



Adam Glass
Lewis Silkin LLP

By Email: Adam.Glass@lewissilkin.com

Without Prejudice
15 October 2015

Dear Adam

Re: Kristian Weston

As I said before, I have not responded to your 18 September letter as yet because I was hopeful that we would have a constructive dialogue which would lead to an end to this matter. I sense from your 1 October letter however that both you and your client have entirely unrealistic expectations as to what constitutes a fair resolution driven, in my view, by a misplaced belief in the strength of Kristian's case. For example:

- a. You refer to the fact I have not sent a written report from Peter Oxendale. I am sure you are not suggesting however that I have fabricated his analysis. The simple fact is that Peter cannot find any "Hidden" sample in "Terminus". To my knowledge you have no counter-evidence against that: you simply have Kristian's claim. Unsurprisingly, that does not convince us.
- b. As for Alex Patterson, you say we should be "unwilling" to rely on what he tells us but I assume this is just posturing on your part in the same way as is your "declaration of war" language. To be clear, I am simply investigating competing and complex claims and allegations that have been made. I do not profess to be the arbiter of the facts and whilst I appreciate you have a job to do, without incontrovertible evidence which clearly you do not have, I am not going to side with your version of events – and particularly not so as to simply dispose of your client's claims.

More generally, there is clearly no historical basis for your £10,500 settlement figure. On any analysis, that seems to us to be a fanciful number. Keeping it simple, since 2009 (taking into account limitation issues) we have had reported **123 digital track downloads** and **41,116 streams** (which equates to approximately **£260** of income) for "Terminus". For the same period, we have had reported **40 digital track downloads** and **38,236 streams** (equating to approximately **£235** of income) for "Egnable". Finally, for the same period, we have had reported **942 album unit sales** (physical and digital) for the album Cydonia. As you will therefore see, in a commercial context, your number is illogical.

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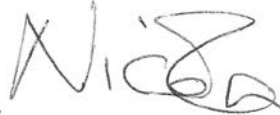
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I am pleased to see that in practice your client accepts this is about money – he is not trying to prevent further exploitation of the two tracks. If you want to make us a more commercially realistic proposal based on the above then I would encourage you and your client to do that. Otherwise, and absent any more convincing evidence from your side, I am unclear as to how much more benefit there will be from continuing our correspondence.

Hopefully you will be able to respond positively.

Yours sincerely

A handwritten signature in black ink, appearing to read 'Nicola', written in a cursive style.

NICOLA KENNEDY

For and on behalf of Island Records,
a division of Universal Music Operations Limited