

**From:** Bernick, Justin W.  
**To:** [Aldrich, Nika F.](#); "[Casey M. Nokes](#)"  
**Cc:** [Souldout Counsel](#); [Salvaty, Paul B.](#); [Rancour, Kimberly D.](#); [Triplett, Thomas](#)  
**Subject:** RE: Soul'd Out v. Coachella [IWOV-pdx.FID4176264]  
**Date:** Tuesday, May 15, 2018 3:44:41 PM

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**Fed. R. Evid. 408 Communication**

Thanks, Nika. Below is the entirety of the current radius clause in the artist contracts:

**Exclusivity:** Coachella shall be the 1<sup>st</sup> 2018 North American Festival announcement.

Artist shall not perform:

- a) On any North American Festival from December 15, 2017 until May 1, 2018.
- b) In Los Angeles, Orange, Riverside, San Bernardino, Santa Barbara, Ventura or San Diego Counties from December 15, 2017 until May 1, 2018.

Artist shall not advertise, publicize or leak\*:

- a) Any performance in Los Angeles, Orange, Riverside, San Bernardino, Santa Barbara, Ventura or San Diego Counties from the date of this offer until May 7, 2018
- b) Any Festival\*\* or Themed Event\*\*\* in the states of California, Nevada, Oregon, Washington or Arizona from December 15, 2017 until May 7, 2018
- c) Any Festival\*\* or Themed Event\*\*\* in the US (not included in B above) until after the Coachella announcement (this does not apply to SXSW in Austin, Ultra in Miami or Jazzfest)
- d) Any tour dates in the states of California, Arizona, Washington and Oregon until January 10, 2018 or when festival is announced, whichever is sooner
- e) Casino dates in Las Vegas are approved, festivals are prohibited

\*This includes record company, promoter, ticket company, artist website, social media or internet releases

\*\*Festival is defined as any engagement with 4 or more artists

\*\*\*Themed Event is defined as a titled, sponsored or promotional show with 3 or more artists