

BLACKMAIL !!!



T H E W O R L D W I D E L E A D E R I N S P O R T S ™

November 23, 2005

Attn: Jan Lubek
The Gildy Show
PO Box 30312
Chicago, IL 60630

Dear Jan Lubek:

Thank you for your interest in ESPN. As a condition to and in consideration of our reviewing and considering your idea and/or materials, we ask that you acknowledge the following:

- ESPN did not solicit your proposal, and by your submission thereof, you confirm that nothing therein is, or is required or expected to be treated by ESPN as, confidential or proprietary (except to the extent such material may be protected by copyright or trademark law).
- ESPN is not asking you to waive any copyright or trademark rights available to you by law. However, you acknowledge and agree that ESPN's receipt and review of your idea/material does not mean that the underlying concept or other such material is unique or original, and that ESPN may have previously created or may in the future independently create something that is substantially similar or identical to your idea, with no liability or obligation to you. Any review or consideration of your idea/material is at ESPN's absolute and sole discretion, and does not constitute or infer any obligation on ESPN to accept your proposal or compensate you in any way. ESPN is not responsible for any lost tapes or other material submitted.
- Because the material contained in your proposal is neither confidential nor proprietary, ESPN is free to use any such material (except to the extent protected by copyright or trademark laws) without obligation or liability to you of any sort. To the extent, if any, that ESPN may contact you in future, you will not disclose to ESPN any nonpublic, confidential or proprietary information, and any information you do disclose to ESPN may be used by ESPN without obligation or liability to you of any sort (except to the extent such material may be protected by copyright or trademark law).
- If you are submitting your proposal on behalf of a company, you have the legal authority to bind that company by this agreement.

If you agree to be legally bound by these terms, please sign where indicated below and return this document with your materials, marked **Attn: Stacy Scibetta**. Please then allow **six to eight weeks** for ESPN's response.

Sincerely,

ESPN, Inc.

ACKNOWLEDGED AND AGREED

Name:

Company:

Signed: