

Clerk of the House of Representatives  
Legislative Resource Center  
B-106 Cannon Building  
Washington, DC 20515

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Office of Public Records  
232 Hart Building  
Washington, DC 20510

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## LOBBYING REPORT

Lobbying Disclosure Act of 1995 (Section 5) - All Filers Are Required to Complete This Page

1. Registrant Name <b>Smith &amp; Metalitz LLP</b>			
2. Registrant Address <input type="checkbox"/> Check if different than previously reported Address <b>1747 Pennsylvania Avenue, NW</b> Suite <b>825</b> City <b>Washington</b> State/Zip (or Country) <b>DC 20006-4637</b> USA			
3. Principal Place of Business (if different from line 2) City _____ State/Zip (or Country) _____			
4. Contact Name <b>Steven J. Metalitz</b>	Telephone <b>202-833-4198</b>	E-mail (optional) <b>metalitz@smimetlaw.com</b>	5. Senate ID # <b>35662-137</b>
7. Client Name <input type="checkbox"/> Self <b>eBay, Inc.</b>			6. House ID # <b>30805009</b>

**TYPE OF REPORT** 8. Year 2003 Midyear (January 1-June 30)  **OR** Year End (July 1-Dec

9. Check if this filing amends a previously filed version of this report

10. Check if this is a Termination Report  >> Termination Date \_\_\_\_\_

11. No Lobbyi

### INCOME OR EXPENSES - Complete Either Line 12 OR Line 13

12. Lobbying Firms	13. Organizations
<p><b>INCOME</b> relating to lobbying activities for this reporting period was:</p> <p>Less than \$10,000 <input type="checkbox"/></p> <p>\$10,000 or more <input checked="" type="checkbox"/> &gt;&gt; \$ <u>\$60,000.00</u> Income (nearest \$20,000)</p> <p>Provide a good faith estimate, rounded to the nearest \$20,000 of all lobbying related income from the client (including all payments to the registrant by any other entity for lobbying activities on behalf of the client).</p>	<p><b>EXPENSES</b> relating to lobbying activities for this reporting period were:</p> <p>Less than \$10,000 <input type="checkbox"/></p> <p>\$10,000 or more <input type="checkbox"/> &gt;&gt; \$ _____ Expenses (nearest \$20,000)</p> <p><b>14. REPORTING METHOD.</b> Check box to indicate accounting method. See instructions for description of</p> <p><input type="checkbox"/> <b>Method A.</b> Reporting amounts using LDA definiti</p> <p><input type="checkbox"/> <b>Method B.</b> Reporting amounts under section 6033 the Internal Revenue Code</p> <p><input type="checkbox"/> <b>Method C.</b> Reporting amounts under section 162( Internal Revenue Code</p>

Signature *Steven J. Metalitz* Date 2/17/2004

Printed Name and Title Steven J. Metalitz - Partner Page

Registrant Name: Smith & Metalitz LLP

Client Name: eBay, Inc.

**LOBBYING ACTIVITY.** Select as many codes as necessary to reflect the general issue areas in which the registrant engaged in lobbying on behalf of the client during the reporting period. **Using a separate page for each code**, provide information as requested. Attach additional page(s) as needed.

15. General issue area code CPI (one per page)

16. Specific Lobbying issues

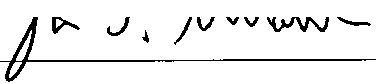
- Amendments to Computer Fraud and Abuse Act, 18 USC 1030.**
- Legislation concerning unsolicited commercial e-mail.**
- Legislation concerning protection of databases against misappropriation.**
- Privacy Legislation**
- Legislation concerning state taxation of remote sales**

17. House(s) of Congress and Federal agencies contacted  Check if None  
**House of Representatives**  
**Senate**

18. Name of each individual who acted as a lobbyist in this issue area

Name	Covered Official Position (if applicable)
<b>Metalitz, Steven J.</b>	
<b>Strong, Maria</b>	

19. Interest of each foreign entity in the specific issues listed on line 16 above  Check if None

Signature  Date 2/17/2004

Printed Name and Title Steven J. Metalitz - Partner Page

Registrant Name: Smith & Metalitz LLP

Client Name: eBay, Inc.

**LOBBYING ACTIVITY.** Select as many codes as necessary to reflect the general issue areas in which the registrant engaged in lobbying on behalf of the client during the reporting period. Using a separate page for each code, provide information as requested. Attach additional page(s) as needed.

15. General issue area code TRD (one per page)

16. Specific Lobbying issues  
**European Union tax policy issues.**

17. House(s) of Congress and Federal agencies contacted  Check if None  
**Office of U.S. Trade Representative**

18. Name of each individual who acted as a lobbyist in this issue area

Name	Covered Official Position (if applicable)
<b>Metalitz, Steven J.</b>	
<b>Strong, Maria</b>	

19. Interest of each foreign entity in the specific issues listed on line 16 above  Check if None

Signature *[Handwritten Signature]* Date 2/17/2004

Printed Name and Title Steven J. Metalitz - Partner Pa