural way' and my natural way is down here," Jepsen said, mimicking his new motion.

"Since I had shoulder surgery in 2004, I've been trying to find something that didn't hurt. I was always fighting my mechanics, trying different things. This feels right."

Jepsen, who was 1-3 with a 4.50 earned-run average in 45 games last season, has retained the velocity of his 96-mph fastball but said that "maybe I'll throw it where I want to and keep the ball down."

Instead of relying on a cut-fastball that too often broke side to side instead of down, Jepsen will feature a curveball and changeup as secondary pitches.

"My curve is filthy right now, and I started throwing a changeup, so watch out for that," Jepsen said. "I feel very confident with where I'm at. I think the changeup will be huge, especially against left-handers."

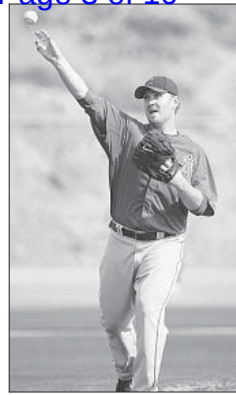
Jepsen has held right-handers to a 2.49 average, .312 on-base percentage and .319 slugging percentage in five seasons, but left-handers have a .298/.378/.410 slash line against him.

"He definitely looks different, you can tell," catcher Chris Iannetta said. "He's been very consistent with his delivery. He's had a hard time in the past throwing his curve for strikes, but it looks like he can command it a lot better."

Troust contract in the works?
Neither General Manager Jerry Dipoto nor agent Craig Landis would comment on a Yahoo Sports report that the Angels and Mike Trout are discussing a six-year contract extension that would pay the star center fielder about \$150 million.

Trout found the speculation amusing. "I have no comment, but I like how a lot of people are writing it," Trout, 22, said. "It's pretty funny."

Such a deal would make sense for Trout, who finished second in American League



KEVIN JEPSEN/Associated Press

ANGELS RELIEVER Kevin Jepsen is changing his throwing motion to a three-quarter-arm slot.

most-valuable-player voting the last two seasons and is still four years away from free agency. It would secure him financially for life and allow him to become a free agent in his prime at 28.

But it would not make as much sense for the Angels, who are believed to be pushing for a deal of seven years or more. Any extension would likely include a huge signing bonus and begin in 2015, but it would not be announced until after the start of the regular season.

That would allow the Angels, who are bumping up against the \$189-million luxury-tax threshold, to push Trout's contract for luxury-tax purposes to 2015.

Trout had a .326/.399/.564 slash line with 30 home runs, 83 runs batted in, 129 runs and 49 stolen bases in 2012. He had a .323/.432/.557 slash line with 27 home runs, 97 RBIs, 109 runs and 35 stolen bases in 2013.

Short hops
An Angels contingent led by Manager Mike Scioscia and Dipoto will join several Cactus League teams Monday in Scottsdale, Ariz., for a meeting with Major League Baseball officials regarding new instant-replay procedures. ... Left-handed reliever Sean Burnett, who underwent surgery for an elbow tear last August, has stretched his long-toss program to 120 feet and hopes to begin throwing off a mound the first week of March.

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DAYTONA 500 NOTES

It's not in the cards for Stewart in his return race

By JIM PELTZ

DAYTONA BEACH, Fla. — Tony Stewart's attempt to win his first Daytona 500 fell short Sunday as the three-time NASCAR champion drove his first race since suffering a broken right leg last August.

After starting 21st, Stewart's No. 14 Chevrolet developed a mechanical problem near the halfway point of the race that forced him to the garage. He returned after repairs but finished 35th and more than 20 laps behind the leaders.

Stewart also co-owns his

team, Stewart-Haas Racing, and another of his drivers, Danica Patrick, finished 40th after being collected in a multi-car crash on Lap 146.

"I felt like everything was going pretty well, so it's just upsetting," Patrick said. "It was unfortunate that I was on the short end of the accident."

Truex's short day
What started as a promising Daytona 500 for Martin Truex Jr.

Truex, the new driver for the one-car team Furniture Row Racing, posted the second-fastest qualifying speed

behind pole-sitter Austin Dillon. But a crash in another qualifying race forced Truex to drive a backup car Sunday and, under NASCAR rules, that meant he had to start at the back.

Then, on Lap 31, the engine blew up on Truex's No. 78 Chevrolet because of a broken oil-pump belt. "It's definitely a tough break for the team," Truex said. "The car was super fast today."

Replay confusion
During Sunday's rain delay, Fox re-aired the 2013 Daytona 500 won by Jimmie

Johnson. Trouble is, a lot of fans didn't realize they were watching a year-old race.

Twitter was filled with people commenting about last year's race, and Johnson's victory, as though it had just happened.

Johnson himself later tweeted: "I hear I won the #Daytona500! Haha! I also have friends congratulating me."

Fellow driver Clint Bowyer, tongue clearly in his cheek, also retweeted this tweet: "Congrats to @JimmieJohnson."

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JOHN RAOUX/Associated Press

SMOKE BILLOWS as the engine blows in Martin Truex Jr.'s car, which he said had been "super fast."

Earnhardt drives to victory

[Daytona, from C1] 500 a decade ago. But this victory carried more weight by giving the Hendrick Motorsports driver an early boost in his effort to earn his first Cup title.

Under new NASCAR rules that place a greater emphasis on winning races than collecting points, his win virtually ensured that Earnhardt would earn a berth in the 16-driver Chase for the Cup championship playoff in the fall.

"We pretty much might be in the Chase," said Earnhardt, 39, who has 20 Cup victories. "Trust me, we're going to have a blast this year."

Famlin finished second, Keselowski was third and two of Earnhardt's teammates, Jeff Gordon and Jimmie Johnson, finished fourth and fifth, respectively. Johnson, the reigning Cup champion, also was the defending race winner.

It was Earnhardt's first Cup win since mid-2012, when he won at Michigan, a 55-race streak without a victory. He had finished second in three of the previous four Daytona 500s.

Earnhardt "was due and today was his day," Keselowski said. "I am happy for him."



CHUCK BURTON/Associated Press

PUTTING AN end to a long winless streak, Dale Earnhardt Jr. celebrates Daytona 500 victory.

two-by-two pack at the nearly 200 mph and with the first 16 laps later when Dillon, who had returned to the race, touched the Chevrolet of Kyle Larson, a wreck that also collected Kasey Kahne, Brian Vickers and Marcos Ambrose.

Dillon, 23, finished ninth driving a Chevy for his grandfather's team, Richard Childers Racing, that carried the No. 3 made famous by Earnhardt's father, a seven-time Cup champion.

The elder Earnhardt won his only Daytona 500 in 1998 and was killed three years later in a crash on the last lap of the Daytona 500.

Earnhardt's win Sunday also put to rest concerns about his season that were raised when his crew chief, Steve Letarte, announced plans to be a NASCAR television analyst after this year.

Letarte "put an amazing team around me," Earnhardt said. "I got one last year with this guy and we're going to make it something special."

other major accidents earlier in the race.

With 54 laps left, a dozen cars were damaged as the field came out of Turn 4 of the high-banked, 2.5-mile speedway.

The drivers involved included pole-sitter Austin Dillon, Danica Patrick, Michael Waltrip, Eric Almirora and David Gilliland, among others.

There was another pileup 16 laps later when Dillon, who had returned to the race, touched the Chevrolet of Kyle Larson, a wreck that also collected Kasey Kahne, Brian Vickers and Marcos Ambrose.

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Legal Notice

U.S. District Court for the Southern District of New York

Literary Works in Electronic Databases Copyright Litigation

To: Freelance authors of English language literary works

This is a summary notice of a revised class action settlement. Please read this notice. It may affect your legal rights.

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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 newspapers and magazines, after publishing the works with the authors' permission, then sold them to the electronic databases without the authors' permission. The current settlement is a revision of a previous proposed settlement that was reached in 2005.

The settlement applies to English language literary works that were reproduced on a commercial electronic database without the authors' permission. Works may still be eligible even if not registered with the U.S. Copyright Office, and even if they were originally published outside the U.S. Excluded are works for hire and works for which the author granted electronic rights to the original publisher.

Freelance authors were notified of the previous settlement, and the deadline for submitting compensation claims under that settlement was September 30, 2005. Additional details about eligible works and your options are contained in the full Notice of Revised Class Action Settlement, available at www.copyrightclassaction.com.

What do I need to do?

Class members have three options: (i) do nothing; (ii) exclude yourself from the settlement; (iii) object to the settlement.

To remain a class member, you do not need to do anything. To be eligible for a settlement payment, you must have already submitted a timely, valid claim under the previous settlement in 2005. If you did so, then you need to do nothing further to participate in the settlement. (You will eventually hear from the Claims Administrator about the validity of your claim.)

You may still exclude yourself from the settlement. You must (1) mail a written request for exclusion, postmarked by May 9, 2014, to: Database Copyright Litigation, EXCLUSION REQUEST, c/o CCG, PO Box 10033, Dublin, OH 43017-6633; (2) submit an exclusion request online at www.copyrightclassaction.com; by that date.

To object to the settlement, you must file a written objection by May 9, 2014.

Further information on each option is available at www.copyrightclassaction.com.

Final Fairness Hearing

A hearing on the proposed settlement will be held June 10, 2014 at 10:00 a.m. by U.S. District Judge George B. Daniels, U.S. District Court, 500 Pearl Street, New York, NY 10007, to determine whether the settlement should be approved. Class members or their counsel may appear in Court.

I have new contact information, whom should I contact?

If you have changed your mailing or e-mail address since the original settlement in 2005, you should notify the Claims Administrator, whose contact information is in the full Notice of Revised Class Action Settlement. If the Claims Administrator does not have your correct contact information, you may not receive your settlement payment (assuming you already submitted a valid claim in 2005) or notice of important developments in this class action.

Please do not contact the Court.

Dated: January 22, 2014

By Order of the Court
The Honorable George B. Daniels

www.copyrightclassaction.com

Celebrities



Kevin Hart accepts the starburst of the star award during Saturday's 45th NAACP Image Awards.

'12 Years,' Hart win at NAACP Awards

"12 Years a Slave" director Steve McQueen's harrowing depiction of slavery in America, with top motion picture honors Saturday at the 45th NAACP Image Awards in Pasadena, Calif.

Lupita Nyong'o won in the supporting actress category for her role in "12 Years," and in a separate ceremony Friday evening, McQueen won the Image Award for director and John Ridley for the film's screenplay.

By beating "Les Danzels the Butler" and "Fruitvale Station" among others in the motion picture category, "12 Years a Slave" leads into Sunday's Academy Awards with yet more honors. It also won the Golden Globe for motion picture drama, the top BAFTA prize and tied with "Gravity" for the Producers Guild of America Award. It is nominated for nine Oscars.

One Image Awards category that "12 Years" didn't win was for actor in a motion picture. Forest Whitaker took home the prize for his work in "Les Danzels the Butler," and he also received the NAACP's Chairman's Award for his humanitarian work.

Whitaker's "Butler" co-star David Oyedepo picked up the prize for supporting actor, and Angela Bassett won the actress prize for "Black Nativity."

Catfish Kevin Hart was named emcee of the year Saturday evening, the night before the Image Awards named Hart outstanding actor in a comedy series for "Real Husbands of Hollywood," a BET series that also won for outstanding comedy series.

"Scandal" won the top prize for dramatic series, and its star, Kerry Washington, won lead actress.

Among the other winners named in 41 categories that also covered music and literature: "Being Mary Jane" for TV movie, miniseries or dramatic special; Gabrielle Union of "Being Mary Jane" for lead actress in a TV movie, miniseries or dramatic special; and Idris Elba of "Luther" for lead actor in a TV movie, miniseries or dramatic special.

The 45th Image Awards were voted by members of the NAACP, the oldest and largest civil rights organization in the U.S.

— Tribune News Service

Box office

- The Lego Movie**
\$115.5 million
- Three Days to Kill**
\$12.3
- Pitch Perfect**
\$10
- Boys n the CooP**
\$9.4
- Monuments Men**
\$8.1
- About a Boy**
\$7.4
- Rita Hey**
\$6.7
- Graves**
\$6.4
- Endless Love**
\$4.3
- Writer's Tale**
\$2.1

SOURCE: NIELSEN EDI, INC. FOR WEEK ENDING FEB. 23-25, 2014.

Not neighborly: A home owner in Atlanta's back-beat neighborhood where Justin Bieber is considering buying a mansion isn't interested in buying the pop star live nearby, CNN reports. That Harold White has organized a protest for 6 a.m. Monday in front of the home Bieber is interested in buying.

Sitting this one out: Brandy Chavet isn't returning for the 8th season of ABC's "Dancing With the Stars." The co-host was injured and had been fired Friday.

— News services contributed.

With Netflix, binge-watching not so much a gift as a race

By MIRIAM KRUEGER



Kevin Spacey and Robin Wright in "House of Cards." The show's second season has been released.

It's been four days, more than 80 hours, and I still haven't finished Season 2 of "House of Cards."

I've gotten past the big Episode 1 spoiler. And I've made it through a few more predictably "shocking" chapters. But I haven't finished. And it's not because I think binge-watching is bad. I don't buy any of those arguments. I've binge-watched many shows in the past year alone. "Six Feet Under" completed in a month last summer. I devoured all three seasons of "Borgen" in the final week of 2013, and I rewatched every minute. I started watching TV in earnest in college, if a show ran before 2000, chances are I binge-watched it while putting off a paper on Kant or possibly by an assignment for Sisyphus.

So why a binge? Binge watching during final freshman year, then again in anticipation of the film. But Netflix has tarnished binge-watching's good name. Much has been written about the joy of binge-watching. Alan's TV critic, Willa Roman, described it as "this classy way of watching so much TV, the re-branding of a previously disdained activity that makes the sedentary life palatable to those people — say, New York house of books readers — who would once have forewarned it." Less than 24 hours before Season 2 of "House of Cards," Alex Soper of Slate wrote scolding Sam Pang, who practices, calling it "reductive," and highlighting how "it's a way for people to reclaim their time and attention in a rapidly demarcating world." He goes on to explain that for many, it's a reward.

'Cards' on table

The production company behind Netflix's political thriller "House of Cards" starring Kevin Spacey is threatening to move filming from Maryland unless lawmakers provide enough tax breaks. "We remain hopeful that we can reach a positive resolution," said spokesman for Greg Martin O'Malley.

— Reuters

bing "Bambino! Galactic" before going to a party, only to get stuck in a deep they abandon all entry, calling in sick for electricity, changing "best one, best one." This sort of behavior is crazy, but it's a fun, personal sort of crazy. No one's at that other "Portland" sketch, in which friends sit down for coffee, but instead of disconcerting but they're road, they try to one-up each other by asking if the other has read as much as they have, until they've literally eating the pages of a magazine. The Netflix push to "watch it now" makes TV feel like a race, one that I have no interest in joining.

Lyric brings splendor to fairy tale

Resatta, from Page 1

touchstone roles of her career. Lyric's just-named "community ambassador" (along with co-star Eric Owens) indelicately embodies the longing and desperation of the water nymph whose desire is to leave and whose passionate love for a fish prince spells tragedy for both. You rarely cannot take your eyes off her, even during the long stretches when she's not singing a note.

Lyric has streamlined its

leading lady with a superb cast, including orchestra and chorus. Music director Andrew Davis' deep understanding of the Slovak idiom produces a lush and evocative reading of the work's lush and desperate score. Even with discreet cuts, the show lasts just more than 2 1/2 hours, including two intermissions, but everything flows so gracefully that it doesn't feel a minute too long.

McVicar has infused his production with the supernatural mysteries and dark

charm of Czech folklore. In a world in which pristine nature is progressively despoiled by humankind. This environmental decay runs parallel to the despoiling of the world of the accursed Rusalka and her lovers, compellingly sung and acted by tenor Brandon Jovanovich.

Designer John Macfarlane's sets for the first and third acts depict a dense stand of trees out of a German Romantic landscape painting, with a monk-

side by what appears to be a modern water conservation plant. The glided walks of the unnamed prince Neuschwanstein-like palace in Act 2 are lined with deer head trophies, further signs of environmental abuse. Billows of smoke and fog, and shafts of moonlight (David Finn as the lighting designer), further contrast the natural and man-made worlds.

So strong is the romantic chemistry between Martinez-Rusalka and Jovanovich's sunnied prince that we can't deeply about their fate. In an ending that recalls the "Liebesold" of Wagner's "Triton und Isolda," the heroine bestows a final kiss on her lover, but she hesitates and she never all into the natural realm, now a will-o'-the-wisp. Has there ever been a sadder study in human frailty in opera?



ANDRÉS MARTINEZ, left, as he talks and Jill Grove as Jezibaba during a dress rehearsal of the Slovak masterpiece.

During the orchestral prelude we see the prince falling from a drug-induced stupor out of which the naiad's forest realm arises. Biting the waters is Rusalka's bath, the water nymph who (Soper writes), who's made up to resemble a provincial Bohemian burghermeister. Biting the countryside is the comely nature Jezibaba (the soprano Jill Grove) who sings and plays the witch as a campy combination of Verdi's Amosca in "Il Trovatore," the earth-goddess Erda in Wagner's "Ring," and the witch in "Hansel and Gretel."

You might think a heroine who's required by the libretto to remain mute through most of the second act would be a problem for poetry, but you would not be reckoning with the vocal and dramatic artistry of Martinez. The Puerto Rican soprano effortlessly sings Rusalka's agonized pleas to her sister as she floats the famous "Song to the Moon," bringing soaring belting pathos and poignancy to the water nymph who curses the curse placed on her and the man she desires can be

vanquished by the power of love. Martinez turns a fairy tale into the diary of a woman's soul.

As both heroine and stepmother, Grove's singing is both and lyricism that make us believe a character who callously renounces the love of his life only to embrace death as redemption.

Grove's cackling malevolence as Jezibaba is supported by a finely honed tone from top to bottom of an impressively wide range. Grove's secret heart has to be exactly what is needed to breathe life into Vodka, whose enigmatic, whose enigmatic, who would inspire, who would inspire.

In her lush debut, as the naughty foreign princess, the impressive Russian mezzo-soprano Ekaterina Chukanova unfolds as a full, rich, and dramatic soprano requirements of this brief but telling role.

Ryan Opera Center freshman, shows exciting promise as the hunter.

Andrew George created choreography that is inventively integrated into the drama and beautifully danced.

The multi-layered warmth yet clarity of texture with which the orchestra supports the singing finds its complement in the dependably sturdy singing of the Lyric Chorus as prepared by chorus master Michael Black.

Lyric's "Rusalka" is what opera at the highest level is all about. If the company had a stray million dollars kicking around, it could second "Rusalka" for commercial purposes, and opera lovers worldwide would be greatly in its debt. As it is, there are only six performances, and no other company has brought this production to the Bay Area of these performances remain.

Lyric Opera of Chicago's Mark Minkley chose comedy what as the grand opera through March 15 at the C&E Opera House, 20 N. Wacker Drive, 847-4244; 212-334-2264, lyricoper.org.

jacob@lyricoper.com
Twitter @lyricopera

Legal Notice
U.S. District Court for the Southern District of New York

Literary Works in Electronic Databases Copyright Litigation

Re: Freedom authors of English language literary works

This is a summary notice of a proposed class action settlement. Please read the notice. It may affect your legal rights.

What is this proposed settlement about?

A settlement has been reached in a class action lawsuit alleging that commercial electronic database and newspaper and magazine publishers used the copyrighted works of authors without their permission, after publishing the works with the authors' permission, then added them to the electronic database without the authors' permission. The named defendants in a previous proposed settlement that was rejected in 2002.

The settlement applies to English language literary works that were reproduced on a commercial electronic database without the authors' permission. Plaintiff will be eligible only if you registered with the U.S. Copyright Office, and most if they were originally published for sale in the U.S. Electronic databases for sale and works for which the author is granted electronic rights to the original publisher.

Previous authors were notified of the previous settlement, and the deadline for submitting composition claims under that settlement was September 26, 2008. Will you be notified about eligible works and your options are contained in the full Notice of Proposed Class Action Settlement, available at www.copyrightclassaction.com.

What do you need to do?

Class members have two options: (1) do nothing, (2) include yourself from the settlement, (3) object to the settlement.

To exercise a class member, you do not need to do anything. To be eligible for a settlement payment, you must have already obtained a timely, valid claim under the previous settlement in 2008. If you did so, then you need to do nothing further to participate in this settlement. If you did not, you may file a claim with the U.S. Copyright Office.

To exercise your right to object from the settlement, you must file a written objection to the U.S. Copyright Office by May 1, 2014. Electronic Databases Copyright Litigation, EDCUJSDNY 08-0272 (S.D.N.Y. 08-2003, D.D. in 10023, Docket # 08-0272-0003, 02/20/09) or by letter to the court at www.copyrightclassaction.com by the deadline.

To object to the settlement, you must file a written objection by May 1, 2014.

Further information on each option is available at www.copyrightclassaction.com.

Final Settlement Hearing

A hearing on the proposed settlement will be held on June 30, 2014 at 10:00 a.m. by U.S. District Judge George F. Daniels, U.S. District Court, 200 Pearl Street, New York, NY 10037. To determine whether the settlement should be approved, Class members are free to contact their attorneys.

I have more contact information, where should I contact?

If you have questions or need further information, please contact the settlement administrator at 2014, you should contact the Class Administrator, whose contact information is at the full Notice of Proposed Class Action Settlement. If the Class Administrator does not have your correct contact information, you may contact your attorney's contact information (if you have already obtained a valid claim in 2008) or contact the settlement administrator at the above link.

Please do not contact the Court.

Dated: January 23, 2014

By Order of the Court
The Honorable George F. Daniels

www.copyrightclassaction.com

REGION

Architect left his mark on DART

Some people get lost in the shuffle of history. But two Dallas men are stumping during Black History Month to highlight a Dallas-born architect who they say should be remembered for leaving his mark on the network of DART transit centers.

The late Stanley Willie Jackson Jr., son of an early Dallas contractor, was a graduate of Madison High School in Dallas and the University of Texas, where he earned an architecture degree before he returned to Dallas to ply his trade.

Through his firm, SWJ Architects Inc., Jackson designed and constructed a number of buildings including public schools, commercial offices, churches, banks, libraries and mortuaries in Texas and Colorado. In Dallas, these structures include Daniel "Chappie" James



NORMA ADAMS-WADE
Norma_Adams_Wade@jshannon.com

Learning Center, A Maceo Smith High School, the Dallas Black Chamber of Commerce and Bank One banking centers; and in Houston, the Texas Southern University Library.

Jackson died in 2003 at age 59.

Fellow architect Clyde Porter and a historical preservationist, the Rev. Ray Barnett, have been lining up groups to hear their discussion about Jackson, which they feel will bring him more recognition. The mensay Jackson's 1980s schematics and prototypes led to the first 10 Dallas Area Rapid Transit centers and influenced the more than 30 centers that followed.

Porter was DART's chief architect from 1985 to 1988 and now oversees architecture at Dallas County Community

College District associate vice chancellor of facilities management and planning. He also co-founded a group of minority architects in Texas. While at DART, Porter said, he hired a team of African-American and Latino designers — featuring Jackson and his firm as architect-of-record — to develop concepts for the transit centers.

Earlier this year, Porter told Barnett, who founded the African-American Historic Preservation League, about Jackson's contributions and showed him Jackson's materials. The two men decided to show the designs and spotlight Jackson's efforts during Black History Month.

"Very few people know that a black man designed the concept for the transit centers," said Barnett.

DART spokesman Mark Ball said Porter and Jackson were involved during the early years after voters approved regional transportation in 1983.

Porter said the first station to implement Jackson's design was the Red Bird Transit Center at Hampton Road and U.S. High-

way 67, where a barrel vault canopy features a steel truss support resembling a wheel. Glass wind screens also protect waiting passengers from the elements.

"This was the catalyst... His influence heightened the status of minority architects," Porter said of Jackson.

At home, Jackson and his wife, the late entrepreneur Margaret Jackson-Jackson, also left strong influences on their five daughters. The siblings all have careers and jointly own and operate MJ's Beauty and Barber Academies, which their parents founded and their father designed, Margaret Jackson-Jackson died in 2012 at age 66.

"Our dad was very passionate about his work," said Taura Jackson Davis, an accountant.

"We are all a great blend of our parents, who were definitely a team," said eldest daughter April Jackson Holt, an entrepreneur. "We feel their influence every day."

To learn more about the efforts to recognize Jackson, call 214-710-4184.

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U.S. District Court for the Southern District of New York

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Please do not contact the Court.

Dated: January 22, 2014

By Order of the Court
The Honorable George B. Daniels

www.copyrightclassaction.com

ELECTIONS DEPARTMENT

Mail error triggers voter card review

Actions of rogue worker spur county to conduct broader examination

By **TOM BENNING**
Staff Writer
tbenning@dallasnews.com

An error at the U.S. Postal Service is causing Dallas County elections officials to scour 90,000 voter registration cards that were not delivered and could have been mislabeled "Return to Sender."

The postal employee has since been fired, officials said.

New voter registration cards were mailed in December to the county's 12 million registered voters. About 90,000 were undeliverable, typically signifying that the addressee has moved.

That number of return to sender notices was within the normal 10 percent return rate on such mailings, elections officials said.

But Toni Pippins-Poole, the county's elections administrator, told county commissioners on Tuesday that a voter complaint caused her department to realize that voter certificates addressed to nearly 400 voters in Irving were improperly labeled as bounce-backs.

The reason? A rogue postal employee decided not to deliver the certificates and other mail to those voters, officials said. The employee simply stamped the

IN THE KNOW Verifying address

When a voter registration card comes back to the elections department, that voter's status is considered "suspended." But those who failed to get a certificate as a result of a mistake can still vote. They must verify their address at the polls, by showing, for instance, their Texas driver's license. Dallas County residents who didn't get a new voter registration card in December and who haven't moved can call the county elections department at 214-819-6300.

certificates as "Return to Sender," even though those voters had not moved.

The postal employee has since been fired, officials said.

The U.S. Postal Service apologized for the workers' actions, saying in a statement that it would work with the county elections department to "resolve the

issue."

And elections officials sorted out any complications for the voters in question.

But now Pippins-Poole wants to look over the rest of the returned 90,000 voter registration certificates to make certain that the problem isn't widespread. She said she plans to hire temporary staff over the coming weeks to double-check that bunch.

"We want to take a more proactive approach," she said.

Follow Tom Benning on Twitter at [@tombenning](http://tombenning).

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In brief

SAN DIEGO
PETA sues airport for rejecting SeaWorld ad

The People for the Ethical Treatment of Animals is suing San Diego International Airport for rejecting an ad urging tourists to steer clear of SeaWorld.

PETA says the airport's advertising vendor chose not to accept \$17,500 for the ad featuring actress and San Diego native Kathy Najimy.

In the ad, Najimy, who appears in HBO's "Veep," says, "If you love animals like I do, please avoid SeaWorld."

PETA says the airport has accepted ads from other nonprofits, and from SeaWorld.

SeaWorld and the airport declined comment to U-T San Diego (<http://bit.ly/l991sol>) on Tuesday.

SeaWorld has come under fire in the last year since release of the documentary "Blackfish," which focused opposition to killer whale captivity.

HERSHERIA

After 13 years, child molester arrested

After 13 years on the run, a convicted child molester has been captured in a Southern California desert community.

The Riverside Press-Enterprise reports the 54-year-old Todd Eric Dalton was arrested at a home in Hesperia last Saturday.

Jail records show he was booked on a warrant charging him with continued sexual abuse of a child under 14, molestation of a child under the age of 14, and forcible sexual penetration.

Dalton disappeared while free on \$350,000 bail in 2001 just as opening statements were about to begin in his Riverside trial.

The trial continued without him and the jury convicted him of nine sex-related counts. Officials say the crimes involved two young girls.

Dalton is set for a hearing on his arrest warrant Wednesday in Riverside Superior Court.

SANTA PAULA

Authorities seize suspected fight dogs

Authorities in Ventura County have seized 16 dogs they suspect were being bred and trained to fight.

The Ventura County Star says an animal control officer was sent to a home in Santa Paula Tuesday after a report came in that several dogs were fighting in the backyard. The officer separated the animals and called for backup.

The dogs, including two that were severely injured, were taken to the Santa Paula Animal Rescue Center.

Thirteen were pit bulls, two were English bulldogs and one was a Boston terrier. Four were puppies.

Officers found evidence of fight training, including an agitator stick.

No one was home at the time, but the property owner later went to the police station and denied any wrongdoing.

COSTA MESA

Thieves victimize model railroad club

A train heist in Orange County has left a model railroad club seeking donations to replace an estimated \$9,000 worth of stolen material.

The Orange County Register says thieves broke into a gated depot in Costa Mesa on March 1 and hit the headquarters of the Orange County Model Engineers.

The club operates scale-model trains in Fairview Park that give rides to children. Officials say it plans to continue operations.

Associated Press

SAN JOSE UNIFIED SCHOOL DISTRICT

Education board delays tenure change

Unrelated lawsuit causes worry over taking any vote

By Sharon Noguchi
sharon@mercurynews.com

Signaling the sensitivity of making even modest changes in how California runs public schools, the State Board of Education on Wednesday delayed action on an unusual request from San Jose Unified School District and its teachers union to change the length of probation for new teachers.

The request faced staunch opposition from health

statewide teachers union, a powerful player in Sacramento, and a lack of support from the state Department of Education.

State board members worried about the implications of any vote with a lawsuit, unrelated to San Jose's request, hanging over their heads. That suit, known as Vergara vs. California, challenges teacher tenure, layoffs and dismissal.

Instead, the board indicated it would reconsider the waiver request in May, when the trial presumably will have wrapped up.

San Jose Unified sought

tenure after one year, or to keep a teacher on probation for three years. Current state law requires public schools to either grant teachers tenure after two years or terminate them after the second year.

San Jose Unified officials argued that two years — especially since districts must put together their case midway through a teacher's second year — sometimes doesn't allow time to fairly evaluate a candidate for what can be a lifetime job.

California's tenure protections make it difficult and costly to fire a teacher.

"Permanent status for

a teacher is one of the biggest equity, justice and fairness makes," said Stephen McMahon, San Jose Unified's chief business officer. "We want to make sure we're making that decision with all the relevant information."

The California Teachers Association opposed its own local's request. "It's a major deal" the CTA's Ken Burt told the state board. The waiver would give the school board too much power, he said.

But Jennifer Thomas, president of the 1700-member San Jose Teachers Association, cast the

waiver request as a matter of equity, justice and fairness. Sometimes, she said, circumstances beyond a teacher's control affects evaluations.

"When schools err on the side of caution and let a second-year teacher go, that puts a permanent mark of being "non-re-elected" on that teacher's record."

Every child has a great teacher," Thomas said, "and to fight for every great teacher in the making."

Contact Sharon Noguchi at 408-271-3775. Follow her at Twitter.com/noguchionh12.

SONOMA COUNTY



Prue Draper, left, of the Cotati Historical Society, and Louise Santoro, a longtime Cotati resident, stand next to a rare albino chimeric redwood tree Tuesday.

Rare tree must be removed for train

Albino redwood poses hazard but may be preserved

By Jason Dearen
Associated Press

SAN FRANCISCO — It's a tree so rare that there are believed to be fewer than 10 of its kind in the world, and it could be chopped down to make way for commuter trains in Northern California.

Preservationists are hoping to stoke public awareness and save the albino chimeric coast redwood growing in the small Sonoma County town of Cotati.

Standing 52-feet tall, the tree features a unique mixture of normal green leaves and white, albino sections. It's believed to be the largest of its kind on the planet.

But Sonoma-Marin Area Rail Transit (SMART) officials say the decision to remove it is out of their hands.

Federal regulators have determined the tree must come down for safety reasons.

The genetically mutated redwood is apparently too close to a proposed set of new tracks.

"We have federal safety clearance requirements we must comply with," said Carolyn Glendening, a SMART spokeswoman. "Whether it's this tree or any other tree."

To mitigate the tree's loss, the rail project is required to plant 20 coast redwoods elsewhere. They will also take "thousands of cuttings" from the rare tree in an attempt to preserve it, Glendening said.

The SMART rail line was approved by voters in 2008 to help ease congestion on Highway 101 through Marin and Sonoma counties.

The first 43-mile stretch of the commuter rail line is scheduled to open in late 2016, with 10 stations and so-called "clean diesel"

trains designed to meet new federal emissions standards.

"The new engines lower greenhouse gas emissions to unprecedented levels, and they are quieter," Glendening said.

There is hope for the tree.

Scientists and others are urging local politicians to consider a plan to move the rare genetic specimen to land near the city of Cotati. Talks are underway.

Emily Burns, who studies redwoods as science director at Save the Redwoods League in San Francisco, said the tree is a scientific treasure.

It's a chimera — or a plant with two sets of DNA fused together — which is only seen in a handful of naturally occurring redwoods on the planet.

Alone, albino redwoods cannot survive in the wild because they are unable to conduct photosynthesis, the process of turning sunlight into nutrients. Existing albino redwoods are joined with normal trees that can produce the needed nutrient.

"A chimera is really a genetic oddity in any species," Burns said. "It has two separate genomes mashed together. It's a genetic outlier."

Burns said the tree is also old enough to have developed male and female cones — meaning it would produce offspring.

"I'm curious to see what the offspring of this tree would be," she said.

Her group is considering whether to help any relocation plans.

And SMART's board has begun discussions to see if it's possible to move the tree to city-owned land.

"It's still super tenuous," Deb Fudge, a SMART board member, told the Santa Rosa Press Democrat. "But at least that gives it a shot. We haven't figured out who would pay or any of that yet."

PONZI SCHEME

Bay Area man charged in cash machine fraud

At least 1 person claims the loss of life savings

By Tracey Kaplan
tkaplan@mercurynews.com

To most Americans, paying exorbitant fees to use privately owned ATMs in markets, malls and airports feels like a real rip-off.

But for more than 100 investors from the Bay Area and beyond, those ATMs have been an even bigger money drain.

Enticed by the promise of a 15 percent return, they invested millions of dollars in the machines, expecting to get a monthly check for a percentage of user fees that can go as high as \$4.50 per transaction. Only later did they find that they'd been fleeced.

Prosecutors' principal was a Ponzi scheme run by a charming Foster City man.

Michael Brendan Ferguson, 44, has been charged so far with nine felonies including securities fraud and grand theft. He pleaded not guilty and is being held in Santa Clara County jail, with bail set at \$1 million.

Twenty-six investors showed up this week in response to his effort to get his bail lowered. The judge postponed the matter until April 7.

"Mike had that Ivy League look — a crisp white shirt, tailored trousers," said San Jose resident Cheryl Palos, who lost \$700,500 her entire life savings. "I'm telling you, he was slick."

Ferguson's high-powered lawyer, Josh Bentley, who also represents several prominent 49ers football players, did not respond Wednesday to requests for

comment. Prosecutor Victor Chen contends Ferguson may have started with honest intentions. But his business rapidly morphed into a scam that stretched over eight years, he said.

Prosecutors allege Ferguson sold investors the rights to a percentage of user fees from a portfolio of ATM machines located in shopping centers throughout the nation, or sold them ATM machines plus a percentage of those fees. However, they allege, Ferguson did not own most of the machines and paid most of his clients with money from new investors.

"He knowingly sold ATMs he did not own or he sold the same ATMs more than once," said Chen, adding that Ferguson promised to return investors' principal upon request. "It only worked as long as he could keep new investor money coming in."

Ferguson maintained appearances by operating an office in San Francisco with a handful of employees, as well as by providing financial statements to investors purporting to show growth in his ATM business, Chen said.

The investors came from all walks of life, including a single mother with a severely disabled child who is on the brink of losing her house and doesn't even have enough money to move home to North Carolina. Most learned about the "opportunity" via a neighbor, friend or relative. Many rolled over their 401(k)s or took a second loan out on their house.

Palos heard about Ferguson from her brother-in-law. Skeptical at first, she asked him to meet her at

the food court of the Hillside shopping center off Highway 101 in San Mateo, where one of the ATMs she ultimately "bought" was located.

"Every question I asked, he answered," Palos said, "even, 'What if a bomb went off and the mall was destroyed, along with the ATM machine?' He said, 'There is insurance for that.'"

Palos eventually sunk her inheritance and proceeds from a divorce settlement into what she thought were 14 ATMs scattered around the country, as well as at least one other business Ferguson ran. For awhile, she was getting checks for \$5,300 a month, about half of which went toward her rent.

When the checks stopped coming, she called the malls where her ATMs were supposedly located. No one had ever heard of her or Ferguson at any of the shopping centers from San Mateo to Douglasville, Ga., to Forsyth, Ill.

That's when Palos called the FBI. Now, the investors have organized in hopes of getting back at least some of their money. Ferguson declared bankruptcy in January.

Chen is looking for any hidden assets and hoping that Ferguson agrees to pay some restitution as part of a plea deal. He currently faces up to 18 years and four months in prison.

Although Ferguson did not break into anyone's home, the prosecution alleges that he entered one victim's home with the intent to commit a felony grand theft — which qualifies as burglary under California law.

Legal Notice

U.S. District Court for the Southern District of New York

Literary Works in Electronic Databases Copyright Litigation

To: Freelance authors of English language literary works

This is a summary notice of a revised class action settlement. Please read this notice. It may affect your legal rights.

What is this proposed settlement about?

A settlement has been reached in a class action lawsuit alleging that commercial electronic databases and newspapers and magazines infringed the copyright of freelance authors. The lawsuit alleges that newspapers and magazines, after publishing the works with the authors' permission, then sold them to the electronic databases without the authors' permission. The current settlement is a revision of a previous proposed settlement that was reached in 2005.

The settlement applies to English language literary works that were reproduced on a commercial electronic database without the authors' permission. Works may still be eligible even if not registered with the U.S. Copyright Office, and even if they were originally published outside the U.S. Excluded are works for hire and works for which the author granted electronic rights to the original publisher.

Freelance authors were notified of the previous settlement, and the deadline for submitting compensation claims under that settlement was September 30, 2005. Additional details about eligible works and your options are contained in the full Notice of Revised Class Action Settlement, available at www.copyrightclassaction.com.

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www.copyrightclassaction.com

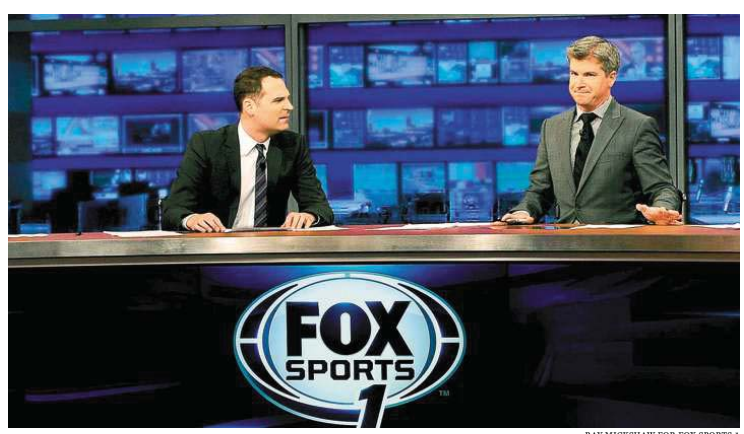
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The Boston Globe

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'Fox Sports Live' struggles to make good on its game plan

By Saul Austerlitz
 GLOBE CORRESPONDENT

For over 20 years, sports fans have turned to the same place for news and highlights nightly at 11 p.m.: ESPN's "SportsCenter." From the golden era of Keith Olbermann and Dan Patrick forward, "SportsCenter" has been the gold standard of sports-roundup shows, even as its increasing emphasis on flashy graphics and faux spectacle has eroded a good deal of its watchability. The stage had been set for a genuine rival to the dominance of "SportsCenter": Enter "Fox Sports Live," the flagship show of the retooled Fox Sports 1, newly redesignated as a national channel.

TV REVIEW

FOX SPORTS LIVE
 On: Fox Sports 1
 Time: Weeknights at 11 p.m.

If ESPN is the CNN of sports news, Fox Sports 1, which premiered in August, intends to be its Fox News — the brash, opinionated competitor that leaves its stodgy competitor in the dust. Visually, "Fox Sports Live" looks much like Fox News. The screen is framed by the ubiquitous breaking-news crawl at the bottom and a list of upcoming topics along its right edge. The framing makes the main event feel unnecessarily cramped, and the blue-yellow-red color scheme is garish. Fox has been successful before with this brutalist look; regardless of one's political outlook, it can be safely agreed that Fox News is one of the more visually unappetizing channels on cable. "Fox Sports Live" is similarly unpleasant to look at, like a primary-color oil spill seeping in from the edges of the screen.

More crucially, "Fox Sports Live" looks to blur the distinction between news and opinion: We report, we decide. "Fox Sports Live" is a mash-up of classic 1990s "SportsCenter," with imported Canadian hosts Jay Onrait and Dan O'Toole filling the Olbermann-Patrick roles, and an ESPN sports-talk show like "Around the Horn." Onrait and O'Toole, who made names for themselves as hosts of TSN's "SportsCenter," are affable and clownish. For their American sojourn, they have packed suitcases full of shtick, like Onrait's "You're off the case, Bobrovsky!" whenever highlights feature Columbus Blue Jackets goalie Sergei Bobrovsky — likely a less common occurrence here than it had been in Canada. But Onrait and O'Toole control only a modest amount of real estate on the show, which also features Charissa Thompson and a slew of former athletes and moderators in an ever-changing array of formats. "Fox Sports Live" thinks that the solution to the monotony of two hosts sitting at one desk is to have 10 hosts at eight different desks, round-

tables, and conversation pits. The result is a strange hybrid of news and opinion, in which the traditional highlight segments that make up a sports-news roundup are regularly interrupted by a variety of panels with names like "Let It Ride," "Whip Around," and "FailFriday." Ex-athletes like Gary Payton, Donovan McNabb, and Ephraim Salaam are present to debate the issues of the day: Does Wichita State deserve to be #1? Is Johnny Manziel too short to be an NFL quarterback? Opinion is king, with former Eagles quarterback McNabb directly addressing the camera to call for the resignation of embattled Miami Dolphins head coach Joe Philbin.

Intriguingly, "FSL" does not segregate its commentators by sport, giving us the unique pleasure of hearing McNabb discussing the intricacies of mid-major conference play in college basketball. "FSL" is attempting to re-create the good-natured jabbing of "Parody or Interruption" but none of the athletes are quite comfortable enough on air. One segment, starting a split second too early, caught former NBA superstar Payton yawning broadly before immediately feigning enthusiasm.

Perhaps the most Fox News-esque feature of "Fox Sports Live" is the regular presence of Republican pollster (and Fox News analyst) Frank Luntz — pardon me, Dr. Frank Luntz —

Jay Onrait (left) and Dan O'Toole anchor "Fox Sports Live," the retooled Fox Sports 1's answer to ESPN's "SportsCenter."

conducting a live poll of 24 "average fans" on hot-button sports issues like openly gay NFL prospect Michael Sam, or the Petty family's sexist jeers about NASCAR driver Danica Patrick. Luntz tones down the culture-warrior shtick for this gig, but his segment "Sound Off" still feels like it pits its natural constituency of white, middle-class, vaguely angry guys against a bunch of female and minority softies. Of course, no one is opposed to Sam's homosexuality here, only the ensuing "media circus."

"Fox Sports Live" also recalibrates the mix of sports coverage, unsurprisingly emphasizing less traditional sports like NASCAR and UFC to which Fox owns the rights. ESPN has always done the same, hyping and downplaying sports relative to the size of their television packages. (When was the last time you saw an extended hockey segment on "SportsCenter"?) Sitting through a 10-min-

ute segment in which Thompson moderated a preflight trash-talk session between UFC fighters Patrick Cummins and Daniel Cormier gave this life-long sports fan a sense of what it might feel like for a non-sports fan to watch ESPN: Who are these guys? What are they talking about? And why does anyone care?

Onrait and O'Toole spent the last two weeks providing goofy, mostly unnecessary standup reporting from the Winter Olympics in Sochi. One segment on pin collecting suggested that the hobby was "a little like life: mildly depressing, with moments of real joy." The same could be said of "Fox Sports Live," which is often amusing, but feels strained because of its efforts to differentiate itself from its elder and superior, "SportsCenter." With its dramatization of angry tweets by Seattle Seahawks wide receiver Doug Baldwin and its fake-infomercial vibe for an NBA trade deadline roundup, "Fox Sports Live" has a much-appreciated sense of humor, but could afford to be a bit less overplanned. ESPN has opened the door to competitors through its sheer dominance. "Fox Sports Live," for all its hard work, does not go nearly far enough in separating itself from the pack.

Saul Austerlitz can be reached at swa204@gmail.com.

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Dated: January 22, 2014

By Order of the Court
 The Honorable George B. Daniels

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 NEWSPAPERS IN EDUCATION PROGRAM

TELEVISION



WEDDING DAY JITTERS: Lily and Robin have a fight, and Barney freaks out about which suit to wear on 'How I Met Your Mother.'

TV HIGHLIGHTS

'The Bachelor: The Women Tell All' (ABC at 8 p.m.) is usually a special that aims to pit the ladies against each other for the last time, but this time, and rightly so, the bachelorettes supposedly just spill all the terrible things that Juan Pablo did or said.

This week on the wedding that will never end, 'How I Met Your Mother' (CBS at 8) has Lily and Robin in a tiff while Barney is struggling to find the perfect suit.

Blind auditions continue on 'The Voice' (NBC at 8). RETURNING SHOW: Reviewed by TV critic Hank Stuever on this page is the return of 'Bates Motel' (A&E at 9).

In the premiere episode, Norman is struggling to deal with Miss Watson's death, and the incredible goes to extremes to find her father's killer.

Max faces a new threat on 'The Following' (Fox at 9), while things turn mysterious at Joe, Emma and Mady's hideout.

SERIES PREMIERE: 'Southern Charm' (Bravo at 10) goes behind the walls of the most aristocratic families in Charleston, S.C., to reveal a world of exclusivity, money and scandal that goes back

generations by following six singles struggling with the constraints of this posh society. SERIES PREMIERE: Formerly the Military Channel, AHC premieres its new docu-series, 'Against the Odds' (American Heroes Channel at 10), about Marines who stuck together in battles, from World War II through the Iraq war.

SERIES PREMIERE: Also reviewed by Stuever on this page, 'Those Who Kill' (A&E at 10) stars Chloe Sevigny as a rookie homicide detective in Pittsburgh, and in the opener, she teams with a forensic psychologist when there's a serial killer on the loose.

Tina Fey is on 'The Tonight Show Starring Jimmy Fallon' (NBC at 11:35), which most likely means a great new installment of Weekend Update, along with Randy Newman as the musical guest.

Actor Zach Braff and double-arm transplant recipient Sgt. Brendan Marrocco and his surgeon, Andrew Lee, come by the 'Late Show With David Letterman' (CBS at 11:35), with music from Baltimore band Future Islands.

Toronto Mayor Rob Ford and Gonzo from the Muppets stop by 'Jimmy Kimmel Live' (ABC at 11:35), with a performance from Fitz & the Tantrums.

- Rachel Lubitz

Table with columns for Broadcast Channels (7:00, 7:30, 8:00, 8:30, 9:00, 9:30, 10:00, 10:30, 11:00, 11:30) and various program listings.

Table with columns for Cable Channels (A&E, ABC Family, AMC, Animal Planet, BET, Bravo, Cartoon Network, CNN, Comcast SportsNet, Comedy Central, Discovery, Disney, E!, ESPN, ESPN2, ESQTV, Food Network, Fox News, FX, Hallmark, HBO, HGTV, History, Lifetime, MASN, MSNBS, MTV, Nat'l Geographic, Nickelodeon, Spike, Syfy, TBS, TCM, TLC, TNT, Travel, TV Land, TV One, USA Network, VH1, WNCN, WGN) and various program listings.

TV REVIEWS



'THOSE WHO KILL': Chloë Sevigny and James D'Arcy's Thomas team up to catch killers, but both have secrets. The A&E drama debuts Monday night at 10.

'Kill': Weird cops and criminals

BY HANK STUEVER

A&E's rather rote new crime drama, 'Those Who Kill' (premiering Monday night), presents at another emotionally insatiable detective who uses her weirdness as an asset. Chloë Sevigny ('Big Love') stars as Catherine, a prickly and newly promoted homicide detective in Pittsburgh, who (we learn in bits and pieces) has an unsettling history with several killers.

Pittsburgh, as those everyone knows, is one of those towns riddled with the kind of fictional, fetishistic murder sprees that can be solved only by shrinks, symbolists, art critics or maverick wackadoo detectives; simpler crime-solving just won't cut it anymore, nor will simple crimes. (Just look at the heaps of praise for HBO's 'True Detective'.)

'Those Who Kill' is derived from a Danish series based on the novels of Elsebeth Egholm. (If that matters to anyone.) In the first 10 episodes, Catherine helps link the discovery of a woman's body in an old mill to several other murders, but it turns out that she works for one of those police departments where nobody will listen to the female rookie. She's helped instead by a reluctant sleuthing partner, Thomas (James D'Arcy), a forensic psychologist disliking by cops because he has his own fetish issues when it comes to serial killing.

'Those Who Kill': Chloë Sevigny and James D'Arcy's Thomas team up to catch killers, but both have secrets. The A&E drama debuts Monday night at 10.



GARRY TRUDEAU/UNIVERSAL PRESS SYNDICATE

In Trudeau's absence, 'Classic Doonesbury'

ing four weeks of strips from every year of syndication, I hope to hit many 'Doonesbury' high points, focusing on how the characters (over 75 of them) got involved with one another. Since their lives have always been bound up in the events of the day, it should be a kind of déjà vu for my peers, and maybe a 'What were you people thinking?' for newer readers. I hope all of them will enjoy the trip.

A small comfort: Fresh 'Doonesbury' strips will still run on Sundays. -Michael Catron

In Trudeau's absence, 'Classic Doonesbury'

What do you want first: the bad news or the worse news? Okay, the bad news: 'Doonesbury' is going on hiatus (again). The worse news: The sabbatical is entirely open-ended.

'I've done the strip for 43 years - 42 if you include the college edition [at Yale] - and I'm ready for an extended break,' creator Garry Trudeau tells Comic Riffs, as he delves into a second season of his recently renewed Amazon Studios political show, 'Alpha House.' Trudeau also notes: 'A hiatus comes with uncertainty, of course. I can't assume I'll be welcomed back a year or two from now.'

So, how to get inventive during the long break? Rather than run his usual 'Flashbacks,' or recent reruns, Trudeau and his editors have decided to mine archival ma-

terials for 'Classic Doonesbury,' going back to the beginning and highlighting favorite strips throughout the years. 'In selecting the strips for this retrospective journey, we're going deep, literally back to Day One,' Trudeau said in a statement about his Pulitzer Prize-winning strip, which launched in 1970. 'Revisi-

As always, we welcome your comments. Call our comics hotline at 202-334-4775, e-mail us at comics@washpost.com or write Comics Feedback, The Washington Post, 1150 15th St. NW, Washington, D.C. 20071.

Legal Notice from the U.S. District Court for the Southern District of New York regarding Literary Works in Electronic Databases Copyright Litigation. Includes details about the settlement, terms of the agreement, and contact information for the court and parties.

BOOK REVIEW

'Train' rides the rails through history

By Hector Tobar

The routes American railroads follow were laid out almost exclusively in the 19th and 20th centuries, when trains were symbols of modernity and industrial power. And today, riding a train — especially in the United States — can feel like stepping into a time machine.

Tom Zoellner enters this time machine again and again in his highly entertaining, lucid and perceptive travelogue "Train: Riding the Rails That Created the Modern World — From the Trans-Siberian to the Southwest Chief." It's an account of Zoellner's travels on six legendary rail lines, but it's really much more than that: It's a train lover's celebration of the great epic story of rail travel itself.

Railroads are a mode of transportation invented, quite by accident, by 18th century Britons trying to keep water out of underground mines. But they have shaped our notions of time and space more than any other technology in human history.

"We live in a society that was made by the railroads in ways we never think about anymore," writes Zoellner, a Chapman University professor and author of books on topics ranging from uranium to Gabrielle Giffords. We owe to railroads, he says, "our abstract notion of time and our sense of everyday connection with people who may live out of sight but are made neighbors through mechanical means. Under the skin of modernity lies a skeleton



'Train'
'Riding the Rails That Created the Modern World — From the Trans-Siberian to the Southwest Chief'

By Tom Zoellner.
Viking, 384 pp., \$27.95.

of railroad tracks."

Zoellner begins by taking a ride across Great Britain from the northern tip of Scotland to Land's End at the southwestern tip of England. Along the way, he sees the places where steam engines first made locomotives run and tells how railways captured the British imagination in the mid-1800s.

One of the first of many subtle cultural shifts triggered by train travel, Zoellner writes, was the "great social embarrassment" of people taking seats in rail cars and finding themselves "suddenly forced to talk with strangers." From this very British discomfort, a new habit was born — reading on the train — followed by a new business model to get books in the hands of middle-class and affluent passengers. That's how W.H. Smith and Louis Hachette got

their start as booksellers, followed by Allen Lane, who started a publishing house called Penguin to give train riders "quality" fiction and prose.

In India, the trains are a legacy of British imperialism, of course, but have been transformed into a uniquely Indian institution that unifies an ethnically and linguistically diverse country. Just outside of New Delhi, Zoellner crafts a funny and poignant scene at the brick hut that is the workplace of gateman Sita Ram.

Ram's job is to lower a gate on the trunk line leading into the capital, stopping "all the cars and motorbikes and cows and people" from crossing the tracks until a train passes. For this, he earns \$3 a day. "The national system of hand-operated gates is primitive and ponderous, but it all works somehow," Zoellner writes.

On Zoellner's next stop he visits one of the most modern countries on Earth. Here, in the U.S., the system is not really working well at all.

Zoellner travels from New York to Chicago, recounting the early, glory days of American railroads. Then he pays \$900 for a sleeping berth in a Chicago to Los Angeles train — an outrageous sum for a ride whose speed rarely tops more than 60 mph. The food is all microwaved, but it's not the cuisine he has come to enjoy. We see hills leveled and continent spanned from the Pacific to the Atlantic.

All sorts of historical figures make unexpected

cameos, including George Gershwin, John Cheever and Langston Hughes, who grew up in Midwestern towns, going to stations to watch trains bound for Chicago. And we learn much fascinating rail minutiae.

After an ill-fated trip

to Siberia and a few other places, Zoellner ends back in California.

After reading his wonderful account of the past and present of train travel, you too might vote for the next big rail bond. Or you simply might do what L.A. resident Zoellner does

regularly: Walk past the gardens at the entrance to Union Station and board a slow-moving train that will take you to another station, near or far.

Hector Tobar wrote this review for the Los Angeles Times.

Legal Notice

U.S. District Court for the Southern District of New York

Literary Works in Electronic Databases Copyright Litigation**To: Freelance authors of English language literary works**

This is a summary notice of a revised class action settlement. Please read this notice. It may affect your legal rights.

What is this proposed settlement about?

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 newspapers and magazines, after publishing the works with the authors' permission, then sold them to the electronic databases without the authors' permission. The current settlement is a revision of a previous proposed settlement that was reached in 2005.

The settlement applies to English language literary works that were reproduced on a commercial electronic database without the authors' permission. Works may still be eligible even if not registered with the U.S. Copyright Office, and even if they were originally published outside the U.S. Excluded are works for hire and works for which the author granted electronic rights to the original publisher.

Freelance authors were notified of the previous settlement, and the deadline for submitting compensation claims under that settlement was September 30, 2005. Additional details about eligible works and your options are contained in the full Notice of Revised Class Action Settlement, available at www.copyrightclassaction.com.

What do I need to do?

Class members have three options: (i) do nothing; (ii) exclude yourself from the settlement; (iii) object to the settlement.

To remain a class member, you do not need to do anything. **To be eligible for a settlement payment, you must have already submitted a timely, valid claim under the previous settlement in 2005.** If you did so, then you need to do nothing further to participate in the settlement. (You will eventually hear from the Claims Administrator about the validity of your claim.)

You may still exclude yourself from the settlement. You must (1) mail a written request for exclusion, postmarked by May 9, 2014, *Electronic Databases Copyright Litigation*, EXCLUSION REQUEST, c/o GCG, PO Box 10033, Dublin, OH 43017-6633, or (2) submit an exclusion request online at www.copyrightclassaction.com by that date.

To object to the settlement, you must file a written objection by May 9, 2014.

Further information on each option is available at www.copyrightclassaction.com.

Final Fairness Hearing

A hearing on the proposed settlement will be held June 10, 2014 at 10:00 a.m. by U.S. District Judge George B. Daniels, U.S. District Court, 500 Pearl Street, New York, NY 10007, to determine whether the settlement should be approved. Class members or their counsel may appear in Court.

I have new contact information, whom should I contact?

If you have changed your mailing or e-mail address since the original settlement in 2005, you should notify the Claims Administrator, whose contact information is in the full Notice of Revised Class Action Settlement. If the Claims Administrator does not have your correct contact information, you may not receive your settlement payment (assuming you already submitted a valid claim in 2005) or notice of important developments in this class action.

Please do not contact the Court.

Dated: January 22, 2014

By Order of the Court
The Honorable George B. Daniels

www.copyrightclassaction.com

Exhibit D

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Don't Sweat What the Scale Says on Monday Morning

It's the number that you see Tuesday through Friday that's more important.
By Ava Feuer

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By iStock

What your scale shows on Tuesday through Friday actually determines whether you're losing or gaining weight, according to a new [study](#) from the Cornell Food & Brand Lab.

Researchers found that just as we sleep more on the weekends, we also eat more — which makes a lot of sense given it's easier to choose a salad at the office than it is to skip stacks of pancakes at Sunday brunch. To learn more, they asked 80 adults ages 25 to 62 to weigh themselves immediately after waking up for seven consecutive days, then followed up with the subjects between 15 and 330 days later. Those who had lost weight watched their scales drop steadily between Tuesday and Friday, whereas those who put on weight watched the number fluctuate between those days.

RELATED: Another Reason to Love the Mediterranean Diet

"Some indulging during weekends makes no harm," said the study authors. "But it is important to notice these rhythms and take steps to reverse the upward trends after the weekend. Successful weight control is more likely to happen in the long run if one is not too strict with one's diet, but allows for..."

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Recipes and Entertaining > Entertaining > **10 Tips for Hosting a Fabulous Oscar Party**

10 Tips for Hosting a Fabulous Oscar Party

Roll out the red carpet and pop the champagne! We've got all the right tips, tricks, and recipe ideas to throw a dazzling Academy Awards viewing party on March 2.

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Kate Sears

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Have a Champagne Celebration

As the red carpet kicks off, toast with this bubbly cocktail from Jane Lopes, the beverage director of **The Catbird Seat** in Nashville. Sweet-tart oranges balance the flavors of the alcohol and cherries.

Recipe: Orange-Cherry Champagne Cocktails

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Atlanta Hawks

Hawks 107, Knicks 98: Mike Scott scores 30 in win

ATLANTA -- Mike Scott scored a career-high 30 points, Jeff Teague added 28 and the Atlanta Hawks snapped an eight-game losing streak with a 107-98 victory over the New York Knicks on Saturday night.

[READ STORY](#)

ATLANTA HAWKS

Pistons 115, Hawks 107: Detroit rallies for win over Hawks

AUBURN HILLS, Mich. -- Andre Drummond had 20 points and 11 rebounds and Kyle Singler made a pair of big 3-pointers late in the fourth quarter to lead the Detroit Pistons over the Atlanta Hawks 115-107 on Friday night.



ATLANTA HAWKS

Spurs 105, Hawks 79, Tim Duncan, Spurs roll past Hawks

ATLANTA -- Gregg Popovich said he couldn't enjoy a lopsided win over longtime Spurs assistant Mike Budenholzer.



ATLANTA HAWKS

Atlanta Hawks co-owner Bruce Levenson dispels Josh Smith trade talk

DENVER -- The Atlanta Hawks have no plans to deal Josh Smith before Thursday's deadline, according to their co-owner.

ATLANTA HAWKS

Jeremy Lin, New York Knicks zoom by Atlanta Hawks

NEW YORK -- Not much heat from the Hawks for Jeremy Lin and the New York Knicks.

ATLANTA HAWKS

Atlanta Hawks squander 19-point lead as Luol Deng's layup with 3.7 seconds left boosts Chicago Bulls

CHICAGO -- Luol Deng's layup with 3.7 seconds to play lifted the Chicago Bulls to a 76-74 victory over the Atlanta Hawks on Tuesday night.

ATLANTA HAWKS

Alex Meruelo says he has 'ample resources' to buy Atlanta Hawks

ATLANTA -- Almost three months after announcing he had reached an agreement to purchase controlling interests of the Atlanta Hawks, Alex Meruelo on Thursday tried to dispel doubts he has the resources to buy and run the team.

ATLANTA HAWKS

Hawks hold off Magic to take commanding 3-1 series lead

For most of the night, the Atlanta Hawks struggled to make free throws and labored to put away the Orlando Magic. But with the game on the line at the line, Joe Johnson came through.

ATLANTA HAWKS

Joe Johnson's 28 points jolt Atlanta Hawks over Utah Jazz

Jamal Crawford adds 26 off the bench

ATLANTA HAWKS

Not so fast Boston

ATLANTA — Forget about a Boston sweep. The Hawks are headed back to Beantown all tied up with the mighty Celtics.

ATLANTA HAWKS

Hawks' playoff tickets on sale Saturday

ATLANTA — The Atlanta Hawks will put playoff tickets for the general public on sale Saturday at noon.

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Governors: 'Obamacare' here to stay



The explosive politics of health care have divided the nation, but America's governors, Republicans and Democrats alike, suggest that President Barack Obama's health care overhaul is here to stay. 12 minutes ago

Ukraine issues arrest warrant for president

Ukraine's acting government issued a warrant Monday for the arrest of President Viktor Yanukovich, last reportedly seen in the pro-Russian Black Sea peninsula of Crimea, accusing him of mass crimes against protesters who stood up for months against... 12 minutes ago

GOP intent on highlighting health care woes

House Republicans intent on highlighting the woes of President Barack Obama's health care law need to look no further than their own back yards, some of which are traditionally liberal strongholds. 12 minutes ago

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I-20 Widening Project Update

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BUSINESS POLLS

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- Friends remember West Columbia native killed filming movie in Ga.
- Columbia police investigating two weekend armed robberies
- Lexington stabbing death: Two suburban lives intersect in violence
- I-20 construction in Northeast Richland on track to be complete by May
- Most wanted — William Lester Haines
- Family, friends of Dutch Fork High School senior Da'Von Capers say goodbye during emotional funeral
- W. Columbia takes new step to redevelop site
- BUZZ: Blog "shames" SC legislator for cutting college money over gay-themed books

BUSINESS

- 20 Under 40
- Gas Prices
- Interactive: Hospital charges and payments
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NATIONAL BUSINESS NEWS
HSBC sees profits rise as it benefits from cuts
 HSBC PLC, Europe's biggest bank by market value, saw profits rise for the year as it took advantage of rigorous cutting, but analysts were disappointed because they were hoping for more.
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TECHNOLOGY
Nokia targets emerging markets with Android phones
 Nokia is targeting emerging markets with three low-cost smartphones that use Google's Android operating system rather than the Windows Phone software from Microsoft, which is about to buy Nokia's phone business.
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TECHNOLOGY
Sony showcases phone with ultra-HD video recording
 Sony is borrowing innovations from its audio and camcorder businesses and incorporating its new Xperia Z2 smartphone with noise-cancelling technology and ultra-high-definition video recording.
 3 hours ago

NATIONAL BUSINESS NEWS
NABE economists divided over pace of Fed tapering
 Business economists are almost equally divided over whether the Federal Reserve will pare back bond purchases at the current pace through year's end or take a small breather to let the economy recover further.

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BUSINESS VIDEO

The screenshot shows the GQ website interface. At the top, there is a browser address bar with the URL <http://www.gq.com/style/>. Below the browser bar is a navigation menu with links for **SUBSCRIBE**, **STYLE**, **WOMEN**, **ENTERTAINMENT**, **LIFE**, **VIDEO**, and **+ MORE**. The GQ logo is prominently displayed in the center, with the tagline "LOOK SHARP" and "LIVE SMART". To the right of the logo, there is a promotional banner for "The Best In Style" magazine, priced at \$1.25/issue, with a "3 FREE GIFTS" offer and an "ORDER NOW" button.

The main content area features a large article titled "The Only Suits You'll Need This Spring". The article includes a photograph of a man in a dark suit sitting at a table in a restaurant. Below the photo, the text reads: "This spring, designers from all over the world are paying homage to the très-minimal precision and dark colors of French businessmen." Below the article, there are two smaller sections: "Grooming 11 GQ-Endorsed Drugstore Grooming Products" and "The GQ Eye" featuring a small portrait of a man.

On the right side of the page, there is a "Most POP" sidebar. It features a vertical list of three items, each with a small thumbnail image and a red plus sign icon. The items are: 1. "The Perfect Night Out: GQ's 25 Best Restaurants in America, 2014"; 2. "Golden Globes: The Most Unforgettable Breasts in Movie History"; 3. "16 Things Facebook Could've Bought for \$16 Billion Instead of". A "CLICK HERE" button is located below the first item. At the bottom of the sidebar, it says "Prepared by GCG, Inc."

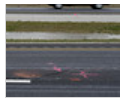
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U.S. NEWS

U.S. New Home Sales Surge in January, Led by Northeast

South and West Saw Gains, but Midwest Logged a Decline

Wall Street Journal

Email Print Save 11 Comments

By SARAH PORTLOCK CONNECT

Feb. 26, 2014 10:03 a.m. ET

WASHINGTON—Sales of new homes surged unexpectedly in January, easing concerns about a deeper housing-sector slowdown.

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Prepared by GCG, Inc.

Sales of newly built homes surged in January, an unexpected sign of strength after a long stretch of weakness in the housing sector. Trulia's Chief Economist Jed Kolko joins MoneyBeat to discuss whether home prices have peaked. Photo: Getty Images.

Launch DJ Hub

New single-family home sales rose 9.6% to a seasonally adjusted annual rate of 468,000 from a month earlier, reaching their highest level since July 2008, the Commerce Department said Wednesday. From a year ago, new-home sales were up 2.2%.

Last month's increase was boosted by sales in the Northeast, where activity expanded by 73.7% and reversed the prior month's declines. The South and West also saw gains, but new home sales in the Midwest fell.

New-home sales measures are typically choppy around this time of year as snowstorms and cooler temperatures can shutter construction sites and discourage people from venturing out to look at properties. Because the level of activity is so low, seasonal adjustments can magnify month-to-month changes, said Pierpont Securities chief economist Stephen Stanley.

The figures come after months of slowdown that many economists are attributing at least in part to the tough winter that much of the country experienced. "This was a perplexing report," said Millan Mulraine at TD Securities.

Real Time Economics >

Don't Get Excited by Jump in New Home Sales

In another sign of improvement for the housing market, home prices last year posted their largest annual gain since 2005,

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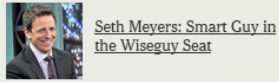


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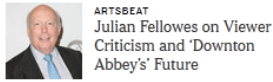




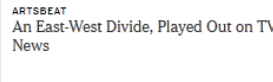
Seth Meyers: Smart Guy in the Wiseguy Seat



THE WEEK AHEAD | TELEVISION When Muscle Meets Tension



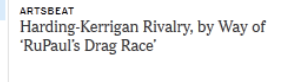
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Attention Freelance Writers: Click for Revised Copyright Class Action Settlement Information. Prepared by GCG, Inc.



TELEVISION

Seth Meyers: Smart Guy in the Wiseguy Seat

By BILL CARTER FEB. 23, 2014



Seth Meyers, the new 'Late Night' top banana, with a giant pickle passed down from Jimmy Fallon, Conan O'Brien and the staff of David Letterman. Jamie McCarthy/Getty Images

Seth Meyers is the oldest, most experienced and most hostlike comedian to take the reins of NBC's three-decade-old 'Late Night.'

But starting Monday night, when he walks out into his shiny new studio at 30 Rockefeller Center, about 20 yards down the hall from where he has worked for the past 13 years on 'Saturday Night Live,' the only thing that will matter is whether Mr. Meyers will be as funny as the three men who preceded him: David Letterman, Conan O'Brien and Jimmy Fallon.

'You can't worry about it until it's time to worry about it,' Mr. Meyers said, sitting in his unprepossessing office at 30 Rock. He acknowledged the daunting track

record he will be following: Each of the previous three hosts graduated from successful runs in the 12:35 a.m. slot of 'Late Night' to the big time of 11:35 p.m. shows on a network.

'I'm really looking forward to mid-March,' Mr. Meyers said. 'When we've been on three weeks, it will be like looking at an ultrasound: Oh, I see its hand! Whereas right now we've got a heartbeat, but that's all we've got.'

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Oscar ad prices zoom: \$1.8M for 30 seconds

Gannett Network Buy
(Including
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Bruce Horovitz, USA TODAY 9:41 a.m. EST February 28, 2014

f 15

t 16

And the winner is: the price to air an ad during the annual televised awards ceremony.



(Photo: Mike Windle Getty Images for Pepsi)

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And the winner is: ad prices.

Much like the price of movie tickets, the cost of Oscar ads continues to climb. The 30-second slots for the ABC broadcast on Sunday night have jumped to a record \$1.8 million — up roughly 10% vs. 2013, according to a report from media consulting specialist Kantar Media.

STORY HIGHLIGHTS

- Ads go for record \$1.8 million for 30 seconds

While the Oscar ads still cost less than half of the \$4

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Prepared by GCG, Inc.

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LOOKING FOR A JOB?

Exhibit E

International Tearsheets

Legal Notice
U.S. District Court for the
Southern District of New York

**Literary Works in Electronic
Databases Copyright Litigation**

**To: Freelance authors of
English language literary works**

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The settlement applies to English language literary works that were reproduced on a commercial electronic database without the authors' permission. Works may still be eligible even if not registered with the U.S. Copyright Office, and even if they were originally published outside the U.S. Excluded are works for hire and works for which the author granted electronic rights to the original publisher.

Freelance authors were notified of the previous settlement, and the deadline for submitting compensation claims under that settlement was September 30, 2005. Additional details about eligible works and your options are contained in the full Notice of Revised Class Action Settlement, available at www.copyrightclassaction.com.

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Please do not contact the Court.

Dated: January 22, 2014

By Order of the Court
The Honorable George B. Daniels

www.copyrightclassaction.com

There are many ways to help kids who stutter...



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THE AWESOME COLUMN

Joel Stein

Call Me Plenipotentiary Why, for my next gig, I'd make a great ambassador to Barbados



WHEN PRESIDENT Obama broke his promise to appoint more career diplomats as foreign ambassadors and instead chose unqualified, rich campaign bundlers, I thought, Being an ambassador must be amazing. These are people so wealthy and with so many social connections that they can persuade their friends to give money to politicians. Yet they're willing to leave their great lives to move to a foreign country. Any foreign country. The only people desperate enough to take that deal are Roman Polanski, Edward Snowden and rich kids who don't want to go to college.

It so happens that I'm looking for a second career, since print journalism is no longer a career. I enjoy talking to strangers, love America, eat weird foreign food, instinctively defuse tense situations and own two suits. Best of all, being an ambassador, like my first career, doesn't require any qualifications whatsoever. Obama's picks for the ambassadors to Argentina, Norway and Iceland have never even been to those countries and seem to know little about them. I, on the other hand, am so committed to Iceland that I once flew there to interview Björk, even though she lived three blocks from me in Manhattan. It was a very expensive trip that demonstrated both my commitment to journalism and why Time Inc. journalists no longer book their own travel arrangements.

But before I start bundling money for Obama, I wanted to find out what's so great about being an ambassador. Michael Wood, a friend and fraternity brother of George W. Bush's who served as the U.S. ambassador to Sweden, said, "The opportunity to be on a first-name basis with a Prime Minister is irresistible." I asked if that was really worth moving your family for. "No," he admitted. "Maybe it's the full-time chef or the car and driver." Having a Swedish chef was my childhood dream, along with getting two old men to sit on a balcony and make fun of everything I say.

If I became an ambassador, the U.S. would pay for my huge living quarters, parties and possibly my kid's school. Also, my official title would be Ambassador Extraordinary and Plenipotentiary, the latter being a totally made-up word used just to impress people, like DJ. But as Dennis Jett, a career U.S. diplomat who plenipotentiaried Mozambique and Peru, pointed out, there would actually be work to do, even in a spot like Western Europe or the Caribbean, where they place big donors. And my budget might not cover all the parties I'd have to throw or the

upkeep of the older residences. "My average student thinks being a diplomat is endless partying and parking wherever you want," Jett said. "Some of the contributors have no greater sophistication. They're unhappy when they discover they have a large diplomatic agency to manage." I could figure out the management stuff later, but for now, I wanted more details on this "parking wherever you want" thing.

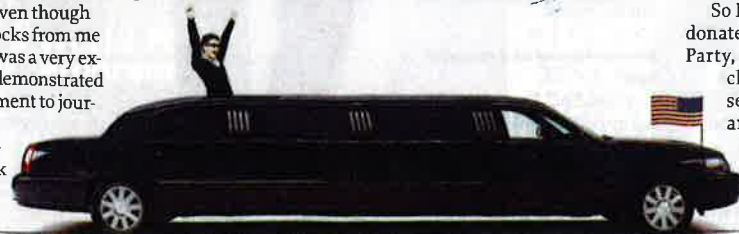
Tom Korologos, a former ambassador to Belgium, said the job is a great ego trip: you get to hang art from American museums and bring in orchestras, and you're the highest-ranking American in the foreign country. This allows rich diplomats to impress their rich friends—the single biggest challenge of being rich, since they can't do it like the rest of us do, with money. But Korologos warned me that if I took a European post, I'd be picking up a lot of visiting Americans at the airport at 6 a.m. and would be obligated to go to several parties every night. "They're a pain in the ass," he said. "The dinners in Spain start at 10 and end at 11:30, and then the entertainment started. In Spain or Greece even, they would get home at 4 and sleep for a few

hours before a 7 o'clock meeting." I happen to like staying out late, meeting people, sharing my love of America and skipping 7 a.m. meetings.

The best part of being an ambassador is that everyone is interested in you. "You are among the top five or 10 most important people in the country," said Daniel Kurtzer, who served as the ambassador to Egypt and Israel. "I was probably No. 2 in both countries." This seems like a great deal, especially in a place like Egypt, where they seem to put the No. 1 guy in jail.

My main challenge was going to be persuading my lovely wife Cassandra to move to a foreign country where she doesn't know anybody and doesn't speak the language. I tried to win her over by telling her about all the parties we'd throw and attend with foreign diplomats. This was a tactical error. "It sounds stressful. And boring," she said. "Diplomats aren't going to get drunk and tell you their deepest, darkest secrets at a cocktail party. They're going to be polite and dignified and proper and *dip-lomatic*." But she said we could indeed go overseas, as long as I went to most soirees alone and didn't call them soirees.

So I'm asking you all to donate to the Democratic Party, and I'll bundle your checks in a rubber band, send them to Obama and be off to Barbados. You can totally come visit. You just might not see Cassandra.



GETTY IMAGES (2); ILLUSTRATION BY TOMASE WALCZYK FOR TIME

MARKETS

Gas Hopes Ebb in Asia

Price Surge in U.S. Cools Expectations for Cheap LNG Imports

By ERIC YEP

The sharp rise of U.S. natural-gas prices this winter has damped Asian hopes of buying American gas on the cheap when exports begin in a couple of years.

Winter storms and bitter cold in recent weeks boosted demand in the U.S. Prices have eased recently, but had surged to more than \$6 per million British thermal units this month from about \$3.70 MMBtu in late November.

Although seasonal, this price surge has confirmed worries by some Asian gas buyers that U.S. gas exports, when they begin, won't be available at prices as low as previously expected.

Asian power producers may now be reassessing the share of U.S. gas in their future energy mix and re-considering calls for the benchmarking of regional gas prices against the volatile U.S. gas market.

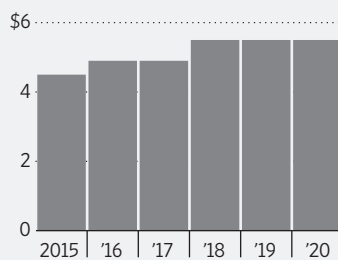
"I think a lot of people were thinking that U.S. LNG export volumes were a no-brainer, but with Henry Hub spiking, some are now thinking twice," a Singapore-based gas trader said, referring to the benchmark gas price in the U.S.

When gas is transported on ships, it needs to be supercooled into liquefied natural gas, or LNG.

Asian utilities, long the biggest buyers of this type of relatively clean fossil fuel, have been bulking up orders in the wake of the Fuku-

Pressure Building

Asian companies hoping to import U.S. natural gas in coming years should expect higher prices. Forecast U.S. prices, dollars per million British thermal units



Source: Citi Research
The Wall Street Journal

shima nuclear disaster, which shut most nuclear power plants in Japan, and looking for new suppliers to supplement the exports from Southeast Asia, the Middle East and Australia that they rely on now.

LNG supply contracts in Asia are often based on the Japan Crude Cocktail, the cost of a basket of crude-oil grades imported by Japan. Using these oil-linked contracts, Asian buyers pay about \$18 MMBtu, far above U.S. prices. Spot prices in Asia surged to more than \$20 MMBtu recently because of a hard winter.

The wide Asia-U.S. price gap has attracted the interest of Asian buy-

ers, driven investment in export-focused North American gas projects and prompted calls for prices in Asia to be based on more factors than just the cost of oil in Japan.

"The question is how we can reflect, reasonably, the supply-demand situation of LNG," said Kazu Toyoda, chief executive of Japan's state-backed Institute of Energy Economics. Asian buyers may be able to develop an alternative to the existing pricing mechanism by establishing trading and pricing hubs in places such as Singapore, Shanghai and Tokyo, he said.

Buyers in Asia also want some insulation from wild price moves caused by bad weather.

"The recent volatility in Henry Hub has certainly introduced an additional discussion point in the general debate as to how long oil indexation will be prevalent in Asia, which we say will be sustained for quite some time" said Anthony Barker, general manager of BG Singapore Gas Marketing.

Despite its high price now, the fundamentals for importing U.S. gas to Asia remain intact, although the price differential has narrowed. Citi Research forecasts that long-term U.S. gas prices are likely to settle in the mid-\$5 MMBtu range, making the U.S. a competitive LNG exporter. "U.S. LNG exports are expected to redefine pricing and structure in the global LNG markets," Citi's Anthony Yuen said.

Miners at Risk

Iron-ore prices, in U.S. dollars, per metric ton



Sources: The Steel Index; Reuters (photo)
The Wall Street Journal



Ships wait to be loaded with iron ore at Port Hedland, Western Australia

Iron Prices Critical To Paying Off Debt

By RHIANNON HOYLE

SYDNEY—Iron-ore prices have tumbled to an eight-month low, putting a squeeze on mining companies' profits as they race to repay the money they borrowed to expand their operations.

A slackening in demand from Chinese steel mills has crimped iron-ore prices over the past six trading days. China buys around 60% of the iron ore traded by sea, turning it into steel for industries ranging from construction to auto manufacturing. But steelmakers have been concerned of late that credit to property developers is drying up, which could portend a slump in the real-estate market and a tumble in the demand for building materials.

Robert Montefusco, a senior broker at London-based Sudden Financial, said iron-ore prices may have further to fall, as steelmakers are likely to delay new purchases until they can secure cargoes at a big discount.

To companies such as Rio Tinto PLC and Fortescue Metals Group Ltd., which have pledged to cut debt and boost returns to investors, falling prices are a worry. Fortescue, in particular, has been racing to pay down debt with cash flow from record sales of iron ore produced at its Australian mines. Rio Tinto says iron-ore prices that averaged US\$126 a metric ton in 2013 enabled it to shave US\$4 billion from its debt load in the latter half of the year.

The price of ore with 62% iron content delivered to Beijing's Tianjin port—the industry benchmark—fell to US\$117.80 a ton on Wednesday, the lowest since last July, meaning miners may have to slow their debt repayments. Prices edged 0.2% higher Thursday to US\$118 a ton.

Fortescue built up huge debt during a decadelong campaign to break the dominance of rivals such as Rio Tinto, BHP Billiton Ltd. and Vale SA in supplying China with iron ore. At its peak, Fortescue owed more than US\$12 billion. It began paying down its loans last year, but still had US\$8.6 billion in debt after subtracting cash on its balance sheet at the end of December.

Chief Financial Officer Stephen Pearce said Fortescue wanted to pay back "another couple of billion" dollars by the end of 2014, but acknowledged the pace at which it would be able to pay would depend heavily on the strength of iron-ore prices.

Australian broker Morgans forecasts that Fortescue could reduce its debt-to-equity ratio to 41% by De-

cember, from an estimated 57% this past December, if prices hold around US\$124 a ton over 2014. At an average of US\$100 a ton, the company would be able to cut that ratio to only 53% by the end of this year, it estimates.

"If the iron-ore price holds up, our profit will be strong...but it depends on where the price sits" as to how fast Fortescue can repay its loans, Mr. Pearce said.

Rio Tinto has also made debt reduction a priority amid an industry-wide push to cut spending and make mines more profitable. Executives want to rein in the debt pile that built up as the Anglo-Australian company expanded its mines and infrastructure in dozens of countries, including Australia, the U.S. and Mongolia. It also used loans to help fund several ill-timed acquisitions, including the US\$38 billion purchase of Canada's Alcan.

The industry-benchmark price of iron ore dropped to US\$117.80 a ton on Wednesday, the lowest since last July.

Rio Tinto is the world's second-biggest producer of iron ore, after Vale, and relies on sales of the material for the majority of its earnings.

Underscoring the risk that volatility in prices poses to its bottom line, Rio Tinto has noted that, had iron-ore prices averaged US\$113 a ton last year, its US\$10.2 billion in annual underlying earnings would have been reduced by US\$1.2 billion.

Rio Tinto wants to cut its net debt to the "midteens" of billions over the next few years, from around US\$22 billion in mid-2013.

To be sure, some analysts don't expect iron-ore prices to keep falling.

Perth-based Morgans analyst James Wilson attributed recent price falls largely to seasonal changes in demand, as China's construction activity slowed during the northern-hemisphere winter. He expects prices of between US\$110 a ton and US\$130 a ton in the coming months, supporting mining-company profits.

"Even at current prices, it is still a reasonable profit for these guys," Mr. Wilson said.

But, if prices do start to fall below US\$110 a ton, "then that's when you'll probably see people starting to re-evaluate their expectations," he said.

Legal Notice

U.S. District Court for the Southern District of New York

Literary Works in Electronic Databases Copyright Litigation

To: Freelance authors of English language literary works

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Please do not contact the Court.

Dated: January 22, 2014

By Order of the Court
The Honorable George B. Daniels

www.copyrightclassaction.com

BUSINESS & FINANCE

Maersk Cites Risks From Freight Rates

BY COSTAS PARIS
AND CLEMENS BOMSDORF

Danish shipping and oil conglomerate **A.P. Møller-Maersk A/S** said Thursday that stringent cost cuts and increased volume helped boost its container business in the fourth quarter.

But the world's biggest container-shipping company warned of unstable freight rates as new capacity comes online. Like other shipping companies, Maersk Line, the group's container-shipping business, has been hit by weak freight demand at the same time as the industry struggles with overcapacity on the busiest shipping routes.

For the fourth quarter of 2013, Maersk posted a net profit of 5.13 billion Danish kroner (\$941 million), down 7.4% from 5.54 billion kroner a year earlier, but beating analyst expectations of 4.5 billion kroner.

Fourth-quarter revenue totaled 65.67 billion kroner, down 5.6% from 69.56 billion kroner a year earlier. Net profit for the full year, which Maersk reports in dollars, was \$3.78 billion, slightly above the company's own forecast of \$3.5 billion but below last year's \$4.03 billion.

Underlying group net profit this year is expected to be similar to last year's figure of \$3.6 billion from continued businesses, Maersk said. But a previously announced sale of its holding in supermarket chain **Dansk Supermarked A/S** means the group result will be higher in 2014.

Maersk Line—the group's largest business, which accounts for about half of its revenue and makes up

about 15% of global container-shipping capacity—reported a \$1.5 billion net profit, more than three times the \$446 million it made in 2012. The increase derived mostly from lower fuel consumption, which fell 12% in 2013. That came in part through slow steaming, a process in which more ships are deployed at specific trade routes but sail at slow speeds, consuming less fuel.

Maersk said it expects Maersk Line to deliver similar earnings this year but with fewer cost reductions than in 2013. Global demand for seaborne container transportation should increase by a modest 4% to 5%, the company said.

"The challenging demand side is coupled with a significant amount of new tonnage delivered, corresponding to a capacity increase of 9.8%" in 2014, Maersk said. "Thus, without significant capacity adjustments, the container-shipping market is most likely expected to see a continued downward pressure on freight rates in 2014."

The company said average freight rates fell 7.2% last year.

The capacity of Maersk's fleet increased 0.2% in 2013 as it added four giant Triple-E vessels that can move 18,000 containers each. An additional 16 Triple-E's are scheduled for delivery during 2014-15.

The Triple-E's will sail the Asia-to-Europe trade route, where analysts say overcapacity is running at 10% or more. "We expect freight rates to go up and down and overcapacity will continue to 2016," Maersk Chief Executive Nils Andersen said in an interview.

BUSINESS BRIEFS

◆ PHARMACEUTICALS

Bayer Acquires Chinese Firm

Bayer AG will acquire China's **Dihon Pharmaceutical Group Co.** for an undisclosed amount, continuing a series of bolt-on acquisitions aimed at strengthening its health-care business, the German drug and chemicals company said Thursday.

"This acquisition moves us into a leading position among multinationals in the over-the-counter industry in China," Chief Executive Marijn Dekkers said.

Dihon is a privately held drug maker that specializes in OTC drugs and traditional Chinese herbal medicine, with annual sales of €123 million (\$168 million) and 2,400 employees. Its products, which include scalp treatments and skin creams for acne and dermatitis, are also sold in other Asian markets outside China.

Neetha Mahadevan

◆ BANKING

Ahold Pledges Cost Cuts

Ahold NV will continue cutting costs to offset pressure on its business as bargain-hunting consumers in its main markets keep a lid on their spending.

Ahold, which generates around 60% of its sales in the U.S., said Thursday that fourth-quarter net profit fell 10% because of divestments and pressure on volumes and prices.

Net profit was €215 million (\$294 million), compared with €240 million a year earlier. Last year's figures included income of €59 million from Ahold's former ICA joint venture in Sweden.

Sales for the quarter ended Dec. 31

were down 4.2% at €7.47 billion from €7.80 billion in the year-earlier period. Excluding the impact of foreign-exchange rates, sales fell 1.1%.

"What you're actually seeing is that during 2013 consumers have become even more aware of the pressure on their income," Chief Executive Dick Boer said in an interview, adding that this became especially visible in the second half of the year.

Robin van Daalen

◆ FASHION

Tax Charges Hit Luxottica

Italian eyewear maker **Luxottica SpA** said its net profit fell 65% to €25.9 million (\$35.5 million) in the last quarter of 2013 because of a tax audit that resulted in increased charges of €26.7 million.

Yet, the company's board proposed to raise its dividend to 58 European cents a share from 49 European cents a share.

Full-year net profit increased by 2% compared with 2012, at €544.7 million, but the adjusted net profit rose 10% compared with the previous year, to €617.3 million. Luxottica said that the adjustment is related to the tax audit concerning the year 2007, which resulted in increased charges of €26.7 million for the company. The group has decided to pay the charges and allocate provisions of €40 million for any future similar situation.

Manuela Mesco

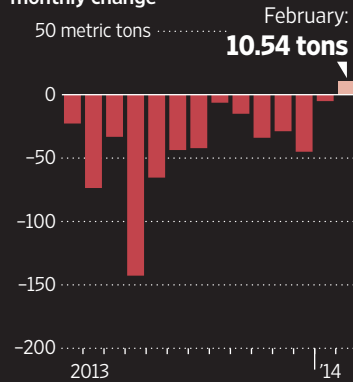
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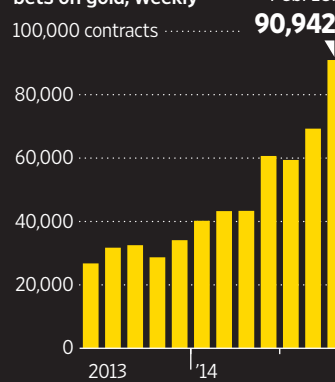
Bullion Bounce

Gold prices have risen this year, reflecting increased investor demand, following a steep 2013 decline.

SPDR Gold Shares holdings, monthly change



Investors' net bullish bets on gold, weekly



Gold futures price, daily



Sources: SPDR Gold Shares (holdings); CFTC (bets); SIX Financial Information (prices)

The Wall Street Journal

Gold Bugs Reset Their Bets

Continued from first page
about the financial stability of Turkey and Argentina, and fears of a default by Ukraine more recently, prompted some investors to seek safety in gold alongside the U.S. dollar and Treasury bonds.

Meanwhile, the U.S. economy is underperforming, with indicators for employment, consumer confidence and manufacturing coming in below expectations in recent weeks.

Gold rose Thursday after Federal Reserve Chairwoman Janet Yellen said the central bank might consider a pause in its reduction of bond buying if weakness in the U.S. economy persists.

As the Fed reduces the amount of money it pumps into the econ-

omy every month, rates are expected to rise, making holding dollars a more attractive alternative and reducing the allure of investments such as gold. Much of gold's fall in 2013 came after the Fed began signaling in May it was considering an end to bond purchases.

To be sure, most investors believe the Fed would need to see several more months of weak data to slow the cuts to its asset-purchase program. If the Fed stays on course, bond yields are likely to rise, putting downward pressure on gold, which yields nothing, said Mary Ann Bartels, chief investment officer for portfolio strategies at Merrill Lynch Wealth Management, which has \$1.9 trillion in assets under management.

"If you're expecting gold to earn a return, we're asking clients to reconsider owning it," she said. Ms. Bartels expects gold prices to end the year at \$1,100 an ounce, a level not seen since April 2010.

Still, there are plenty of investors looking for safe places to park their cash, and gold is one of the cheapest forms of protection, said William Larkin, portfolio manager with **Cabot Wealth Management Inc.**, in Salem, Mass., with \$550 million under management.

"Gold had a miserable 2013—this thing has been taken out to the woodshed, so I see some value here," Mr. Larkin said. He has been purchasing shares of SPDR Gold Shares over the past two months.

Legal Notice

U.S. District Court for the Southern District of New York

Literary Works in Electronic Databases Copyright Litigation

To: Freelance authors of English language literary works

This is a summary notice of a revised class action settlement. Please read this notice. It may affect your legal rights.

What is this proposed settlement about?

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 newspapers and magazines, after publishing the works with the authors' permission, then sold them to the electronic databases without the authors' permission. The current settlement is a revision of a previous proposed settlement that was reached in 2005.

The settlement applies to English language literary works that were reproduced on a commercial electronic database without the authors' permission. Works may still be eligible even if not registered with the U.S. Copyright Office, and even if they were originally published outside the U.S. Excluded are works for hire and works for which the author granted electronic rights to the original publisher.

Freelance authors were notified of the previous settlement, and the deadline for submitting compensation claims under that settlement was September 30, 2005. Additional details about eligible works and your options are contained in the full Notice of Revised Class Action Settlement, available at www.copyrightclassaction.com.

What do I need to do?

Class members have three options: (i) do nothing; (ii) exclude yourself from the settlement; (iii) object to the settlement.

To remain a class member, you do not need to do anything. **To be eligible for a settlement payment, you must have already submitted a timely, valid claim under the previous settlement in 2005.** If you did so, then you need to do nothing further to participate in the settlement. (You will eventually hear from the Claims Administrator about the validity of your claim.)

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Please do not contact the Court.

Dated: January 22, 2014

By Order of the Court
The Honorable George B. Daniels

www.copyrightclassaction.com

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The Honorable George B. Daniels

www.copyrightclassaction.com

The Economist March 8th 2014

A musical front opens in Syria's civil war

NABATIYE, LEBANON

Singer who supports Hezbollah provokes anger and threats

BY BEN HUBBARD
AND HWAIDA SAAD

The insults and threats flow to the singer, Ali Barakat, around the clock. Men call from unknown phone numbers and say nasty things about his mother. Others send him photos of dead bodies and tell him to join them in the grave. Still others threaten to dispatch car bombs and suicide attackers.

It all started when Mr. Barakat, a 33-year-old supporter of the Lebanese militant group Hezbollah, posted online a rousing new anthem of his, calling on the group to defeat its rebel foes in a battle near the Lebanese border in a Syrian town called Yabroud.

The booming martial ballad, "Seal Your Victory in Yabroud," warns Hezbollah's enemies:

The soldiers are coming.
They will give you dark days.
O Hezbollah, God be with you.
Seal your victory in Yabroud.

Since its release, the anthem has become yet another flash point in the Syrian civil war. Those backing the government of President Bashar al-Assad have spread it on social media.

Rebels and their supporters have recorded their own musical rejoinders and accused Mr. Barakat of sectarian incitement.

This new musical front in the civil war underlines just how much the conflict in Syria has inflamed sectarian tensions in the Middle East and even permeated the cultural realm. Where Sunni and Shiite singers once aimed their barbed lyrics at Israel, they now increasingly target each other.

"We flattened the army of the Jews," Mr. Barakat sings, "and now it is your turn in Yabroud."

The most inflammatory response is an equally rousing tune that tells Hezbollah fighters to dig their own graves and threatens bomb attacks against areas in Lebanon that support the group, warning them to expect "body parts with no heads."

The sudden interest in Mr. Barakat's latest song has raised the singer's profile, a fact he appears to relish even though much of the attention is expressed in the threats and insults that make his cellphone perpetually ring and buzz.

"Imagine, 24 hours a day, you reject calls from the same number and the guy keeps calling," Mr. Barakat said in an interview in his studio in Nabatiye, a town in southern Lebanon.

Dressed in jeans, a plaid shirt and a tan sport coat, with a trimmed beard and



Ali Barakat in his studio in Nabatiye, Lebanon. His song urging Hezbollah to defeat rebels in a Syrian town has angered rebels and Sunnis.

salt-and-pepper hair, Mr. Barakat swiped through scores of angry messages on his phone, smirking at the tenacity of his enemies. He would block their numbers on one chat program only to see them pop up on another. Then he would block them again, only to find the same person attacking him on Facebook.

"If you don't answer him, he tries to provoke you and sends photos of himself killing someone," he said. "At 2 a.m., the phone rings, so I put it on silent and set it aside, and when I wake up in the morning, I have 100 missed calls."

Mr. Barakat's musical career has in many ways reflected the changes in Hezbollah over the years.

He sang his first anthems for the group when he was a student, he said, and became one of its go-to singers because of his powerful baritone voice.

Although Hezbollah's members are mostly Lebanese Shiites, the group was once praised across the Arab world for its unflinching anti-Israel rhetoric and the prowess of its fighters.

After Hezbollah battled the Israeli Army in 2006, photos of Hezbollah's leader, Hassan Nasrallah, were often carried in Sunni protests or displayed in Sunni homes.

Mr. Barakat, too, had a broad fan base.

But Hezbollah's reputation as the vanguard of "resistance" against Israel took a blow after it sent fighters to support Mr. Assad against a predominantly Sunni rebel movement.

While Hezbollah says it intervened in Syria to fight terrorists who threaten everyone in the Middle East, many Sunnis in Syria and elsewhere came to see the group as an enemy of their sect.

Mr. Barakat's repertoire shifted accordingly, as he added Syria-related anthems, praising Hezbollah for defeating rebels in the border town of Qusayr and urging them to defend Shiite religious sites. The song that drew the most notice, however, was about Yabroud, a Syrian town near the Lebanese border that had seen large battles recently as government forces and Hezbollah fighters tried to seize it from rebels.

Mr. Barakat said he got the idea for the song during a trip to Syria when he heard Hezbollah fighters preparing to fight in Yabroud. He returned to Lebanon, where his friends wrote the music and lyrics and he recorded the song in his studio on the second floor of a shopping center, above a men's formal-wear shop and a rotisserie chicken restaurant. The whole process took about a day, he said.

The resulting song curses the rebels as terrorists and "takfiris," or extremists who consider other Muslims infidels, and calls on Hezbollah to vanquish them. The accompanying video opens with a mushroom cloud rising over Yabroud, followed by a Hezbollah flag flying over the town.

The song quickly caught the attention of antigovernment activists in Syria and abroad, who considered it sectarian incitement and passed it around. Mr.

Barakat said he realized that he had struck a nerve when the song quickly accumulated tens of thousands of views.

Then the calls started — facilitated by the fact that he had put his cellphone number in the video to drum up business for his other line of work: wedding singer. "I thought it would spread through the fighters and the listeners who are with us and that they would get excited to go to the front," he said. "But I never expected all of this noise."

Rebels soon responded in kind. Fighters from an extremist group, the Islamic State in Iraq and Syria, chanted their own version, and a singer from the Nusra Front, an affiliate of Al Qaeda, sang, "May God destroy your house, how rotten you are!" and called Hezbollah's fighters "monkeys."

Enraged that Mr. Barakat had equated the rebels with the Israeli Army, Ibrahim al-Ahmed, a Lebanese opposition singer who lives in Saudi Arabia, recorded his own song, "Dig Your Grave in Yabroud."

Calling the group the Party of Satan, he appeared to threaten new attacks on predominantly Shiite suburbs of Beirut, known as the Dahiya, which have been bombed repeatedly.

"Your dream, your victory in Yabroud are your illusion, O Hezbollah," he sang. "O humiliated Dahiya, wait for body parts with no heads."

Mohammed Ghannam contributed reporting from Beirut.

Huge ultra-Orthodox rally protests Israeli draft plan

JERUSALEM

BY ISABEL KERSHNER

In a formidable show of force, hundreds of thousands of ultra-Orthodox Jewish men flooded the streets around the main entrance to Jerusalem on Sunday, bringing much of the city to a standstill with a protest against a government plan to conscript more of their numbers for military service.

The rally, described as a mass prayer gathering by ultra-Orthodox leaders, was a largely peaceful expression of what many here are calling a culture war, and one of the most significant challenges facing Israeli society.

For decades, the ultra-Orthodox, known here as Haredim, have been exempted from military service as long as they are registered in a yeshiva, or religious seminary, and engaged in full-time Torah study. Mainstream Israelis, who are conscripted at 18, have come to view the enlistment of the fast-growing Haredi minority and its subsequent integration into the work force as imperative for the viability of the country and its economy.

But for the disciplined ranks of ultra-Orthodox men who answered the call of their rabbis on Sunday, the proposed draft bill, and in particular, the call for criminal sanctions, is an abomination.

All shades of Haredi sects, including



Ultra-Orthodox men danced Sunday in Jerusalem. The rally drew hundreds of thousands.

old rivals, came together in an unusual display of unity and strength. Their spokesmen accused the government of turning Israel into the only country in the world where a religious seminary student could theoretically be jailed for studying the Torah, though they acknowledged that in practice, that was unlikely to happen.

"If this is the Jewish state, it is one that must have Torah at the center," said Rabbi Mordechai Bloy, an educator of Haredi youth in Bnei Brak, a mostly Orthodox town near Tel Aviv, as he made his way to Jerusalem. "A Torah scholar must not be treated like a drug dealer."

The police closed the main highway

into Jerusalem for six hours, as well as the city's central bus station, deploying about 3,500 officers.

The popular demand for ultra-Orthodox men to be drafted has built up since the Israeli Supreme Court invalidated a law that formalized wholesale army exemptions for yeshiva students, ruling in 2012 that it contradicted the principle of equality.

The ultra-Orthodox sector constitutes up to 10 percent of Israel's population of eight million but is rapidly increasing because its members favor large families. Many Haredi men well past draft age opt to stay in religious seminaries, preferring study to work and living on welfare payments.

Last month, a government committee proposed a law establishing annual quotas for the drafting of yeshiva students for military or national service and calling for criminal sanctions against those who evade the draft if the quotas are not met by mid-2017. The bill stops far short of enforcing conscription for all Haredi young men, instead proposing a gradual increase in recruitment levels. Thousands of yeshiva students beyond draft age, who might never have entered the work force for fear of being drafted when they stopped studying, will be allowed to start working immediately.

The Israeli Parliament is expected to pass the bill into law this month.

Doctored letter lets Taliban fighters walk out of prison

KABUL, AFGHANISTAN

BY ROD NORDLAND

For the fourth time in a decade, Taliban insurgents have escaped from a heavily guarded prison in the southern Afghan city of Kandahar, Afghan officials confirmed on Sunday.

The escape, which happened last Tuesday at Sarposha Prison, was smaller than previous episodes in which hundreds of prisoners escaped, but it was particularly embarrassing. This time, someone altered an official document and at least 10 prisoners walked unchallenged out the front gate.

The escapees are believed to be among the most prominent insurgents who were being held at Sarposha on terrorism charges, followers of Mullah Dad Mohammed Munib, a Taliban command-

er who specialized in orchestrating assassinations and suicide bombings.

"This is humiliating," said Hajji Agha Lalai, a member of the Kandahar Provincial Council, who like many officials said it was clear that the escapees had help from inside the prison.

Afghan officials did not confirm the prison break until Sunday, but the Taliban trumpeted their success.

"Through cleverly managed tactics, we have freed 23 of our brave mujahedeen from the Kandahar prison," said Qari Yousuf Ahmadi, the spokesman for the Taliban in southern Afghanistan, in an email to reporters in Kandahar.

Government officials said 10 prisoners had escaped. An official letter in Pashto sent from the National Directorate of Security, the Afghan intelligence agency, listed 18 prisoners scheduled for release, said Perwaiz Najeeb, chief of

staff in the Kandahar governor's office. That letter was altered to read 28 prisoners, and the names of the 10 Taliban insurgents were added to it, he said. Zia Durani, spokesman for the provincial police chief, confirmed that account.

"In Pashto, it is easy to convert a 1 into a 2 and make it 28 instead of 18," he said. "We are trying to find out who was involved in this trickery."

Mr. Lalai, the council member, said 11 prison officials had left with the freed Taliban prisoners and had not been seen since. "It indicates that a deal was made to release them, and this is a humiliating development for all security forces inside and outside the prison," he said.

International donors have twice paid to rebuild the Sarposha Prison to increase its security standards after previous escapes. It now holds 2,600 prisoners, of which about 1,500 are insurgents. In

2008, Taliban fighters attacked the prison, with a suicide bomber driving a truck full of explosives into the gate. Once it was blown open, 30 insurgents poured in, killing 15 guards and freeing 1,200 prisoners in one of the biggest prison breaks in modern history.

Canadian officials rebuilt the prison after the 2008 attack, making its walls and gates impenetrable. Then in 2011 the insurgents tunneled under the new walls for nearly a quarter mile to the other side of a highway, enabling at least 476 of their prisoners to escape into waiting cars. After that, the American military helped to rebuild the prison, and there were no further escapes until Tuesday's bureaucratic breakout.

Jawad Sukhanyar contributed reporting from Kabul, and Taimoor Shah from Kandahar, Afghanistan.

Rare gene lifts hope for diabetes therapy

BY GINA KOLATA

A study published on Sunday has found a rare mutation that protects even fat people from getting Type 2 diabetes. The effect is so pronounced — the mutation reduces risk by two-thirds — that it provides a promising new target for developing a drug to mimic the mutation's effect.

The study, based on genetic testing of 150,000 people, found that the mutation destroys a gene used by pancreas cells where insulin is made. Those with the mutation seem to make slightly more insulin and have slightly lower blood glucose levels for their entire lives.

Pfizer, which helped finance the study, and Amgen, which owns a company whose data played a key role in the research, are already starting programs aimed at developing drugs that act like the mutation, the companies said.

But Timothy Rolph, a Pfizer vice president, cautioned that it could take 10 to 20 years to get a drug to market after discovering something new about human genetics and disease.

The study, published Sunday in *Nature Genetics*, involved a mutation so rare that finding it was only recently possible, with a huge amount of data from large numbers of people, researchers said.

"The study is a tour de force and the authors are the top people in the field," said Samuel Klein, director of the center for human nutrition at Washington University School of Medicine, who was not involved in the study.

This is the first time in diabetes research that a mutation that destroys a gene has proved beneficial, said Louis Philipson, director of the Kovler Diabetes Center at the University of Chicago. For drug development, he said, "that is very powerful."

For scientists, the result was a surprise because the same mutation that protects people from diabetes, by destroying one copy of the gene, known as *ZnT8*, has the opposite effect in some strains of mice. Destroying that gene causes diabetes in those animals.

The work began four years ago when a group of geneticists from academic institutions and Pfizer decided to search for gene mutations that protect against diabetes. The group started with populations in Finland and Sweden, where 28,000 people had been studied for years. The data included their ages, weights

and diseases, including diabetes.

They compared people at either end of the spectrum of diabetes risk. One group of 352 people had Type 2 diabetes even though their risk seemed low. Their average age was about 50, they were lean and they did not smoke. The other group of 406 people was just the opposite. Their average age was about 80, and, Mr. Rolph said, "they had all the bad habits — they were overweight, they drank, they smoked." And yet these people did not have diabetes.

Two of the fat older people who were free of diabetes turned out to have a mutation that destroyed one copy of the *ZnT8* gene. It was intriguing, but hard to know if the association was meaningful with only two people. So the researchers expanded their work, studying the genes of 18,000 people in Sweden, fat and thin, old and young, with diabetes and without. They found 31 people who seemed protected from diabetes and had mutations that destroyed the *ZnT8* gene.

Then David Altshuler, deputy director of medical and population genetics at the Broad Institute of Harvard and MIT, who was the lead author, met with Kari Stefansson, chief executive of deCODE Genetics, a company with data on genes and diseases for the entire population of Iceland. The American drug company, Amgen, bought deCODE and its valuable genetic data base.

Dr. Stefansson searched deCODE's data base and quickly found 39 people out of 5,440 who had a mutation that destroyed the gene and who did not have diabetes. In contrast, just nine out of 3,727 diabetes patients had the mutation.

"It took us five minutes," Dr. Stefansson said. "It was a lovely little afternoon in our conference room."

At that point, Dr. Altshuler said, the group wrote a paper and submitted it to a medical journal. It was rejected, he said, after one of the reviewers said it must be wrong because it contradicted what was known from studies with mice.

The group went back for more data. They mapped the genes of 13,000 more people and once again found mutations destroying the same gene and associated with a markedly reduced risk of Type 2 diabetes. This time their paper was accepted for publication by *Nature Genetics*, Dr. Altshuler said.

Now the researchers are asking whether the mutation has any bad health effects.

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