

Higbee & Associates

A NATIONAL LAW FIRM

February 12, 2019,
Re: Claim Number: 514342 FRE 408 Settlement Communication

Dear Dave Leip,

Copyrighted work(s) owned by our client, Michael Grecco Photography, Inc., were identified on DaveLeip website(s) (see attached screenshots). Unfortunately, we are unable to find any record of a license for such use. If you have a license, thank you for purchasing it. Please provide us the details at claims@higbeeassociates.com with the claim number (514342) included. Once we receive the license, we will close the claim and apologize for the brief intrusion.

Also, if you are a non-commercial entity (meaning you do not derive income from the website) or if you do not do business in the US, please simply let us know as you are probably receiving this letter in error.

Michael Grecco is an accomplished photographer whose photos have been used by the world's biggest news outlets. His photos typically license for \$15,000 to \$35,000 a year. The unauthorized use of his work hurts his livelihood and results in him having to spend tens of thousands of dollars and countless hours stopping such use. The unauthorized use of our client's work deprives them of income and causes them to incur substantial costs in detection and enforcement.

If DaveLeip does not have a license, we believe the use of the work is a violation of The Copyright Act, Title 17 of the United States Code. My client has no desire to put you through any of the following, but I have an obligation to caution you about the seriousness of the matter. If forced to go to court to resolve the matter, my client will ask for the maximum justifiable damages. My client may also ask the court to order DaveLeip to pay their attorneys fees and court costs. Copyright lawsuits can result in judgments, wage garnishments and liens on property. In some instances, the business owner can be held individually liable. Please see the enclosed relevant section of the law and sources of additional information.

Michael Grecco Photography, Inc. would prefer to resolve this matter outside of court and is willing to offer a complete release of all liability associated with this image for \$15000. This offer is made based on rather limited information available to Michael Grecco Photography, Inc..

If you think this amount is disproportionate to the facts, please provide us with details about how long you used the work, the size of your business, any other ways the work was used, and any other details you deem relevant. Also provide a counteroffer for us to provide to Michael Grecco Photography, Inc.. We can be reached by email at claims@higbeeassociates.com or by phone at 800-716-1245. You may also wish to have an attorney contact us.

The overwhelming majority of these types of claims get resolved in a fair and efficient manner. However, without your cooperation, our only option is to litigate the matter, which we frequently do, so please do not make the mistake of ignoring this. If this matter is litigated, the demand amount will likely quadruple or more, and then you will likely also have to pay attorneys fees. If you have general business liability insurance, you may wish to contact your provider.

If we do not hear from you within 10 days, we will assume that you do not have a license and that you do not want to resolve this matter outside of court.

If you wish to simply resolve this claim without contacting us, you can view details of the claim and make a payment at the URL provided.

To resolve this matter efficiently and amicably out of court, please follow these steps:

(1) Within five business days after receipt of this letter, remove all occurrences of the image from your website(s), cease using it in any way, and confirm in writing that you have done so.

AND

(2) Within seven business days after receipt of this letter, return to our firm the attached Release License, along with your payment in the form of a valid cashier's check or money order for **\$15000** payable to **Higbee & Associates Client Trust Account**. This can be returned to us via US Mail. You can also pay over the phone or online at <http://copyright.higbeeassociates.com/resolution>. Your login is 514342. Your password is f52ly60f. If you choose to make your payment online, you can return the Release License via email to claims@higbeeassociates.com. Please include the case number (514342) in the subject line.

Please feel free to call or email us to discuss this matter, 800-716-1245 or send an email to claims@higbeeassociates.com

Sincerely,

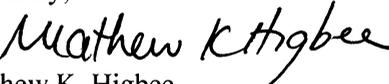

Mathew K. Higbee
Attorney at Law

EXHIBIT A



Infringing webpages:

- <https://uselectionatlas.org/FORUM/index.php?topic=132462.0>

Infringing file locations:

- <http://cache3.asset-cache.net/xc/84745486.jpg?v=1&&c=IWSAsset&&k=2&&d=77BFBA49EF8789215ABF3343C02EA54877D383B31CAC8AE809DA906F9B14DD42D899F834F7B7751F>

Infringing images and screenshots are shown below. You can receive copies of these images via email by sending a request to infringements@higbeeassociates.com. The email must include the case number (514342) in the subject line.

