

## Digital Millennium Copyright Act Compliance Notice

THIS NOTICE IS SUBJECT TO MODIFICATION OR TERMINATION AT ANY TIME, WHETHER FOR CHANGES IN THE LAW OR AT THE CONVENIENCE OF WILD DUNES RESORT WITHOUT ADVANCE NOTICE. YOU MUST CHECK BACK FREQUENTLY TO ENSURE THAT YOU SEE A CORRECT, CURRENT VERSION OF THE NOTICE.

It is our policy to respond to notices of alleged infringement that comply with the Digital Millennium Copyright Act and other applicable intellectual property laws. Responses may include removing or disabling access to material claimed to be the subject of infringing activity and/or terminating access or posting privileges. If we remove or disable access in response to such a notice, we will make a good-faith attempt to contact the person who submitted the content so that they may make a counter notification pursuant to sections 512(g)(2) and (3) of that Act. It is our policy to document all notices of alleged infringement on which we act.

Please refer to the following detailed instructions which must be followed to protect your rights under the Digital Millennium Copyright Act.

### **Infringement Notification**

To file a notice of infringement with us, you must provide a written communication (by fax, regular mail or email to the address below) that contains the items specified below. Please note that you may be liable for damages (including costs and attorneys' fees) if you materially misrepresent that content is infringing your copyrights. Accordingly, if you are not sure whether content available online infringes your copyright, we suggest that you first contact an attorney.

Your communication must include substantially all of the following:

1. A physical or electronic signature of a person authorized to act on behalf of the owner of an exclusive right that is allegedly infringed.
2. Identify in sufficient detail the location of copyrighted work that you believe has been infringed upon or other information sufficient to specify the copyrighted work being infringed. If multiple copyrighted works are covered by a single notification, include a representative list of the works.
3. Identification of the material that is claimed to be infringing or to be the subject of infringing activity and that is to be removed or access to which is to be disabled, and information reasonably sufficient to permit us to locate the material.
4. Information reasonably sufficient to permit us to contact the complaining party, such as an address, telephone number, and, if available, an electronic mail address at which the complaining party may be contacted.

5. The following statement: "I have a good faith belief that use of the material in the manner complained of is not authorized by the copyright owner, its agent, or the law."

6. The following statement: "I swear, under penalty of perjury, that the information in the notification is accurate, and that I am the copyright owner or am authorized to act on behalf of the owner of an exclusive right that is allegedly infringed."

Send the written communication to:

Destination Wild Dunes, Inc.  
Attn: John M. DeMarco, Corporate Counsel  
11777 San Vicente Blvd., Suite 900  
Los Angeles, CA 90049

Fax: (310) 207-5139  
email: dmca@loweenterprises.com

### **Counter Notification**

The provider of affected content may make a counter notification pursuant to sections 512(g)(2) and (3) of the Digital Millennium Copyright Act. When we receive a counter notification, we may reinstate the material in question.

To file a counter notification with us, you must provide a written communication (by fax or regular mail -- not by email, except by prior agreement) that sets forth the items specified below. Please note that you will be liable for damages (including costs and attorneys' fees) if you materially misrepresent that submitted content is not infringing the copyrights of others. Accordingly, if you are not sure whether submitted content infringes the copyrights of others, we suggest that you first contact an attorney.

To expedite our ability to process your counter notification, please use the following format:

Your communication must include the following:

1. A physical or electronic signature of the submitter.
2. Identification of the material that has been removed or to which access has been disabled and the location at which the material appeared before it was removed or access to it was disabled.
3. The following statement: "I swear, under penalty of perjury, that I have a good faith belief that the material was removed or disabled as a result of mistake or misidentification of the material to be removed or disabled."
4. Your name, address, and telephone number

5. The following statement: "I consent to the jurisdiction of Federal District Court for the judicial district in which my address is located, (or the Central District of California, United States, if your address is outside of the United States), and that you will accept service of process from the person who provided infringement notification described above, or from an agent of such person.

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Destination Wild Dunes, Inc.  
Attn: John M. DeMarco, Corporate Counsel  
11777 San Vicente Blvd., Suite 900  
Los Angeles, CA 90049

Fax: (310) 207-5139

email: [dmca@loweenterprises.com](mailto:dmca@loweenterprises.com)

**Privileges Termination**

Wild Dunes Resort will, in appropriate circumstances, terminate the access and/or posting privileges of repeat infringers. If you believe that someone is a repeat infringer, please follow the instructions above to contact Wild Dunes Resort's agent at the above address, and provide information sufficient for us to verify that the person is a repeat infringer.