

I, Rob S. Schmitt declare:

1. I am Corporate Legal Counsel at Business Wire, Inc. I have personal knowledge of the facts set forth in this declaration and can competently testify to them under oath.
2. On September 11, 2008, Business Wire published a press release titled “Legend Films Successfully Raises \$5 Million in Venture Capital Funding.” The content of the press release was provided to Business Wire by Barry Sandrew of Legend Films, Inc., as indicated by the contact information associated with the press release, and Business Wire published that press release shortly after receiving it. The complete, original text of that press release can still be found at the following URL: <http://www.businesswire.com/news/home/20080911005745/en/Legend-Films-Successfully-Raises-5-Million-Venture>
As described above, publishing the press release was a regular practice of Business Wire, and the press release has been kept in the course of Business Wire’s regularly conducted activities. As with all press releases that Business Wire publishes, the text of the press release has not been altered since its original publication. Attached hereto as **Exhibit 1** is a true copy of the original text of that September 2008 press release published by Business Wire.
3. On December 23, 2008, Business Wire published a press release titled “‘Night of the Living Dead’ to Be Released in Color and 3D.” The content of the press release was provided to Business Wire by The Blaine Group acting on behalf of Legend Films, Inc. and PassmoreLab, as indicated by the contact information associated with the press release, and Business Wire published that press release shortly after receiving it. The complete, original text of that press release can still be found at the following URL:
<http://www.businesswire.com/news/home/20081223005830/en/%E2%80%9CNight-Living-Dead%E2%80%9D-Released-Color-3D>
As described above, publishing the press release was a regular practice of Business Wire, and the press release has been kept in the course of Business Wire’s regularly conducted activities. As with all press releases that Business Wire publishes, the text of the press release has not been altered since its original publication. Attached hereto as **Exhibit 2** is a true copy of the original text of that December 2008 press release published by Business Wire.

I declare under penalty of perjury that the foregoing is true and correct and that this declaration was executed by me in San Francisco, California on May 13, 2016.



Rob S. Schmitt

Exhibit 1



Legend Films Successfully Raises \$5 Million in Venture Capital Funding

Proceeds to Fund 2D to 3D Conversion Technology, Home Entertainment Business, & RiffTrax.com

September 11, 2008 11:56 AM Eastern Daylight Time

SAN DIEGO--(BUSINESS WIRE)--Legend Films, Inc., a global entertainment and digital media company, has closed on a \$5 million Series E Preferred Stock offering. The lead investor was Augustus Ventures Limited, with participation by Legend's largest shareholder -- Boston-based equity fund Par Investment Partners. The proceeds are being used to fund Legend's investment in its new 3D conversion technology, growth in Legend's Home Entertainment business, and its successful Web 2.0 business at RiffTrax.com. "We are pleased to add Augustus Ventures to our strong shareholder base," commented Chief Executive Officer David G. Martin. "This funding gives us the necessary capital to fuel our aggressive growth plans in technology, content, and online services."

2D to 3D Conversion: Legend Films, in partnership with digital imaging innovator Passmorelab, has created cutting-edge technology and processes for converting 2D film and video into stereoscopic 3D. This technology can transform any movie or TV show into 3D for in-theater or in-home viewing. By next year there will be thousands of 3D-enabled theaters, and millions of 3D-enabled television sets in the United States. With major studios and directors now committed to 3D releases for many of their upcoming feature films, the stage is set for a new 3D era in theater and home entertainment.

Legend Films is primed to lead in content generation for this massive market opportunity based upon our vast experience in adding value to existing films and TV and our exceptional reputation with all the major Hollywood studios. "The process of converting existing 2D feature films and television episodes into 3D content is a logical extension of Legend Film's ground-breaking digital colorization process," said founder Barry Sandrew. "With a powerful base of innovative technology and time-tested production experience, the team of Legend Films and Passmorelab is perfectly positioned to become a leader in the conversion of 2D feature films and television episodes to 3D." Legend Films is offering conversion services on a fixed-cost basis, a back-end revenue share, or a blended approach.

Our 3D conversion technology is an outgrowth from our industry-leading position in the restoration and colorization of classic films and video. With studios in San Diego, California and Patna, India, Legend Films has color produced over 120 films in the past 6 years including the restoration and colorization of feature films and television episodes for its own library as well as for 20th Century Fox, Paramount Pictures, Universal Studios, Sony Pictures Entertainment, CBS Television, HBO, BBC, Jim Nantz Productions, and ESPN Networks. Most recently, Legend Films produced Paramount's 2007 color release of *It's A Wonderful Life*, and *Holiday Inn* for Universal Pictures which will be released October 14th, 2008.

Legend Films Home Entertainment: Legend Films recently acquired the exclusive DVD distribution rights to 38 feature films from a major Hollywood studio. These titles, never before seen on DVD, include a mix of hit movies, popular favorites and controversial cult classics. These critically acclaimed films, combined with Legend Films' growing catalog, now total over 100 titles. (Please visit www.legendfilms.com for a complete list.) Legend Films is also involved in on-going negotiations for additional studio catalog titles.

Previously distributed by third parties, Legend Films now successfully self-distributes its entire DVD product line to the home entertainment industry. Enthusiastic consumer reaction has been reflected in brisk sales that show continuing growth potential. Key accounts include Best Buy, Target, and Amazon. Legend Films also distributes its expanding DVD library internationally in over 30 countries.

RiffTrax.com: RiffTrax.com is a high-growth Web 2.0 business featuring the hilarious DVD commentaries of Michael J. Nelson - Star of the legendary Mystery Science Theater 3000. At RiffTrax.com, for just a couple of dollars each, you can download feature-length commentaries by Mike (plus other stars of MST3K and guest celebrities such as "Weird Al" Yankovic) and listen to these "RiffTrax" in sync with your favorite DVDs or pre-synched via Video On Demand. It's like watching a movie with your funniest friends. RiffTrax also has a growing interactive community, and has just launched iRiffs, where anyone can upload their own commentary on any movie or online media and sell it to fans worldwide. More user-generated content tools will be launched later this year (including a re-launch of Cuts.com) enabling users to interact with, and riff on, movie and video content.

For more information visit www.legendfilms.com, or www.rifftrax.com.

Contacts

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Exhibit 2

Explore Litigation Insights

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