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SEÁN SWEENEY, IN HIS CAPACITY AS TRUSTEE
7 OF THE ESTATE OF JAMES JOYCE, AND THE
ESTATE OF JAMES JOYCE
8

9 UNITED STATES DISTRICT COURT
10 NORTHERN DISTRICT OF CALIFORNIA

11 **CAROL LOEB SHLOSS,**

12 **Plaintiff,**

13 **v.**

14 **SEÁN SWEENEY, in his capacity as**
15 **trustee of the Estate of James Joyce, and**
16 **THE ESTATE OF JAMES JOYCE,**

17 **Defendants.**

Case No. C06-3718 JW HRL

DECLARATION OF MARIA K.
NELSON IN SUPPORT OF
DEFENDANTS' MOTION TO
DISMISS CAROL LOEB SHLOSS'S
AMENDED COMPLAINT

1 I, Maria K. Nelson, do hereby declare:

2 1. I am an attorney admitted to practice in California and this Court. I represent Seán
3 Sweeney, in his capacity as trustee of the Estate of James Joyce, and The Estate of James Joyce
4 (collectively “Defendants”) in the above-captioned matter. Except as otherwise stated, I have
5 personal and first-hand knowledge of the facts set forth herein, and if called as a witness, I could
6 and would testify competently thereto.

7 2. On July 25, 2006, I spoke with David S. Olson, counsel for Carol Loeb Shloss,
8 who informed me that Ms. Shloss had not yet finalized her work on the electronic supplement to
9 her book *Lucia Joyce: To Dance in the Wake*. Specifically, Mr. Olson noted that attributions
10 were still being added to the electronic supplement so that the associated website (the “Website”)
11 was not yet ready for accessing, and that there might also be additional material added to the
12 Website.

13 3. I again spoke with Mr. Olson on August 11, 2006. At that time, Mr. Olson told me
14 that Ms. Shloss and Robert Spoo were still working on the Website. He stated further that Ms.
15 Shloss and Mr. Spoo were adding attributions and some additional material to the Website.

16 4. On August 24, 2006, Mr. Olson sent me a link to access the Website via electronic
17 mail but included the caveat that the Website was still not finished. At that time, the Website
18 incorporated additional materials that were absent from the 2005 electronic supplement, including
19 quotations from Lucia Joyce’s unpublished manuscript “My Dreams,” quotes from James Joyce’s
20 1922 version of *Ulysses* and portions of James Joyce’s *Finnegans Wake Notebooks*.

21 5. I participated in another conversation with Mr. Olson on September 6, 2006. He
22 confirmed that additional material had been added to the Website since March 2005 when Ms.
23 Shloss asked Defendants’ permission to publish her electronic supplement. Mr. Olson also stated
24 that the Website was not yet complete and that quotes from James Joyce’s *Finnegans Wake*
25 *Notebooks* were still being integrated.

26 6. On September 21, 2006, I made available for inspection to Mr. Olson documentary
27 proof that Stephen James Joyce is the sole beneficial owner of the Lucia Joyce copyrights. On
28 information and belief, Mr. Olson completed the inspection shortly thereafter.

