

**UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF FLORIDA**

**JERRY GREENBERG, individually,  
and IDAZ GREENBERG, individually,**

**Plaintiffs,**

**CASE NO. 97-3924  
CIV-LENARD  
Magistrate Judge Turnoff**

**v.**

**NATIONAL GEOGRAPHIC SOCIETY, a district  
of Columbia corporation,  
NATIONAL GEOGRAPHIC ENTERPRISES, INC, a  
corporation, and MINDSCAPE, INC., a  
California corporation,**

**Defendants.**

**DEFENDANTS' REQUEST  
FOR THE PRODUCTION  
OF DOCUMENTS**

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DOCUMENT REQUESTS

1. All documents pertaining to the registration by the plaintiff(s) with the U.S. Copyright Office of their copyrights in the books entitled "The Living Reef" and "The Coral Reef," including certificates of registration. **THEY ALREADY HAVE THIS MATERIAL!**

2. All documents pertaining to the provision by Jerry Greenberg to the Society of the books entitled "The Living Reef" and "The Coral Reef."  
**SEE IDAZ PHONE CALL 3/11/97**

**SEE NGS FOLDER V: OCTOBER 24, 1975 AND MARCH 18, 1977**

3. All documents pertaining to the publication in the Society's monthly magazine in January 1962 of the photograph referenced in Paragraph 15 of the Amended Complaint. **SEE NGS FOLDER I: ORIGINAL PHOTO ASSIGNMENT. JUNE, 1960**  
**ALSO SEE JANUARY 2, 1961 IN NGS FOLDER I**

4. All documents pertaining to the assignment by the Society to Jerry Greenberg of copyright in the photograph referenced in paragraph 15 of the Amended

Complaint. **ACTUAL ASSIGNMENT OF ©. SEE NGS FOLDER VI. DEC. 18, 1985**  
**- ALSO IN SAME FOLDER: JAN. 2, 1961. PLUS LETTERS BETWEEN DATES 1985**

5. All documents pertaining to Mr. Greenberg's renewal of copyright in the photograph referenced in paragraph 15 of the Amended Complaint. **DO THEY ALREADY HAVE THIS? SEE RE 478-546**  
**JAN. 23, 1990**

6. All documents pertaining to the allegation contained in paragraph 19 of the Amended Complaint that the "Oceans GeoPack" product contains copies of the photographs described in paragraphs 9, 12, 13, 14 and 15 of the Amended Complaint. **NORMAN DAVIS LETTERS TO E.I. AND NGS**

7. The poster entitled "Living Corals of the Tropical Atlantic" referenced in paragraph 16 of the Amended Complaint. **SAMPLE POSTER ENCLOSED**

8. All documents pertaining to the registration by the plaintiff(s) with the U.S. Copyright Office of their copyright in the poster entitled "Living Corals of the Tropical Atlantic" referenced in paragraph 16 of the Amended Complaint.

**DO THEY ALREADY HAVE THIS? SEE K-107129 JULY 9, 1974**

**E.I.**  
**PRODUCT**  
**2-BKS**

9. All documents pertaining to the publication in the Society's monthly magazine in June 1990 of the photograph described in Paragraph 21 of the Amended

Complaint. **SEE NGS FOLDER V: PHOTO ASSIGNMENT: JUNE 14, 89**  
**SEE NGS FOLDER VI FOR CONTINUING LETTERS**

10. All documents pertaining to the terms of the written agreement referenced in paragraph 21 of the Amended Complaint, including the agreement itself.

**SEE NGS FOLDER V: PHOTO ASSIGNMENT: JUNE 14, 1989**

11. All documents pertaining to the inclusion by the Society of the photograph referenced in paragraph 21 in a brochure promoting the Society's 1996 Jason Project.

**SEE NGS FOLDER III: JASON PROJECT; OCT. 26, 1995**

12. All documents pertaining to the allegation contained in paragraph 21 of the Amended Complaint that "the Society admitted that it had violated Mr. Greenberg's

copyright." **SEE NGS FOLDER III: JASON PROJECT; OCT. 26, 1995**  
**ALSO ANY NORMAN DAVIS LETTERS TO NGS**

13. All documents pertaining to the allegation contained in paragraph 44 of the Amended Complaint that the "Disputed Images that appear in the GeoPack product are at

least substantially similar to the Greenberg photographs, and an inference is warranted that the Disputed Images are copies."

**NORMAN DAVIS LETTERS TO EDUCATIONAL**  
**INSIGHTS AND NATIONAL GEOGRAPHIC**  
→ **ALSO EXHIBIT?**

**PRODUCT**

14. All documents pertaining to the allegation contained in paragraph 47 that "the Greenbergs advised Educational Insights, Inc. that the copies had not been

authorized, and demand was made that use of the copies in the GeoPack product be discontinued."

**NORMAN DAVIS LETTER TO EDUCATIONAL INSIGHTS**

15. All documents pertaining to any damages suffered by the plaintiffs as a result of the allegations contained in Counts I and II of the Amended Complaint.

**NOT AVAILABLE: ONLY TP. 17 IE: LICENSES**

\* 16. All documents pertaining to any [REDACTED] generated as a result of the images referenced in Counts I and II of the Amended Complaint. SEE SALES CHARTS, INVOICES

\*\* 17. All documents pertaining to any [REDACTED] granted by the plaintiffs during the last five years for the use of images in which they own copyright.

\*\*\* 18. All documents pertaining to any [REDACTED] generated during the last five years as a result of the images in which the plaintiffs own [REDACTED] **OK ON FLOOR**

\*\*\*\* 19. All documents pertaining to any legal expenses incurred by the plaintiffs in pursuing the allegations contained in Counts I and II of the Amended Complaint, including but not limited to the time records or billing records of any and all Steel, Hector & Davis personnel who have rendered services to the plaintiffs. **NORMAN D. HAS PAPERWORK SHD**


Dated: New York, New York  
April 2, 1998

TP16

\* SEE INVOICES: 1972-1997  
SEE JOURNALS: 1972-1997

NORMAN: SEE 3 PAGES  
OF ACTUAL SALES OF  
3 DIFFERENT ITEMS

TO: STEEL, HECTOR & DAVIS LLP  
Suite 4000  
First Union Financial Center  
200 South Biscayne Boulevard  
Miami, Florida 33131

  
Robert G. Sugarman, Esq.  
WEIL, GOTSHAL & MANGES LLP  
767 Fifth Avenue  
New York, New York 10153  
(212) 310-8000

TP18 SEE INVOICES 1993-1997

\*\*\* SEE JOURNALS 1993-1997

NORMAN: SEE TP18 SHEET

TP17

\*\* SEE INVOICES: 1993-1997  
SEE JOURNALS: 1993-1997  
SEE INDIVIDUAL ENVELOPES  
FOR LICENSES ALSO  
J. WALTER THOMSON AND  
AUDUBON MAGAZINE

NORMAN: SEE TP17 SHEETS

TP19 STEEL INVOICES  
HECTOR DAVIS  
\*\*\*\* SEE RECEIPTS  
IN ENVELOPE MARKED  
NGS/EDUCATIONAL INSIGHTS

NORMAN: SEE TP19 SHEET  
TOTAL AS 15 APRIL 98  
\$851.64