



Erik S. Zilinek
Legal Counsel
NameMedia, Inc.
230 Third Avenue
Waltham, MA 02451
ezilinek@namemedia.com
T: (781) 839-2860
F: (781) 839-2801

February 13, 2009

VIA E-MAIL ONLY

Curtis J. Neeley, Jr., M.F.A.
d/b/a Curtis Neeley Photography
2619 N Quality Lane, Suite 123
Fayetteville, Arkansas 72703

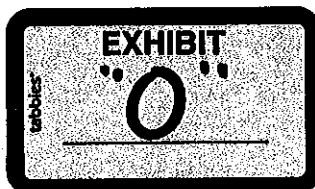
Re: NameMedia, Inc. d/b/a BuyDomains.com: <eartheve.com>

Dear Mr. Neeley:

Upon further consideration and review of the circumstances surrounding NameMedia's registration and use of the subject domain name, NameMedia is maintaining its position as previously stated. NameMedia's use of the domain name has been legitimate and proper and in no way impinges on your rights. Since NameMedia registered, and is using, the domain name in good faith, we consider that a tribunal would not preclude NameMedia from retaining or continuing to use the domain.

To that end, all potential buyers of domain names held by NameMedia are routinely referred to the Sales Team at its wholly-owned BuyDomains.com subsidiary. Our Sales Team has indicated that your offer of <ozarkphotos.net> in-exchange for the subject domain name is not acceptable. If you would like to negotiate the sale of the domain further, please contact the Sales Team at BuyDomains.com.

This letter is sent solely in the interest of promoting an amicable settlement of this matter and nothing contained herein should be construed or understood as an admission or waiver of any kind. NameMedia reserves all legal, equitable and administrative rights, remedies and defenses available and this letter is sent without waiver of any claims or counterclaims NameMedia has



against you client, or any entities or individuals associated therewith. I remain at your disposal should you have any questions or additional legal concerns.

Sincerely,

A handwritten signature in black ink, appearing to be 'Erik S. Zilinek', written in a cursive style.

Erik S. Zilinek