

National Geographic Society

1145 17th Street N.W., Washington, D.C. 20036-4688

TERRENCE B. ADAMSON
Executive Vice President

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BY OVERNIGHT DELIVERY

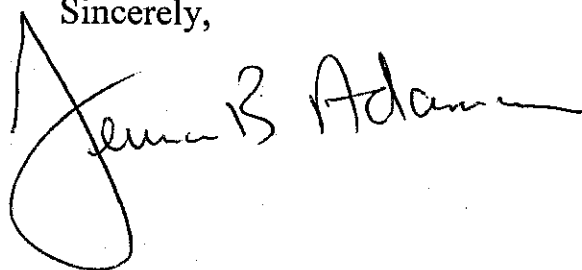
December 17, 2002

Mr. Jerry Greenberg
C/o Norman Davis, Esq.
Steel Hector & Davis, LLP
200 South Biscayne Blvd.
Miami, FLA 33131

Dear Mr. Greenberg,

As described in my letter to you of December 11, enclosed is the check in the amount of \$2,834.

Sincerely,

A handwritten signature in black ink that reads "Terrence B. Adamson". The signature is written in a cursive style with a large, looping initial "T" and a horizontal line at the end.

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December 11, 2002

Mr. Jerry Greenberg
C/o Norman Davis, Esq.
Steel Hector & Davis, LLP
200 South Biscayne Blvd.
Miami, FLA 33131

Dear Mr. Greenberg,

In the next few days we will be sending you a check in the amount of \$2,834 in payment for the appearance of your photographs in *Complete National Geographic on CD-ROM* ("Complete National Geographic"). As you know, we do not believe that we have any obligation to pay you again, because Complete National Geographic is simply an exact image-based reproduction of the *National Geographic Magazine* as a collective work, and you have already been compensated for the assignment and publication in *National Geographic Magazine*. Nonetheless, we obviously must recognize, although respectfully disagree, that the Eleventh Circuit has to date ruled otherwise, despite the subsequent decision of the U.S. Supreme Court in *Tasini v. The New York Times*, which makes clear that our copyright in the collective work encompasses this reproduction.

Assuming that a payment should be made to you, this amount is more than a reasonable amount of payment for the appearance of the assignment photographs in the Complete National Geographic, as specified by the only expert report on appropriate usage fee that has been submitted in our litigation. Although we do not concede that the number of "works" is 65, the amount of this payment is based on that number.

Sincerely,

Terrence B. Adamson (TBA)

Check Date: Dec.17,2002

Check No. 126453

Invoice Number	Invoice Date	Voucher ID	Gross Amount	Discount Available	Paid Amount
CR121302	Dec.13,2002	00243369	2,834.00	0.00	2,834.00
PHOTO USE/COMPLETE NATIONAL GEOGRAPHIC CD-ROM					
Vendor Number		Vendor Name		Total Discounts	
1000025663		JERRY GREENBERG		0.00	
Check Number	Date	Total Amount	Discounts Taken	Total Paid Amount	
126453	Dec.17,2002	2,834.00	0.00	2,834.00	

THE FACE OF THIS CHECK IS PRINTED BLUE - THE BACK CONTAINS A SIMULATED WATERMARK

NATIONAL GEOGRAPHIC SOCIETY

1145 17th Street N.W.
Washington, D.C. 20036-4688

Wiggs Bank N.A.
Washington, D.C.

126453

15-3
540

Date Dec.17,2002

Pay Amount 2,834.00***

Pay

****TWO THOUSAND EIGHT HUNDRED THIRTY-FOUR AND XX/100 DOLLAR****

Void after 90 days

To The
Order Of

JERRY GREENBERG
C/O NORMAN DAVIS ESQ
STEEL, HECTOR & DAVIS LLP
200 SOUTH BISCAYNE BLVD
MIAMI, FL 33131

W. Gregory Platts
Authorized Signature

126453 054000030

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