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**UNITED STATES DISTRICT COURT
DISTRICT OF NEW JERSEY**

ELEKTRA ENTERTAINMENT
GROUP INC., a Delaware
corporation; CAPITOL
RECORDS, INC., a Delaware
corporation; PRIORITY
RECORDS LLC, a California
limited liability company; VIRGIN
RECORDS AMERICA, INC., a
California corporation; WARNER
BROS. RECORDS INC., a
Delaware corporation; SONY
MUSIC ENTERTAINMENT INC.,
a Delaware corporation; ARISTA
RECORDS, INC., a Delaware
corporation; BMG MUSIC, a New
York general partnership;
MAVERICK RECORDING
COMPANY, a California joint
venture; MOTOWN RECORD
COMPANY, L.P., a California
limited partnership; UMG
RECORDINGS, INC., a Delaware
corporation; INTERSCOPE
RECORDS, a California general
partnership; and ATLANTIC
RECORDING CORPORATION, a
Delaware corporation,

Plaintiffs,

v.

DOES 1 - 7,

Defendants.

CIVIL ACTION
Case No.:

**DECLARATION OF KAREN A.
CONFOY IN SUPPORT OF
EX PARTE RELIEF PERMITTING
PLAINTIFFS TO CONDUCT
LIMITED DISCOVERY UPON
RCN CORPORATION**

Karen A. Confoy hereby declares, upon personal knowledge, under penalty of perjury that:

1. I am duly admitted to practice in this Court and am a member of the firm of Sterns & Weinroth, P.C., counsel for the Plaintiffs in this action.

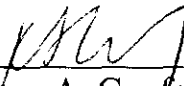
2. I make this declaration in support of Plaintiffs' Order to Show Cause and *Ex Parte* Application to Take Immediate Discovery.

3. The identities of the Doe Defendants listed in the Complaint are not known to Plaintiffs, but are known to RCN Corporation, the internet service provider that provided internet access to the Defendants.

4. Plaintiffs seek to obtain from RCN Corporation the true name, address, telephone number, e-mail address, and Media Access Control addresses for each Doe Defendant. Plaintiffs are making this application *ex parte* because the information Plaintiffs seek may soon be erased and because they need this information in order to serve timely the Defendants with the Summons and Complaint.

5. The *Ex Parte* application is made upon the Complaint filed herewith, Plaintiffs' Memorandum of Law in Support of Plaintiffs' *Ex Parte* Application to Take Immediate Discovery, and the Declaration of Jonathan Whitehead.

I declare under penalty of perjury under the laws of the United States
that the foregoing is true and correct.



Karen A. Confoy

Dated: February 13, 2004