

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

-----X  
MASTERFILE CORPORATION,

Plaintiff,

against

COUNTRY CYCLING & HIKING TOURS  
BY BROOKS, INC.  
d /b/a BROOKS COUNTRY CYCLING TOURS,

Defendant.  
-----

Case No. 06cv6363  
Judge SAS  
ECF Case

**SUPPLEMENTAL  
DECLARATION  
OF ZEHRA J. ABDI IN  
SUPPORT OF DAMAGES  
INQUEST**

I, ZEHRA J. ABDI, declare as follows:

1. I am an attorney in the law firm of Cowan, DeBaets, Abrahams & Sheppard, LLP (“CDAS”), co-counsel for Plaintiff in the above-captioned action (the “Action”). This declaration is made in support of Plaintiff’s request for damages and supplements the record submitted by Plaintiff since the filing of their Memorandum in Support of Damages Inquest on February 28, 2007 and electronically filed on March 8, 2007. The statements made below are true of my own personal knowledge and if called upon to testify I could and would competently testify thereto.

2. Plaintiff, in their original Memorandum of Law in Support of Damages Inquest (“Memorandum”), laid out the factual and legal bases for their claim of damages based upon Defendant’s copyright infringement in the total amount of \$22,400 (\$5,600 per infringement for each of Defendant’s 4 infringements). See Memorandum, pp. 4-14. Plaintiff also provided the legal bases in support of their claim of attorneys’ fees and costs. Id., pp.14-16.

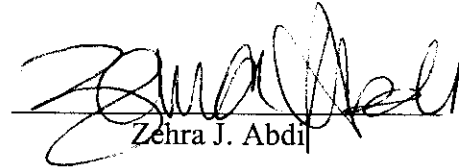
3. However, the attorneys' fees and costs sought by Plaintiff in their Memorandum included only those fees from the inception of the Action until February 21, 2007. The application did not include fees incurred in the preparation of the Memorandum in Support of Damages Inquest. See Declaration of Zehra J. Abdi, ¶ 12.

4. The time incurred from February 22, 2007 through March 8, 2007, which includes the time incurred to prepare and file Plaintiff's Memorandum of Law in Support of Damages Inquest, was 14.9 hours, and our fees totaled \$2,270.50. Along with the costs incurred in the amount of \$63.50, the total amount of fees and costs associated with filing the Memorandum is \$2,334.00. True and correct copies of our firm's invoices to our clients showing all time and expense charges from February 22, 2007 through March 8, 2007 are attached hereto as Exhibit A.

5. Along with the previously documented amount of \$2,190 in attorneys' fees and costs through February 21, 2007 detailed in the prior Declaration of Zehra J. Abdi, Plaintiff's attorneys' fees and costs incurred in the Action from commencement of the Action through March 8, 2007 total \$4,524.00.

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

Dated: New York, New York  
April 9, 2007



Zehra J. Abdi

# EXHIBIT A

---

**Cowan, DeBaets, Abrahams & Sheppard LLP**

Attorneys at Law

41 Madison Avenue, New York, NY 10010

Tel: (212) 974-7474

Fax: (212) 974-8474

Web: www.cdas.com

E-Mail: cdas@cdas.com

Masterfile Corporation  
 Danny Ciraco  
 175 Bloor Street East  
 South Tower  
 2nd Floor  
 Toronto, Ontario M4W 3R8  
 CANADA

Bill Date: April 9, 2007  
 Bill # 30612  
 Client # 14015 - 00009

**RE: Masterfile v. Brooks Country**

Balance as of bill dated 02/28/2007	\$1,103.40
Payments received since last bill	996.00
Unpaid Balance forward	\$107.40

**FOR PROFESSIONAL SERVICES RENDERED**

		<u>Hrs.</u>	<u>Rate</u>	<u>Amount</u>
02/26/07	NEW Review inquest brief.	0.40	320	128.00
02/26/07	ZA Draft inquest memorandum, declaration, review with N. Wolff, revise, e-mail communications with Magda	6.00	135	810.00
02/27/07	NEW Review and revise memo of law and declaration.	1.00	320	320.00
02/28/07	ZA Finalize Inquest Memorandum. Travel to Court, file documents, serve documents on G. Brooks	5.00	135	675.00
03/08/07	ZA Scan inquest memorandum, file electronically, telephone conference with M. Kwon	2.50	135	337.50

**TOTAL FEES FOR THIS MATTER** **\$2,270.50**

**DISBURSEMENTS**

02/28/07	Lexis Nexis Invoice # 0702185779: Electronic Research.	63.50
----------	--	-------

**TOTAL DISBURSEMENTS FOR THIS MATTER** **\$63.50**

**SUMMARY OF CHARGES ON THIS BILL** through March 8, 2007

<u>Init.</u>	<u>Name</u>	<u>Hrs.</u>	<u>Rate</u>	<u>Amount</u>
ZA		13.50	135	\$1,822.50
RC		0.00	80	\$0.00
NEW		1.40	320	\$448.00
	Total fees	14.90		\$2,270.50
	Total disbursements			\$63.50
	Total charges for this bill			\$2,334.00
	Net current charges			\$2,334.00
	Net charges due			\$2,334.00

Cowan, DeBaets, Abrahams & Sheppard LLP Client # 14015 - 00009 Bill# 30612 Page 2

Plus unpaid balance forward \$107.40

**TOTAL BALANCE NOW DUE \$2,441.40**