

----- Original Message -----

From: <webmaster@infomercialscams.com>

To: XXXXX

Sent: Thursday, October 18, 2007 5:24 AM

Subject: Re:Notice that you have been sued by Video Professor

To: XXXX

YOU HAVE BEEN SUED BY VIDEO PROFESSOR.

THIS IS A NOTICE FROM INFOMERICALSCAMS.COM ABOUT YOUR RIGHTS.

Why am I getting this notice?

You are getting this notice because you are one of 100 people (known as 'John Does') who are being sued by Video Professor in connection with an anonymous posting that you made on the infomercialscams.com website. The case is known as Video Professor v. John Doe 1-100, Civil Action No. 07-cv-01726-WYD-CBS, and is pending in the United States District Court for the District of Colorado (Denver).

Will my identity be revealed?

Video Professor is asking the court to order infomercialscams.com to reveal identifying information about you, including the name and email address that you provided when you registered to post. This information may also include the 'IP number' that you used when posting; this number can be used to identify your Internet Service Provider which may have further identifying information about you. Infomercialscams.com may be forced to reveal such identifying information that it has, unless a motion is filed on your behalf in federal court to block such disclosure. The rest of this message provides you with information about the reasons that Video Professor has given for demanding this information, and what you can do to respond to Video Professor's demand.

What is Video Professor claiming?

Video Professor claims that the 100 John Does, including you, are engaged in false advertising in violation of federal law and defamation in violation of Colorado law, and also alleges several other claims under Colorado law.

What specific statements is Video Professor's lawsuit about?

In response to a demand by our attorneys, citing your First Amendment right to anonymous free speech, Video Professor has specified the following message from you that was posted on the infomercialscams.com web site on 9/15/2007 allegedly contain false and defamatory statements. The underlined words are the specific statements that Video Professor claims are false:

After watching the TV commercials for FREE lessons, I ordered one. I get it and find out they are going to charge me \$89.00 for it. I'm sending it back, Scherers guarantee being "not satisfied for ANY reason, I will refund shipping and handling and send you \$10.00" Now we'll see if he honors it or is a bald face liar.

Video Professor has provided the attached affidavit from one of its officials, Bettye Harrison, as well as a chart that reveals the following basis for its claim that the underlined words are false:

VPI does not make unauthorized charges to customer credit card accounts. This is specifically verifiable because VPI records and archives each and every one of its telephone purchase transactions. If the identity of the poster is provided, the recording will reflect that the charges were authorized by this customer or that no such transaction ever occurred.

What do I need to do to stop my identity from being revealed? Do I need my own lawyer?

If you want to prevent the disclosure of your identifying information, you may wish to obtain your own attorney to file a motion to block disclosure on your behalf. That motion can be filed in federal court EITHER in Nevada OR in Colorado (your attorney will decide). So long as you or your attorney notifies us by October 31 that a motion to quash has been filed on your behalf, we will object to disclosure until that motion has been decided.

If I can't get my own lawyer, will your lawyers help me?

Our lawyers are reviewing the materials supplied by Video Professor to decide whether, in their opinion, Video Professor has shown enough evidence to be able to learn your identity. If they conclude that Video Professor has NOT shown enough, they will file papers making that argument with the Court unless Video Professor improves its showing.

However, you should not count on our lawyers filing on your behalf, or on their succeeding in such an argument. The only way to be certain that a motion to block disclosure is filed on your behalf, assuming that such a motion is justified, is to get your own lawyer to file it for you.

Our lawyers are willing to consider representing individual posters on our web site. Their names and contact information are listed below. The Electronic Frontier Foundation in San Francisco is also willing to consider such representation. You may call EFF's intake coordinator, Eva Galperin, at 415-436-9333, extension 111. Another resource to consult is the web site <http://www.subpoenadefense.org/legal.htm>. The American Civil Liberties Union is willing to provide information about opposing subpoenas to identify anonymous Internet speakers. For information, contact Christina Juhasz-Wood at cjuhasz-wood@aclu.org or 212 549-2640.

Who are our lawyers?

The lawyers representing infomercialscams.com are:

Paul Alan Levy

Deepak Gupta

Public Citizen Litigation Group

1600 - 20th Street, N.W.

Washington, D.C. 20009

(202) 588-1000

FAX: 202-588-7795

litigation@citizen.org

Who are Video Professor's lawyers?

The main lawyer representing Video Professor is:

Gregory H. Smith, Esquire

Fairfield and Woods, P.C.

Wells Fargo Center, Suite 2400

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Denver, Colorado 80203-4524

303-894-4459

FAX: 303-830-1033

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The entire complaint filed by Video Professor, and the entire chart of allegedly defamatory posts from infomercialscams.com, can be accessed at <http://www.infomercialscams.com/vptable.htm>