



October 14, 2008

Kristen Cullen
Jill Derby for Congress
P.O. Box 1901 Minden, NV 89423

RE: Illegal use of the song "Big Spender" by Dean Heller in TV Ad.

Dear Kristen,

The Cy Coleman Estate received a request by Weeks & Co. on behalf of Republican Congressional candidate of Nevada, Dean Heller on September 24, 2008, to use our copyrighted composition, "Big Spender" as background music in a :30 second television advertisement and a :60 second radio advertisement throughout Northern Nevada. The Estate immediately denied this request. Music is a powerful messenger and it was never the intention of the authors of this song for the composition to be used in an attack ad for any political purposes whatsoever.

Despite acknowledging this denial, Austin, TX based Weeks & Co. LLP, on behalf of Dean Heller, proceeded to produce the commercial anyway which represents intentional and willful copyright infringement in and to the composition. This action has resulted in the stealing of private intellectual property. We are appalled by this action and will pursue all remedies under the copyright law of the United States to protect our copyright from this unlawful use. We have also learned that Dean Heller has changed the lyrics to our song in their attack on Democrat, Jill Derby and this simply will not be tolerated.

A portion of the proceeds from the settlement of this copyright infringement suit will be donated directly to Jill Derby for Congress.

Sincerely,

Shelby Coleman - The Cy Coleman Estate

87 Mercantile Place, Pasadena CA 91105 (626)229-9010/(626)229-9013 fax