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March 3, 2005

VIA FACSIMILE (202) 637-0968

Alan Davidson
Associate Director
Center for Democracy & Technology
16341 Street, N.W., Suite 1100
Washington, D.C. 20006

Re: CDT's Letter Dated February 25, 2005.

Dear Mr. Davidson:

This letter responds to yours of February 25, 2005, requesting a response from Active Publishing by March 4. We are responding on behalf of Active Publishing.

We are familiar with CDT and have monitored its continuing involvement in a variety of issues including its amicus brief in the *Grokster* case. Irrespective of our client's particular positions, we salute CDT's active involvement in these crucial areas.

Our client genuinely regrets that anything it has allegedly done or failed to do has been interpreted by CDT as potentially confusing or misleading. While my client denies that anything on the site is misleading or confusing in any way, it will in good faith remove the phrase "100 Legal" from the page. That change will occur on or before March 10, 2005. Our client will also review the other language addressed by your letter, but believes that the prompt removal of the "100% legal" phrase is responsive to CDT's primary concern. In addition, my client will review the new-member email discussed in your letter and undertake a rewording of that email. We will send you notice of that rewording when it is accomplished this month.

Active Publishing denies any express or implied admission of fault or any alleged or actual violation of any law including but not limited to the FTC Act and does not intend this letter to constitute express or implied acknowledgment of ownership or control of any other website.

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Alan Davidson
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Active appreciates your having drawn this to its attention and trusts that this letter adequately responds to your concerns.

Should you have any questions or wish to discuss this further, kindly direct your remarks to the undersigned.

Very truly yours,

A handwritten signature in black ink, appearing to read "Tim Harris", with a long horizontal flourish extending to the right.

Tim Harris
of CHARLSTON, REVICH & CHAMBERLIN LLP