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Exhibit A Examples of press releases made by Plaintiff

Exhibit B Defendant's Response to Plaintiff's Attorney
after receiving legal process.

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Posted Feb 15, 2005 PT

Earthlink continues to take spammers to court; four new cases join over 100 filed so far

Following through on marketing promises to take spam seriously, the internet service provider Earthlink has filed four more law suits against companies it says have sent illegal commercial email to its subscribers. The defendants allegedly sent unsolicited messages advertising cable descramblers, fake college diplomas, ink-jet printer cartridges and pornography.

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Original news summary:
(http://seattlepi.nwsource.com/business/211411_earthlinkspam10.html)

- Internet service provider EarthLink Inc. said it has filed four lawsuits against senders of unsolicited commercial e-mails.
- The suits, filed Jan. 18 in federal court in Atlanta, were filed against defendants in Washington, California, Florida and Nevada, EarthLink spokeswoman Carla Shaw said.
- The defendants are accused of sending unsolicited e-mails for cable descramblers, fraudulent college diplomas, pornographic Web sites, ink-jet printer cartridges and brokerage services, the company said.
- One of the suits names Redmond residents Christina Reese and Angela Nickerson, and a Redmond-based company named YamboCS Inc.
- The suit alleges that the defendants sent tens of thousands of fraudulent and deceptive e-mails advertising pornographic Web sites, using obscene subject lines and explicit images and text.
- The defendants couldn't be reached yesterday for comment.
- EarthLink has sued more than 100 defendants since 1997 over

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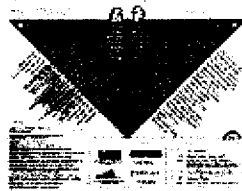
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illegal commercial e-mail, or "spam," said Larry Slovensky, assistant general counsel.

- The company sues spammers based on "internal observations and investigations of what users are experiencing," he said.
- Last year, the company sued a group of individuals and companies it called the "Alabama Spammers," accusing them of sending more than 250 million pieces of spam to promote herbal supplements and impotence drugs.
- Time Warner Inc.'s America Online, Microsoft Corp.'s MSN and cable television operator Comcast Corp. are the largest U.S. Internet-access providers.

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This story was printed from ZDNet News,
located at <http://news.zdnet.com>


By Matt Hines

URL: http://news.zdnet.com/2100-1009_22-5569439.html

EarthLink said Wednesday that it has filed four new lawsuits against alleged spammers in California, Florida, Nevada and Washington state.

The Internet service provider said that all four claims, which were filed in the U.S. District Court of Atlanta during January, charge defendants with violating the Can-Spam Act, the federal Computer Fraud and Abuse Act, and the Georgia Computer Systems Protection Act, in addition to state and federal racketeering laws.

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Atlanta-based EarthLink has been active in its legal efforts to halt unsolicited e-mail; the company recently won a settlement against the so-called Alabama Spammers, for example.

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The two men were charged with masterminding a "massive scheme of theft, spamming and spoofing." But they've agreed not to send any more unsolicited e-mail.

In the lawsuits, EarthLink is seeking unspecified financial damages and asking the courts to prevent the accused parties from spamming consumers in the future.

"EarthLink is committed to protecting the Internet," Larry Slovensky, assistant general counsel for EarthLink, said in a statement. "We will continue to pursue litigation, technical solutions, consumer education and legislative support to help ensure the

quality of the Internet experience for all users."

The violations highlighted in the four suits read like a laundry list of the activities outlawed by Can-Spam. Among the acts listed in the suits are the usage of spoofed e-mail addresses, failure to include physical addresses in e-mails, use of deceptive subject lines, employment of false and misleading header information, failure to provide an opt-out feature, failure to properly identify e-mail senders, and use of automated programs to generate e-mail addresses.

In its case against Gregory Lars Alsing of Elk Grove, Calif., and Impression Media, in Las Vegas, the ISP has charged the defendants with generating hundreds of

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thousands of fraudulent e-mails during 2004 that marketed cable descramblers and fraudulent college diplomas. In addition, the lawsuit charges the defendants with using so-called "text randomizers" to insert long strings of gibberish into messages in order to circumvent EarthLink's spam filters.

The company's suit against Craig Brockwell of Miami, and BC Alliance, of Sunrise, Fla., alleges that the defendants sent hundreds of thousands of deceptive e-mails advertising discount inkjet printer cartridges and other printer supplies.

Another claim—against Christina Reese, Angela Nickerson, a company known as YamboCS, and a collection of unnamed parties, all based in Redmond, Wash.—charges the defendants with creating tens of thousands of fraudulent and deceptive e-mails advertising pornographic Web sites.

The fourth lawsuit, against Peter Moshou of Auburndale, Fla., and other unnamed individuals, levels charges of generating large volumes of e-mail during 2004 and early 2005 that solicited personal information by offering brokerage services for people interested in selling time-share properties.

None of the defendants were immediately available for comment.

EarthLink has unleashed what may be the most visible attack on spammers by any ISP, winning what it claims are multimillion-dollar judgments in several cases, including a \$16.4 million judgment and settlement against Howard Carmack, once known as the "Buffalo Spammer."

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1801 Martin Luther King Jr. Way
Seattle, WA 98122

Reference: **SUMMONS IN CIVIL CASE NUMBER 1:04-CV-3008 CAP; EarthLink Inc. vs. Christina Reese; YAMBOCS, Inc; Angela Nickerson d/b/a YAMBOCS.COM and John Does 4-25 (the "ASMTSP Spammers")**

Paul F. Wellborn, III
WELBORNE & WALLACE, LLC
1372 Peachtree St., N.E., Suite 204
Atlanta, GA 30309

August 22, 2005

Dear Paul F. Wellborn, III,

Angela and I write this letter to you with grave concern and hope that once we have established a line of communication with each other regarding this case EarthLink will realize the mistake that has been made in naming Angela and I as 'spammers'.

We both realize that the senders of spam create numerous problems for ISP's and that ISP's have a duty and the right to protect their users from unsolicited bulk email. We both receive large amounts of spam daily and know first hand how annoying it is and how much time is wasted sifting through this junk email. We also understand that in order to reduce the amount of illegal spam sent over the Internet ISP's must take drastic measures such as filing lawsuits against the offenders to send a message to other would-be-spammers that this action will not be tolerated.

Having said that, I would like you to know that neither Angela nor I have EVER participated in any spamming activity. We have thoroughly read the complaint filed in the United States District Court, Northern District of Georgia (Atlanta Division). When we first learned of the lawsuit, we hired an attorney because we did not understand the scope of the allegations or the legal language in the documents. We now have a better understanding of the allegations EarthLink has made against us and adamantly deny any wrong doing. We do not possess the knowledge or equipment necessary to carry out the events that are described in the complaint.

We were investigated by and fully cooperated with the Federal Bureau of Investigation in this matter and no charges were brought against us.

We can no longer afford an attorney as the situation thus far has drained our entire life savings and has exhausted all of our financial resources, so we will be representing ourselves from this time forward.

We understand that there is reason that EarthLink feels that we are responsible for the ASMTSP Spamming, however, we are absolutely positive that we can correct this misunderstanding and help EarthLink to pursue and convict the real offenders. We both are more than willing to work with and fully cooperate with EarthLink and provide their investigators any and all documentation (including screenshot conversations via instant messenger services), information (telephone numbers, bank accounts, and corporate info), names (including copies of passports), addresses, ect. in order to help them successfully prosecute and civilly litigate against these individuals and organizations.

I am sure that EarthLink's purpose in filing this lawsuit was to stop the spamming as outlined in the complaint. Suing Angela and I will not bring a stop to this problem nor will it punish the responsible spammers because we did not do this. A suit of this nature against us will ruin our financial lives and futures while the profiteers of these actions will get away only to spam again.

I am sure you can understand the financial and emotional strain that this has already brought upon us. Angela and I have been under the care of a doctor for the treatment depression, anxiety, and insomnia since

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March. We no longer have any assets, savings, or retirement accounts. We look forward to the day where we can put this behind us and be able to live normal lives again.

Our professional and personal reputations have been damaged due to the large amount of publicity surrounding the announcement of this suit. Most articles named us as 'porn spammers', (including our local Seattle newspaper which is read by most we know) which was quite an embarrassing experience.

Again, Angela and I did not commit these crimes; we have never sent one piece of unsolicited email, we have never benefited or profited in any way from spam. Please allow us to speak with EarthLink through your organization so that we may set the record straight and help EarthLink hold the correct people responsible.

You may also contact us via telephone at 206.786.7609. We have absolutely nothing to hide and look forward to hearing from you.

Respectfully,

Christina Reese & Angela Nickerson
CR