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UNITED STATES DISTRICT COURT
DISTRICT OF OREGON

AMERICAN BUDDHA, an Oregon Nonprofit)
Corporation,)

Plaintiff,)

vs.)

THE CITY OF ASHLAND AND THE)
WASHINGTON POST COMPANY,)

Defendants.)

Case No.: 1:06-cv-3054

STIPULATED ORDER BY DEFENDANT
CITY OF ASHLAND

STIPULATION FOR DECLARATORY RELIEF

It is hereby stipulated, by and between Plaintiff American Buddha and Defendant The City of Ashland (“the City”), through their undersigned counsel, that the following stipulation establishing declaratory relief between the parties shall be entered pursuant to the Court’s authority to declare the rights of the parties:

1. Plaintiff American Buddha shall maintain a designated agent with the U.S. Copyright Office, and will adhere to the notification, takedown, counternotification and replacement of content procedure set forth at 17 U.S.C. §512 with respect to all notices of infringement arising from web

content at www.american-buddha.com, or on any website hosted through
MAC Address _____.

2. Upon receipt of any notice alleging a violation of copyright, or any other legal rights, due to the publication of literary, sound, video or photographic works at www.american-buddha.com, or at any other website originating from MAC Address _____, the City will provide the complaining party with the following notification:

“Ashland Fiber Net has received your notification concerning [affected website], which is hosted by the American Buddha Online Library, which has designated an agent to receive and process claims of infringement with the U.S. Copyright Office’s “Directory of Service Provider Agents for Notification of Claims of Infringement.” To locate the email address of the currently-designated agent, search the U.S. Copyright Office directory located at <http://www.copyright.gov/onlinesp/list/index.html> for the terms ‘ABOL,’ ‘American Buddha’ or ‘American Buddha Online Library.’”

3. City employee Rick Holbo shall have no contact with any matters having to do with infringement, abuse or other complaints concerning www.american-buddha.com or any other website hosted at MAC Address _____.
4. No City employee or agent shall advise or coach persons or entities concerning how to comply with DMCA procedures, or take any action except that set forth in paragraph 2 above, when presented with claims falling within the scope of this stipulation.
5. The City will not terminate service to MAC Address _____ at the request or complaint of any private party except as directed by a court order issued by a court of competent jurisdiction. The sole exception to this rule shall be termination for nonpayment of services at the written request of

InfoStructure, or such other ISP as plaintiff may contract with to obtain services through AFN.

6. The Court shall retain jurisdiction of the third claim for relief, for enforcement purposes.

7. The first and second claims for relief shall be dismissed.

Dated: February 8, 2007

By: _____
Karen O’Kasey
Attorney for the City of Ashland

Dated: February 8, 2007

By: _____
CHARLES CARREON (93469)
Attorney for Plaintiff American Buddha

ORDER

Pursuant to the stipulation of the parties, it is SO ORDERED.

Dated: February 8, 2007

Owen Panner, United States District Court Judge

