

Ridout & Maybee LLP

CANADA'S INTELLECTUAL PROPERTY AND TECHNOLOGY LAW FIRM

Reply to: Pauline Bosman
pbosman@ridoutmaybee.com

VIA FACSIMILE AND ORDINARY MAIL

April 16, 2007

Mr. Nicholas McHaffie
Stikeman Elliott LLP
Barristers & Solicitors
Suite 1600, 50 O'Connor Street
Ottawa, Ontario K1P 6L2

Dear Mr. McHaffie:

**Re: Musicrypt Inc. ats Destiny Media Technologies, Inc. et al
Court File No. T-413-06**

We have now had an opportunity to discuss your letter of April 10, 2007 with our client. We also acknowledge receipt of Destiny Media Technologies Inc.'s ("Destiny Media") Affidavit of Documents on April 13, 2007. Please advise when we can expect to receive Affidavits of Documents from Destiny Software Productions, Inc. ("Destiny Software"), Promo Only, Inc. ("POI") and Promo Only CD's Inc. ("POC"). While we can proceed with scheduling examinations for discovery, we require each the Affidavits of Documents from each of Destiny Software, POI and POC at least three weeks prior to the examinations.

Destiny Media's Affidavit of Documents appears to list a number of prior art references among other documents of which we do not have copies. We will provide you later this week with a list of the documents as set out in Destiny Media's Affidavit of Documents that we do not have. We will require copies from you and undertake to pay reasonable photocopying costs. Please advise if you require copies of our Musicrypt's documents as listed in its Affidavit of Documents.

With respect to your suggestion that examinations for discovery be held earlier than the dates in June set out in our letter of April 2, 2007, we are unable to conduct examinations for discovery in April and May. The dates in June are the earliest available. Please advise which, if any, of those dates are acceptable to you and your clients. Of course, those dates will be dependant on receiving the outstanding Affidavits of Documents and

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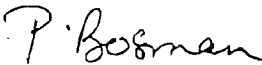
copies of documents listed therein on a timely basis. While I would have to canvas later dates with my client, I can advise that I am unavailable during the following weeks: June 18, June 25, July 23, July 30 and August 6, 2007.

When you indicate that Destiny can be available for examination for discovery in Vancouver, are you referring to Destiny Software or both Destiny Media and Destiny Software? We note from the Statement of Claim that Destiny Media is based in Colorado., although Destiny Media's Affidavit of Documents was sworn by Mr. Steve Vestergaard of Vancouver.

Further, while we do not object to the examinations for discovery of Destiny Media, Destiny Software and Musicrypt Inc. proceeding first, we do wish to examine for discovery both POI and POC, shortly (no more than two weeks) thereafter. Please advise where you require these examinations for discovery be conducted. We note that POI is located in Florida and POC is located in Calgary.

Finally, we look forward to receipt of your draft confidentiality order.

Yours truly,
RIDOUT & MAYBEE LLP



Pauline Bosman
PB:sc

cc: John Heaven