

**Metropolitan Regional Information Systems, Inc.**  
**v.**  
**American Home Realty Network, Inc. and Jonathan J. Cardella**

## **Exhibit D**

J. T. WESTERMEIER

571.203.2480

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January 26, 2012

Christopher R. Miller, Esq.  
Chief Legal Officer and General Counsel  
American Home Realty Network, Inc.  
222 7<sup>th</sup> Street, 2<sup>nd</sup> Floor  
San Francisco, CA 94103

VIA E-MAIL

Re: Willful Copyright Infringement  
Our Ref. No. 10967.0027-00

Dear Mr. Miller:

Our law firm represents Metropolitan Regional Information Systems, Inc. (“MRIS”). This letter is in response to your letter, dated December 21, 2011, on behalf of NeighborCity.com to the General Counsel of MRIS (the “Response Letter”), which was forwarded to our law firm for appropriate legal action and follow-up. Your letter was non-responsive to the specific issues raised and demands set forth in the original letter sent by MRIS’s General Counsel dated November 18, 2011 (the “MRIS Notice”). Further review of the Neighborcity.com website has also verified that, despite the MRIS Notice, your client continues to use our client’s copyrighted materials in disregard of MRIS’s copyright rights.

Rather than respond to the substance of the MRIS Notice, you have elected in your Response Letter to make a pitch for a going forward business relationship with MRIS, including a “custom license” to permit your client to continue using MRIS’s copyrighted materials. You further offered MRIS a revenue share payment based on what appears to be a list of revenue generating activities your client presently engages in using MRIS copyrighted materials.

On behalf of MRIS we reject your offer and, without engaging in a point-by-point rebuttal, deny the contentions in your Response Letter including, without limitation, your remarkable assertion that your client’s unauthorized, commercial use of substantial amounts of MRIS copyrighted content covering listings throughout its geographic footprint in any way constitutes fair use. We also fail to see the relevance of your references to a variety of antitrust-related actions in what is, by all available evidence, a straightforward case of willful, ongoing copyright infringement by your client.

The MRIS Notice provided American Home Realty Network, Inc. and NeighborCity.com written notice of copyright infringement, and clearly identified MRIS’s rights in and to its copyrighted database and related materials. As your client is undoubtedly aware, MRIS’s copyright notice and copyright management information legend are repeatedly and prominently

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displayed in the MRIS listing content appearing in the Neighborcity.com website. Your Response Letter, together with the continued misappropriation of copyrighted materials after receiving notice, clearly indicate that your client's previous and continuing conduct is both deliberate and willful. Your client knows, or would have had to have blinders on not to have known, of MRIS's rights.

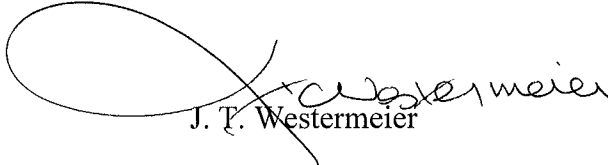
DEMAND is again hereby made upon your client American Home Realty Network, Inc. and NeighborCity.com and all entities acting in concert with American Home Realty Network, Inc. and NeighborCity.com to:

- IMMEDIATELY CEASE any further unauthorized access, distribution or use of MRIS's copyrighted MRIS MLS Database or any portion thereof;
- PROVIDE MRIS with the name of the entity or entities from whom you acquired access to the MRIS MLS Database or its content; and
- PROVIDE MRIS with a complete accounting of any revenues and any other benefits your client received directly or indirectly from its access, use or distribution of the MRIS MLS Database or any of its content.

We ask that you provide, within eleven days from your receipt of this letter, written certification of compliance with these demands and the additional information requested above. In the event you fail to respond to this letter and MRIS demands in full; we have been authorized to pursue further legal action deemed necessary to protect MRIS's valuable intellectual property rights, without further notice.

This letter is made without prejudice to or waiver of any rights or remedies available to MRIS all of which are reserved.

Sincerely,



J. T. Westermeier

JTW/cs

cc: Erik M. Feig, Esq., General Counsel, MRIS