

DECLARATION

1. My name is Steve Goldstein. I am Sales Manager for FM radio stations WTOP-FM, WWWT-FM, and WTLP(FM) ("WTOP") and AM radio stations WFED(AM) and WWFD(AM) ("WFED") in the Washington, D.C. area.
2. During the period from April 21, 2009 through June 26, 2009, WTOP broadcast a paid advertising schedule for the National Association of Broadcasters ("NAB") regarding the Performance Rights Act.
3. Prior to July 31, 2009, WTOP and WFED were never contacted by the MusicFIRST Coalition ("MusicFIRST"), or its media representative, regarding the broadcast of MusicFIRST radio spots.
4. On July 31, 2009, I learned from trade press that MusicFIRST was seeking to air spots on broadcast stations. I identified and contacted Mr. Martin Machowsky, MusicFIRST's media representative, concerning any interest MusicFIRST might have in purchasing radio advertising on WTOP. I had several conversations with Mr. Machowsky on that date.
5. During those conversations, I informed Mr. Machowsky that WTOP would air MusicFIRST spots and would provide MusicFIRST with the same rate paid by NAB for its schedule. Mr. Machowsky declined to place an order to broadcast MusicFIRST spots on WTOP and indicated that MusicFIRST preferred to advertise when NAB is on the air.
6. Subsequently on August 6, 2009, I sent an email to Mr. Machowsky noting that when we first discussed airing MusicFIRST spots on WTOP, I neglected to mention WFED. I indicated that, should MusicFIRST decide to advertise with us, I hoped he would consider WFED in addition to WTOP. Mr. Machowsky did not reply to my email.
7. WTOP and WFED continue to be willing to work with Mr. Machowsky and MusicFIRST on the purchase of advertising time for MusicFIRST's spots.

I, Steve Goldstein, declare under penalty of perjury, under the laws of the United States of America, that the foregoing is true and correct to the best of my knowledge and belief.



Steve Goldstein

September 8, 2009