

April 17, 2015

[ADDRESSEE]

RE: Privileged and/or Confidential Information Stolen From Sony Pictures Entertainment

Dear :

As you are aware, in November 2014, Sony Pictures Entertainment (SPE) was the victim of an unprecedented cyber-attack and theft of data stored on its computers. In an on-going campaign explicitly seeking to prevent SPE from distributing a motion picture, the attackers — who the U.S. Government determined and publicly confirmed to be North Korea—threatened SPE and its employees with the dissemination of both private and company information for the stated purpose of materially harming SPE. The attackers also threatened, using references to 9/11, to attack theaters if they showed the picture, as well as theater goers and those who lived in the vicinity of such movie theaters.

The vast majority of media outlets around the world have responsibly declined to assist the attackers with their extortionate plot and attack on SPE's employees, assets and freedom of expression. Unfortunately, WikiLeaks has now elected to knowingly and indiscriminately download, copy, index, use and disseminate, and to encourage and facilitate others' access to and use of, SPE's stolen data.

Despite its purported commitment to free expression, WikiLeaks' conduct rewards a totalitarian regime seeking to silence dissident speech, and imposes disincentives on entities such as SPE who depend on trade secrets, confidential information, and protection of intellectual property to exercise their First Amendment rights every day.

As we have previously indicated, the stolen data includes, but is not limited to, documents and information protected under U.S. and international legal doctrines protecting attorney-client privileged communications, attorney work product, and related privileges and protections, as well as private financial and other confidential information and communications of SPE's current and former personnel and others, confidential personnel data, intellectual property, trade secrets and other business secrets and related communications, and other confidential information (the "Stolen Information"). WikiLeaks is incorrect that this Stolen Information belongs in the public domain and it is, in many jurisdictions, unlawful to place it there or otherwise access or distribute it.

For example, the possession, use, and publishing of the Stolen Information can violate numerous U.S. federal and state laws, including, but not limited to, the Computer Fraud & Abuse Act (18 U.S.C. § 1030), the Copyright Act (17 U.S.C. §§ 501, et seq.), state computer data access & fraud acts, and stolen property, trade secret and unfair competition laws among others – especially when such actions are taken knowingly in furtherance of federal and state crimes committed by the perpetrators, including extortion. Many other countries have similar, if not more stringent, laws applicable to this situation.

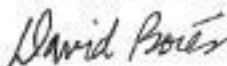
SPE therefore again asks for your help in protecting the First Amendment and declining to exploit the Stolen Information. As I stated in my December 2014 letter, SPE does not consent to your possession, review, copying, dissemination, publication, uploading, downloading, or making any use of the Stolen Information. And we again ask that you take all reasonable actions to prevent your company and any of your employees, independent contractors, agents, consultants, or anyone who may have access to your files from examining, copying, disseminating, distributing, publishing, downloading, uploading, or making any other use of the Stolen Information.

If you have previously had access to or received Stolen Information and have exercised restraint with regard to its publication, use or dissemination, SPE and its employees are sincerely grateful to you and ask for your continued exercise of restraint.

Please note that this letter is provided to you without prejudice and does not purport to address all facts and issues concerning the Stolen Information. SPE expressly reserves all rights, remedies, claims and defenses available to it under applicable law.

Thank you for your anticipated and immediate cooperation regarding this important matter.

Sincerely yours,



David Boies

cc: Leah Weil, Esq.