



BMG Direct | 28 East 28th Street, 8th Floor New York, NY 10016 | Phone 212.901.0700

Scott Cameron Weaver  
Manager, Legal & Business Affairs

February 24, 2005

**VIA FACSIMILE AND MAIL**

Joseph A. Rivela  
State of New York Office of the Attorney General  
Internet Bureau  
120 Broadway, 3<sup>rd</sup> Floor  
New York, NY 10271-0332

*Re: Your File No: IB-04-27546  
Consumer: Carl Byington*

Dear Mr. Rivela,

This is in response to your recent inquiry regarding the above-referenced complaint. We have reviewed this matter thoroughly and we believe that this issue was, in fact, appropriately resolved some time ago.

In Mr. Byington's complaint, he acknowledges that his son opened an account with BMG Music Service using a credit card belonging to a Karen Patterson. Mr. Byington then had himself added as either an authorized user or joint account holder on Ms. Patterson's credit card account.

Mr. Byington states in his complaint, "It seems that on 2004-10-08, Chase issued credits to our account for the entire \$2075.89 via charge backs to BMG." BMG did receive those charge backs on October 14, 2004 and processed them accordingly. As a point of information, we had previously credited some of those charge backs, resulting in a double credit to Mr. Byington's credit card account. So Mr. Byington has been made more than whole. We, on the other hand, have not. We do not, however, intend to pursue this matter further. As a point of information, though, we will certainly not permit Mr. Byington or anyone associated with this credit card to re-open an account with us.

Further, based on Mr. Byington's description of the use, or rather, misuse, of his and Ms. Patterson's joint credit card by a third party apparently known to them, it might be appropriate to suggest to Mr. Byington and Ms. Patterson that they be much more careful about who has access to their credit cards in the future.

Mr. Byington's son's account with BMG Music Service is closed with a zero dollar balance. We believe that this matter was appropriately handled and consider the matter closed.



www.bmgmusic.com



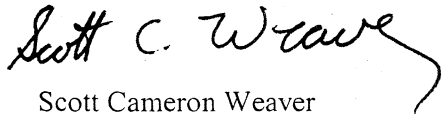
www.yourmusic.com



www.cdnw.com

Please let me know, however, if we may be of further assistance.

Sincerely,

A handwritten signature in black ink that reads "Scott C. Weaver". The signature is fluid and cursive, with a long, sweeping tail on the letter "e" at the end.

Scott Cameron Weaver  
Manager, Legal & Business Affairs