

IN THE CIRCUIT COURT OF COOK COUNTY, ILLINOIS
COUNTY DEPARTMENT, LAW DIVISION

RUSSELL BAUKNIGHT as Personal Representative)
under the Will of James Brown and Trustees of The)
JAMES BROWN, 2000 Irrevocable Trust and its)
Subtrusts, in his representative capacity and on behalf of)
all similarly situated, and COMMISSIONER JERRY)
BUTLER, RUTH JONES p/k/a DINAH WASHINGTON,)
by Robert Grayson, her son and only living heir,)
CHESTER ARTHUR BURNETT p/k/a HOWLIN')
WOLF by Betty Kelly and Barbara Marks, his only living)
daughters and sole heirs, CLARA WARD, individually)
and as sole surviving heir for her sister, WILLA WARD,)
and as representative of THE FAMOUS WARD)
SINGERS, on behalf of themselves in their representative)
capacities and all others similarly situated,)
Plaintiffs,)

v.)

CORBIS CORPORATION,)
Defendant.)

No. 02 L 005872

ORDER

THIS MATTER COMING TO BE HEARD on the determination of whether this case should proceed as a class action, the parties having fully briefed the matter and having presented oral arguments on several occasions.

The Court makes the following findings and orders:

1. this matter is to proceed as a class action with the class definition as

"All Illinois residents whose names and/or images, or likenesses were exploited by Corbis, without their written permission, during the applicable statute of limitations time period through Corbis' offer for sale or sale of purported licenses to use said names, images, or likenesses to consumers, via the Company's websites, including www.corbis.com, www.corbismotion.com, or www.corbisoutline.com. Excluded from the class are non-Illinois residents or

any individuals appearing in the images or likenesses described in the preceding sentence whose names do not appear below the image or likeness on the Corbis websites and cannot be accessed through a name search on any of the Corbis websites. Also excluded are defendant Corbis, and Corbis' officers, directors, employees, representatives, parents, subsidiaries, and affiliates as well as any judicial officer presiding over this action and the members of his/her immediate family and judicial staff."

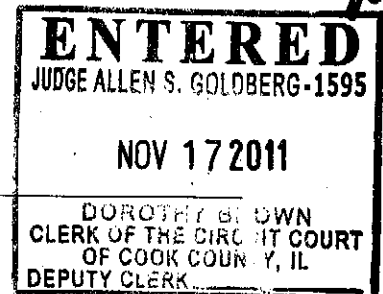
2. ~~Commissioner Jerry Butler and~~ Betty Kelly and Barbara Marks representatives of the Estate of Chester Arthur Burnett p/k/a Howlin Wolf are designated as class representatives.
3. Arthur S. Gold of Gold & Coulson is designated as lead class counsel.
4. The first class action Complaint filed in this matter was filed January 18, 2008.
5. All pictures of a class member posted by Corbis on its websites before January 18, 2007 are barred as a basis for a claim.
6. The sale of any class member's pictures by Corbis for commercial end-use, i.e. for example, on a T-shirt or mug, including those sales used for photograph collection purposes, are considered sales for commercial end-use.

ASG 7. ~~If no actual sale of a class member's photograph has occurred, that class member is only entitled to a claim for statutory damages of \$1,000 per photograph posted by Corbis after January 18, 2007.~~

7. All sales by Corbis of a class member's photograph to individuals or entities for those purposes listed in 765 ILCS 1075/35 would not entitle that class member to damages.

8. This matter is set for further status on 12/2, 2011 at 9:30 AM. NH

Enter: _____
Judge



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