

EXHIBIT 1

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF WISCONSIN
GREEN BAY DIVISION**

YANGAROO INC.,

Plaintiff,

Case No. 09-C-0462

-v-

**DESTINY MEDIA TECHNOLOGIES INC.,
DESTINY SOFTWARE PRODUCTIONS
INC. and MPE DISTRIBUTION INC.,**

Defendants.

YANGAROO'S RESPONSE TO DESTINY'S FIRST SET OF REQUESTS TO ADMIT

Plaintiff Yangaroo, Inc., responds to Destiny's First Set of Requests to Admit, subject to the General Objection stated below, as follows:

GENERAL OBJECTIONS

1. Yangaroo objects to these Requests to Admit to the extent they call for the production of information or material protected by the attorney-client and/or work product privileges.

RESPONSES

Request No. 1: The truth of each of the following statements:

(a) Plaintiff has no evidence that the "servers" referred to in the Expert Report of Dr. Vinay Madiseti, paragraph 20 and paragraph 22, are located in the United States.

RESPONSE TO NO. 1(a): Yangaroo admits the statement in Request No. 1(a), except for the misidentification of Yangaroo's expert, whose name is Dr. Vijay Madiseti.

(b) Plaintiff has no evidence that the Destiny Play MPE servers are located in the United States.

RESPONSE TO NO. 1(b): Yangaroo admits the statement in Request No. 1(b).

(c) The Destiny Play MPE servers are not located in the United States.

RESPONSE TO NO. 1(c): Yangaroo admits the statement in Request No. 1(c) upon information and belief based on the sworn deposition testimony of Destiny's 30(b)(6) witness, Steven Vestergaard.

Dated: January 7, 2010

MICHAEL BEST & FRIEDRICH LLP

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Attorneys for Plaintiff YANGAROO, INC.

CERTIFICATE OF SERVICE

I hereby certify that on this 7th day of January, 2010, I sent via Electronic Mail and US Mail the foregoing **YANGAROO'S RESPONSE TO DESTINY'S FIRST SET OF REQUESTS TO ADMIT** to defendants counsel:

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Dated this 7th day of January, 2010.

s/ Jodi J. Falk
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