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Kurt Opsahl, Esq. (Cal. Bar # 191303) (*pro hac* pending)  
Mitchell L. Stoltz, Esq. (D.C. Bar # 978149)(*pro hac* pending)  
Nathan D. Cardozo, Esq. (Cal. Bar # 259097) (*pro hac* pending)  
ELECTRONIC FRONTIER FOUNDATION  
815 Eddy Street  
San Francisco, CA 94109  
Tel: (415) 436-9333  
Fax: (415) 436-9993  
Email: kurt@eff.org

Paul D. Ticen, Esq. (AZ Bar # 024788)  
Kelley / Warner, P.L.L.C.  
404 S. Mill Ave, Suite C-201  
Tempe, Arizona 85281  
Tel: 480-331-9397  
Fax: 1-866-961-4984  
Email: paul@kellywarnerlaw.com

Attorneys for Defendant-Movant JOHN DOE “DIE TROLL DIE”

**UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF ARIZONA**

PRENDA LAW, INC.,  
  
Plaintiff-Respondent,  
  
v.  
  
PAUL GODFREAD, ALAN COOPER,  
and JOHN DOES 1-10  
  
Defendant-Movant.

Case No. \_\_\_\_\_

**DECLARATION OF NATHAN  
CARDOZO IN SUPPORT OF MOTION  
OF DEFENDANT-MOVANT JOHN  
DOE “DIE TROLL DIE” TO QUASH  
THE SUBPOENA TO WILD WEST  
DOMAINS SEEKING IDENTITY  
INFORMATION**

[Fed. R. Civ. Pro. 45(c) and L.R. Civ. 7.2]

**DECLARATION OF NATHAN D. CARDOZO**

1  
2 I, Nathan D. Cardozo, declare as follows:

3       1. I am over eighteen (18) years of age and I am otherwise competent to sign  
4 this declaration based on my personal knowledge of all matters addressed in this  
5 declaration.

6       2. I am an attorney licensed to practice law in the State of California and am a  
7 Staff Attorney at the Electronic Frontier Foundation, a non-profit legal services  
8 organization serving as attorneys for Defendant Doe, a.k.a. “Die Troll Die,” (DTD) in the  
9 above-captioned matter.

10       3. DTD is the provider of an Internet message board (located at dietrolldie.com)  
11 on which pseudonymous online speakers have criticized the practices of Plaintiff Prenda  
12 Law, Inc. and other similar copyright enforcement law firms (known colloquially as  
13 “copyright trolls”).

14       4. The domain name dietrolldie.com is registered with Wild West  
15 Domains LLC, a domain name registrar located at 14455 North Hayden Rd. #226,  
16 Scottsdale, AZ 85260, in the District of Arizona. Wild West Domains is a subsidiary of Go  
17 Daddy Operating Company, LLC, which is headquartered at the same address.

18       5. I am informed and believe that that Alan Cooper served a civil action  
19 captioned *Alan Cooper v. John Lawrence Steele, et al.*, No. 27-CV-13-3463, on January 25,  
20 2013, which is pending in the Fourth Judicial District Court, County of Hennepin,  
21 Minnesota. Mr. Cooper asserted claims for invasion of privacy and deceptive trade  
22 practices, as well as civil conspiracy and alter ego theories.

23       6. I am informed and believe that Prenda Law filed a civil action captioned  
24 *Prenda Law, Inc. v. Paul Godfread, Alan Cooper and John Does 1-10*, Case No. 13-L-75,  
25 in the Circuit Court of the Twentieth Judicial Circuit, St. Clair County, Illinois on February  
26 12, 2013, asserting various defamation related causes of action against Mr. Cooper,  
27 Cooper’s attorney Paul Godfread, and the John Doe Defendants, including DTD for his role  
28 as the operator of the dietrolldie.com message board.

1           7.       The case was subsequently removed to the federal District Court of the  
2 Southern District of Illinois (Case No. 13-cv-00207) on March 1, 2013.

3           8.       On April 10, 2013, Paul Duffy, counsel for Prenda (and the principal of  
4 Prenda), docketed an Amended Complaint in the Southern District of Illinois case at docket  
5 number 12-1. Attached hereto as Exhibit A is a copy of this Amended Complaint, which  
6 was allegedly filed in the St. Clair County Circuit Court on February 21, 2013.

7           9.       On February 27, 2013, Prenda, through its attorney Mr. Duffy, issued a  
8 subpoena to non-party Wild West Domains from the Circuit Court of Cook County,  
9 Illinois, seeking DTD's identity and contact information. Specifically, the subpoena seeks  
10 "the name, current (and permanent) addresses, billing addresses, telephone numbers and e-  
11 mail addresses associated with the individual who registered dietrolldie.com." The  
12 subpoena demanded production by March 6, 2013. A copy of the subpoena sent to Wild  
13 West Domains is attached hereto as Exhibit B.

14           10.      Initially, counsel for DTD was unaware of this subpoena, but had received  
15 notice of a defective subpoena that Prenda and Mr. Duffy issued to non-party Automattic  
16 Inc. in California (The notice was provided by Automattic, not Prenda or Mr. Duffy).

17           11.      Concerned that there may be additional subpoenas, on March 12, 2013,  
18 counsel for DTD informed Mr. Duffy and Prenda that they represent DTD in connection  
19 with subpoenas for identity information. Attached hereto as Exhibit C is a copy of the  
20 March 12 letter to Mr. Duffy and Prenda. Prenda did not respond.

21           12.      On March 22, 2013, Wild West Domains notified DTD of the subpoena it had  
22 received, but did not provide him with a copy. Attached hereto as Exhibit D is a redacted  
23 copy of the email notice from Wild West Domains. DTD's email address has been  
24 removed.

25           13.      Later that day, counsel for DTD called Mr. Duffy and left a voicemail  
26 message, and followed up with an email to Mr. Duffy, seeking a copy of the subpoena.  
27 Attached hereto as Exhibit E is a copy of the email to Mr. Duffy.  
28

1           14.     Prenda responded by claiming there was a typo in DTD's counsel's email,  
2 and failed to provide a copy of the subpoena. Attached hereto as Exhibit F is a copy of the  
3 email from Mr. Duffy.

4           15.     We responded to Mr. Duffy, reiterating the request for a copy of the  
5 subpoena. Attached hereto as Exhibit G is a copy of the email to Mr. Duffy. Mr. Duffy has  
6 not responded further.

7           16.     Plaintiff did not provide notice to DTD of its discovery request, notifying  
8 only Defendants Godfread and Cooper. Attached hereto as Exhibit H is a copy of the notice  
9 provided to Defendants Godfread and Cooper.

10          17.     To the best of my knowledge and belief, Prenda has not attempted to provide  
11 notice of any subpoenas to any of the Doe Defendants.

12          18.     Attached hereto as Exhibit I is a copy of Kashmir Hill, *How Porn Copyright*  
13 *Lawyer John Steele Has Made A 'Few Million Dollars' Pursuing (Sometimes Innocent)*  
14 *'Porn Pirates,'* Forbes Magazine, Oct. 15, 2012, available at  
15 [http://www.forbes.com/sites/kashmirhill/2012/10/15/how-porn-copyright-lawyer-john-](http://www.forbes.com/sites/kashmirhill/2012/10/15/how-porn-copyright-lawyer-john-steele-justifies-his-pursuit-of-sometimes-innocent-porn-pirates/)  
16 [steele-justifies-his-pursuit-of-sometimes-innocent-porn-pirates/](http://www.forbes.com/sites/kashmirhill/2012/10/15/how-porn-copyright-lawyer-john-steele-justifies-his-pursuit-of-sometimes-innocent-porn-pirates/).

17          19.     Attached hereto as Exhibit J is a copy of Dan Browning, *Federal judge:*  
18 *Copyright troll attorneys hiding something,* Minneapolis Star-Tribune (Mar. 12, 2013),  
19 available at <http://www.startribune.com/local/197703011.html>.

20          20.     Attached hereto as Exhibit K is a copy of Timothy Lee, *Man charges porn*  
21 *trolling firm Prenda Law with identity theft,* Ars Technica (Dec. 5, 2012), available at  
22 [http://arstechnica.com/tech-policy/2012/12/man-charges-porn-trolling-firm-prenda-law-](http://arstechnica.com/tech-policy/2012/12/man-charges-porn-trolling-firm-prenda-law-with-identity-theft/)  
23 [with-identity-theft/](http://arstechnica.com/tech-policy/2012/12/man-charges-porn-trolling-firm-prenda-law-with-identity-theft/).

24          21.     Attached hereto as Exhibit L is a copy of Timothy Lee, *Porn copyright troll*  
25 *sues AT&T and Comcast, says they side with pirates,* Ars Technica (Aug. 10, 2012),  
26 available at [http://arstechnica.com/tech-policy/2012/08/porn-copyright-troll-sues-att-and-](http://arstechnica.com/tech-policy/2012/08/porn-copyright-troll-sues-att-and-comcast-says-they-side-with-pirates/)  
27 [comcast-says-they-side-with-pirates/](http://arstechnica.com/tech-policy/2012/08/porn-copyright-troll-sues-att-and-comcast-says-they-side-with-pirates/).

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22. Attached hereto as Exhibit M is a copy of Steve Schmadeke, *Chicago lawyer leads fight against porn piracy*, Chicago Tribune (November 15, 2010), available at [http://articles.chicagotribune.com/2010-11-15/news/ct-met-porn-attorney-20101115\\_1\\_face-lawsuit-anti-piracy-campaign-copyright-violators](http://articles.chicagotribune.com/2010-11-15/news/ct-met-porn-attorney-20101115_1_face-lawsuit-anti-piracy-campaign-copyright-violators).

I declare under the penalty of perjury that the foregoing is true and correct.  
Executed on April 16, 2013 at San Francisco, California.

  
Nathan D. Cardozo

**CERTIFICATE OF FILING AND SERVICE**

Pursuant to the Case Management/Electronic Case Filing Administrative Policies and Procedures Manual (“CM/ECF Manual”) of the United States District Court for the District of Arizona, I hereby certify that on April 17, 2013, I electronically filed:

**DECLARATION OF NATHAN CARDOZO IN SUPPORT OF MOTION OF  
DEFENDANT-MOVANT JOHN DOE “DIE TROLL DIE” TO QUASH THE  
SUBPOENA TO WILD WEST DOMAINS SEEKING IDENTITY  
INFORMATION**

with the U.S. District Court clerk’s office using the ECF system. Through electronic mail and first class U.S. Mail, I will send notification to the following counsel of record:

Paul A. Duffy  
Prenda Law, Inc.  
161 North Clark Street, Suite 3200  
Chicago, IL 60601  
E-Mail: paduffy@wefightpiracy.com  
Attorney for Plaintiff

**KELLY / WARNER, PLLC**

By /s/ Paul D. Ticen  
Paul D. Ticen, Esq.  
404 S. Mill Ave, Suite C-201  
Tempe, Arizona 85281  
Attorney for Defendant

## Index of Exhibits to the Declaration of Nathan Cardozo

Ex. No.	Description	Pages
A	Amended Complaint in the Southern District of Illinois case at docket number 12-1	32
B	A copy of the subpoena sent to Wild West Domains	2
C	March 12 letter to Mr. Duffy and Prenda	2
D	Redacted copy of the email notice from Wild West Domains	2
E	Email from counsel for DTD to Mr. Duffy dated March 22, 2013	2
F	Email from Mr. Duffy to counsel for DTD dated March 22, 2013	2
G	Further email from counsel for DTD to Mr. Duffy dated March 22, 2013	3
H	A copy of the notice provided to Defendants Godfread and Cooper	4
I	A copy of Kashmir Hill, <i>How Porn Copyright Lawyer John Steele Has Made A 'Few Million Dollars' Pursuing (Sometimes Innocent) 'Porn Pirates,'</i> Forbes Magazine, Oct. 15, 2012	6
J	A copy of Dan Browning, <i>Federal judge: Copyright troll attorneys hiding something,</i> Minneapolis Star-Tribune (Mar. 12, 2013)	3
K	A copy of Timothy Lee, <i>Man charges porn trolling firm Prenda Law with identity theft,</i> Ars Technica (Dec. 5, 2012)	4
L	A copy of Timothy Lee, <i>Man charges porn trolling firm Prenda Law with identity theft,</i> Ars Technica (Dec. 5, 2012)	4
M	A copy of Steve Schmadeke, <i>Chicago lawyer leads fight against porn piracy,</i> Chicago Tribune (November 15, 2010)	6

Exhibit A

Exhibit A



# EXHIBIT A

IN THE CIRCUIT COURT OF THE TWENTIETH JUDICIAL CIRCUIT  
ST. CLAIR COUNTY, ILLINOIS  
LAW DIVISION

PRENDA LAW, INC. and  
ALPHA LAW FIRM, LLC

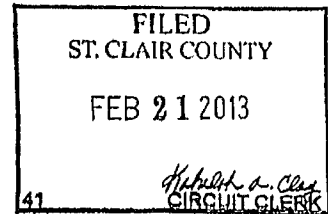
Plaintiffs,

v.

PAUL GODFREAD, ALAN COOPER  
and JOHN DOES 1-10,

Defendants.

No. 13-L-75



Jury Trial Demanded

**AMENDED COMPLAINT**

Plaintiffs, Prenda Law, Inc. and Alpha Law Firm, LLC, by and through their undersigned counsel, hereby file this Amended Complaint requesting damages and other relief, and alleges as follows:

**NATURE OF THE ACTION**

1. Plaintiffs file this action seeking monetary damages, injunctive relief and other damages arising from the egregious Internet-based conduct of a number of individuals, whom Plaintiffs know only by the anonymous, salacious, false and libelous comments they have made, and continue to make, about them on the Internet. Shielded by unconventional pseudonyms, the two named Defendants and the Doe Defendants belong to a community of Internet "commentators," fearful of being identified, and have falsely accused Plaintiffs of, among other things, criminal offenses; want of integrity in the discharge of employment; lack of ability in its profession; and the commission of fornication and adultery.

2. The Defendants' defamatory statements are made under the most cowardly of circumstances: plastered over centralized Internet communities and available to anyone in the

world with an Internet connection. The Defendants have libeled Plaintiffs under the disguise of such childish and unsophisticated pseudonyms as “die troll die.” Sheltered in a cloak of cowardly pseudonyms, Defendants have continued unabated in their conduct, falsely accusing Plaintiffs of many things with the stated intention of harming its business, harming its relationships with clients, and harming the public reputation of anyone performing work on behalf of Plaintiffs.

3. Defendants have published copious volumes of such false statements to many third parties, theoretically extending to every person on Earth through the Internet. Their false statements constitute libel *per se*, and are actionable without proof of special damages. Their conduct also makes them liable to Plaintiffs on several theories of tort liability, including false lights and intentional interference with actual and prospective business relationships, as well as conspiracy to commit those torts.

4. Plaintiffs bring this action to force Defendants out of their hiding places, to expose the “writers” to the light of day, to enjoin their continued tortious conduct against Plaintiff and its agents, and to recover the substantial damages that they have caused Plaintiffs.

#### THE PARTIES

5. Plaintiff Prenda Law Inc. is a corporation organized and existing under the laws of the State of Illinois, with its principal place of business located in Chicago, Illinois. Plaintiff in a short amount of time since its formation in 2011 has become one of the largest and most successful copyright infringement firms in the Nation.

6. Plaintiff Alpha Law Firm, LLC is a limited liability corporation organized and existing under the laws of the State of Illinois, with its principal place of business located in Minneapolis, Minnesota.

7. Defendant Paul Godfread is an attorney who, upon information and belief, practices at 100 S. Fifth Street, Suite 1900, Minneapolis, Minnesota. Defendant Godfread is a major contributor and participant in the Internet community that is the primary source of the defamatory statements described herein. Defendant Godfread has made both written and oral statements to Plaintiffs and its agents that are libelous and slanderous with respect to Plaintiffs. Plaintiffs have observed that those statements have appeared, or been incorporated, in comments on the Internet sites referenced herein. Among other things, Defendant Godfread has falsely accused Plaintiff both verbally and in writing of committing crimes, fraud and other matters that, when he wrote and published them to third parties, constitute defamation *per se*. Upon information and belief, and based upon the fact that statements Godfread has made to Prenda and Alpha have appeared in substantially the same form in Internet postings that are libelous to Plaintiffs and referenced herein, Godfread is a participant in the community of anonymous Internet posters who have defamed and committed other tortious acts against Plaintiffs. Furthermore, Godfread has made allegations in a complaint filed in the District Court for the Fourth Judicial District of Minnesota that are patently false. Yet, certain false and defamatory statements from that Complaint appeared on Internet sites referenced herein long before the Complaint was ever a matter of public record. As a consequence, and upon information and belief, Godfread published false and defamatory statements about Plaintiffs to members of the community referenced herein, long before his Complaint was ever a matter of public record. As such, the statements, made outside of any valid legal proceeding, are not subject to immunity from liability that otherwise attaches to statements in Court documents.

8. Defendant Alan Cooper is an individual residing in Mille Lacs County, Minnesota. Defendant Cooper is a client of Defendant Godfread. Godfread represented to

Plaintiff that certain of the false and defamatory statements referenced in Paragraph 6 derived from information provided to him by Cooper. As such, Cooper's false statements, when published to third parties, constitute defamation *per se*. Upon information and belief, and based upon the fact that false statements about Prenda and Alpha attributed to Cooper have appeared in substantially the same form in Internet postings that are libelous to Plaintiffs and referenced herein, Cooper is a participant in the community of anonymous Internet posters who have defamed and committed other tortious acts against Plaintiffs.

9. Defendants Does 1 through 10 are individuals whose actual names are unknown to Plaintiffs. Instead, they are known to Plaintiffs only by the childish and unsophisticated --- yet often exceedingly angry --- pseudonyms they hide behind while falsely conversing in writing about Plaintiffs and their agents on the Internet.

10. Plaintiffs have observed Defendants and others libeling them on the Internet. Several examples of the actionable conduct of Defendants are set forth below and in the attachments to this Complaint. Plaintiffs intend to obtain Defendants' identities in discovery, at which time Plaintiffs, if necessary, will seek leave of the Court to amend this Complaint to identify additional Defendants and additional claims.

#### **JURISDICTION AND VENUE**

11. Pursuant to 735 ILCS 5/2-209, this Court has personal jurisdiction over Defendants because, upon information and belief, Defendants either reside in, or committed unlawful acts in, St. Clair County, Illinois.

12. Venue in this county is proper pursuant to 735 ILCS 5/2-101, because, upon information and belief, some or part of the transactions described herein occurred in this county

and, upon information and belief, one or more of the Defendants reside in St. Clair County, Illinois.

#### **POTENTIAL OTHER DEFENDANTS**

13. Plaintiffs may elect, after learning additional facts, to seek leave of the Court to amend this complaint to include other individuals as defendants in this action pursuant to 735 ILCS 5/2-405.

#### **BACKGROUND**

14. Prenda and Alpha are both law corporations that pursues civil claims for computer-based offenses. They t focus largely on the pursuit of civil litigation against those who use computers to infringe upon others' copyrighted works for their own purposes, and who engage in contributory infringement by assisting others in infringing upon the same works. Plaintiffs both also represent clients who are victims of computer hacking.

#### **COPYRIGHT INFRINGEMENT CASES ARISING FROM USE OF THE BITTORRENT PROTOCOL**

15. The Internet has made nearly unlimited amounts of information and data readily available to anyone who wants to access it. Some of this information and data is private and available only to those who have lawful access to it. Owners attempt to protect this private content through the use of password authentication systems. Unfortunately, however, this does not ensure that content remains protected from unauthorized access. BitTorrent is a modern file sharing method ("protocol") used for distributing data via the Internet.

16. Traditional file transfer protocols involve a central server, which distributes data directly to individual users. This method is prone to collapse when large numbers of users request data from the central server, in which case the server can become overburdened and the rate of data transmission can slow considerably or cease altogether. In addition, the reliability of

access to the data stored on a server is largely dependent on the server's ability to continue functioning for prolonged periods of time under high resource demands.

17. Standard P2P protocols involve a one-to-one transfer of whole files between a single uploader and single downloader. Although standard P2P protocols solve some of the issues associated with traditional file transfer protocols, these protocols still suffer from such issues as scalability. For example, when a popular file is released (e.g. an illegal copy of the latest blockbuster movie) the initial source of the file performs a one-to-one whole file transfer to a third party, who then performs similar transfers. The one-to-one whole file transfer method can significantly delay the spread of a file across the world because the initial spread is so limited.

18. In contrast, the BitTorrent protocol is a decentralized method of distributing data. Instead of relying on a central server to distribute data directly to individual users, the BitTorrent protocol allows individual users to distribute data among themselves. Further, the BitTorrent protocol involves breaking a single large file into many small pieces, which can be transferred much more quickly than a single large file and in turn redistributed much more quickly than a single large file. Moreover, each peer can download missing pieces of the file from multiple sources—often simultaneously—which causes transfers to be fast and reliable. After downloading a piece, a peer automatically becomes a source for the piece. This distribution method contrasts sharply with a one-to-one whole file transfer method.

19. In BitTorrent vernacular, individual downloaders/distributors of a particular file are called peers. The group of peers involved in downloading/distributing a particular file is called a swarm. A server which stores a list of peers in a swarm is called a tracker. A computer program that implements the BitTorrent protocol is called a BitTorrent client. Each swarm is unique to a particular file.

20. The degree of anonymity provided by the BitTorrent protocol is extremely low. Because the protocol is based on peers connecting to one another, a peer must broadcast identifying information (i.e. an IP address) before it can receive data. Nevertheless, the actual names of peers in a swarm are unknown, as the users are allowed to download and distribute under the cover of their IP addresses.

21. The BitTorrent protocol is an extremely popular method for transferring data. The size of swarms for popular files can reach into the tens of thousands of unique peers. A swarm will commonly have peers from many, if not every, state in the United States and several countries around the world. And every peer in the swarm participates in distributing the file to dozens, hundreds, or even thousands of other peers.

22. The BitTorrent protocol is also an extremely popular method for unlawfully copying, reproducing, and distributing files in violation of the copyright laws of the United States. A broad range of copyrighted albums, audiovisual files, photographs, software, and other forms of media are available for illegal reproduction and distribution via the BitTorrent protocol.

23. Efforts at combating BitTorrent-based copyright infringement have been stymied by BitTorrent's decentralized nature. Because there are no central servers to enjoin from unlawfully distributing copyrighted content, there is no primary target on which to focus anti-piracy efforts. Indeed, the same decentralization that makes the BitTorrent protocol an extremely robust and efficient means of transferring enormous quantities of data also acts to insulate it from anti-piracy measures.

24. Plaintiffs represent many clients throughout the country who have been victims of copyright infringement through the use of the BitTorrent protocol. Plaintiffs have filed a large number of actions arising from copyright infringement on behalf of clients seeking monetary



damages, injunctive relief and other damages arising from such wrongdoing. Because of the vast number of users who use BitTorrent protocol to infringe on a particular work, Plaintiffs have represented clients in litigation against a large number of defendants whose names are unknown at the start of litigation. Plaintiffs typically seeks the court presiding over the cases to allow the production of identifying information for the users, and, consistent with the strong judicial preference for settling claims at every stage of the American judicial system, seeks to settle as many claims as it can as early as possible in litigation.

25. The identification of BitTorrent users who commit copyright infringement, and the settlement of such claims, appears to have prompted the Defendants to make false and libelous statements against Plaintiff on the Internet.

#### **COMPUTER HACKING CASES**

26. Plaintiffs have also represented many clients in pursuing civil claims against those who illegally access their computer systems.

27. Hacking is the act of gaining access without legal authorization to a computer or computer system. This is normally done through the use of special computer programming software. This password cracking software repeatedly attempts to guess a password until the correct password is ascertained. The software can attempt a great number of passwords in a short period of time, sometimes even a million per second, making this type of software very efficient at obtaining a password. Individuals that utilize this type of software are called hackers. Hackers employ various other means to gain unauthorized access to data such as identifying exploitable flaws in database codes.

28. Once a password is obtained, the hacker has unauthorized access to the protected content as long as the password remains valid. Sometimes a hacker will post the hacked

password on a hacked password website, making it available to the members or visitors of that website. The hacker may even charge individuals for use of the hacked password and make a profit off of the loss and harm he or she has caused to the website owner or users. There are not necessarily any limits on how often or by how many people a password can be used, so a single hacked password can potentially allow unauthorized access to significant numbers of individuals.

29. Plaintiffs' efforts to identify computer hackers who illegally access and remove property and/or information from its clients' websites, and the settlement of such claims, appears to have prompted the Defendants to make false and libelous statements against Plaintiffs on the Internet.

#### **DEFENDANTS' LIBELOUS STATEMENTS**

30. Plaintiffs have performed a limited review of the Internet communities run and operated by the Defendants. The number of such published comments in these communities is vast. Plaintiffs in this section list several of the more egregious comments made by the Defendants.

31. Because the Defendants posted the comments referred to in this Complaint under pseudonyms, Plaintiffs have no way of knowing without discovery the identity of the person who wrote and published specific comments. Furthermore, Plaintiffs have no way of knowing if multiple individuals use the pseudonym to make comments; of if one writer uses multiple pseudonyms to libel Plaintiffs. For those reasons, and because the pseudonyms Defendants used are uninformative, Plaintiffs include the following libelous statements that Plaintiffs have observed on the Internet, along with a reference to attached screenshots of the statements, which in turn identify the pseudonym and when the comment was first put onto the Internet. (True and

correct copies of the group screenshots that Plaintiffs have gathered in preparing this Complaint are attached hereto at *Exhibits "A"* and made a part hereof.)

32. Each of the statements listed below was written, and published, less than one year from the date hereof. Plaintiff lists example comments in the remainder of this section; due to the many grammatical, spelling, logical and other errors in the comments, Plaintiffs include corrections only where they serve to explain the meaning of certain comments.

33. "[W]e all know Prenda's colorful history and hard for a legit attorney to immediately comprehend as it is initially hard to believe..." (Ex. 1).

34. "Sorry, we are talking about Pretenda Law, this ship will sink on its own. They literally have to create there [sic] own client, computer monitoring service, and of recent steal Alan Coopers identity to have a CEO of a offshore company. The judicial system loves this kind of stuff. I guess we just need to create a Pretenda Law care (history) package and send it to every case the file." (Ex. 2).

35. "Would be a great idea to make a comprehensive list of all scams and BS pretenda [sic, "Prenda"] has perpetrated and make it easy accessible for Does and lawyers so they have ammunition for these cases and can raise awareness to jurisdiction/courts/judges/attorney generals/and Doe lawyers who may be unfamiliar with prenda's BS and dont have time or the means to educate themselves about the frauds." (Ex. 2).

36. "Some ships are designed to sink... others require our assistance." (Ex. 3).  
[dietrolldie.com signature block for each and every post]

37. "This section [of a Prenda court filing] is truly a masterpiece of equine excrement, which even a failing law school student would think twice before submitting for a grade. Take a read of this section and try not to choke on what Prenda" writes. (Ex. 4).

38. Referring to Prenda Law; Troll Schulz – this isn't easy money and your reputation (if you have one) is going to be associated with a\$\$hats and criminals.” (Ex. 5).

39. Screenshot parodying Simpsons chalkboard scene; Bart Simpson repeatedly writing “I will not file frivolous lawsuits,” captioned “Prenda Ethics Training” (Ex. 6).

40. “Would be nice though if [an attorney performing work for Plaintiff] finally grew a brain and decided to cut his losses and quit the scam and dis-associate himself from Prenda. I am looking forward to the end of the month with news of victory for Abrahams.” (Ex. 7).

41. “Prenda was so stupid that they then filed a single-Doe case against Abrahams even with the registration problem. Due to the history of shameless fraud in this case, I'm hoping Yuen makes them pay for this one. They didn't have quite the registration problems with Wong v. HDP, so I believe there is more opportunity to turn the screws and maybe even go for sanctions, damages or class action with this one. I can envision a class-action suit with all defendants from HDP v. Does 1-118 as a class, since they were all victims of extortion attempts based on Prenda's fraudulent claims that the work was registered.” (Ex. 8).

42. “Prenda then doesn't have to prove that the John Doe or Mr. Hatfield infringed. It then becomes Mr. Hatfield's responsibility to do this and seek legal action against John Doe to make him pay his portion of the fine. Pretty slick idea isn't it – In a slimy bottom feeding lawyer way. Note: not all lawyers are like this, but if the shoe fits...” (Ex. 9).

43. “Funny how Prenda will not actually name its investigators and the company they employ. Well I will – Company: 6881 Forensics LLC. Investigator (term very loosely applied): Peter Hansmeier. This is nothing more than a Prenda cover for the Steele/Hansmeier operations that stinks of questionable personnel, untested “forensic” software, non-certified

forensic/Investigative personnel, unethical behavior, and an incestuous relationships of all parties involved. “ (Ex. 10).

44. “Just more FUD from the great minds at Prenda. Keep it up boys, just more evidence to support the abuse of process and harassment claims.” (Ex. 11).

45. “Wow.. This is exactly the same message I got today. I knew it was a robo call by the cheap ass voice. I guess these crooks have too much on their plate.” (Ex. 12).

46. “Not that Prenda really cares about possible defendant guilt or innocence. They only want to generate settlements and the possibility of innocent parties only messes up their business model. In their eyes, all the defendants are guilty.” (Ex. 13).

47. Prenda’s “repulsive business model started the same way in the Federal system and now because of our actions, is moving on to new uncharted ground. I’m sure some of our friendly lawyers will enlighten us on the veiled “30 day” reference. That or the affected Does will find us via Google and the fun begins. You claims of great success in the courts is the usual Troll bravado. Yawn..... We understand we will not be successful all the time, but we are one hell of a thorn in your side. The thorn will fester and your operations will suffer for it.” (Ex. 14).

48. “It stills seems like [attorneys performing work for Prenda] and Prenda are saying “we promise to be trustworthy even though we have a long record of not being trustworthy”. Why not treat wolves to free bottles of steak sauce to discourage their attacks?” (Ex. 15).

49. “Well I got to give it to the sneaky minds at Prenda Law.” (Ex. 16).

50. Prenda’s litigation “is a blatant abuse of the rule 45 (we’ll hear about this particular sleaziness soon).” (Ex. 17).

51. “[L]et’s be clear about what Prenda was doing. They publicly accused Abrahams of being a criminal, while pressuring him to pay them to stop publicly accusing him of being a criminal. This is the definition of blackmail ...” (Ex. 18).

52. “Prenda employs a brain-damaged attorney. Sooner or later John will have to pimp his blonde to cover his a\$\$!” (Ex. 19).

53. “Yet one more reason why these efforts at extortion will never see the inside of a courtroom.” (Ex. 20).

54. “Media Copyright Group, 6881 Forensics, etc.; this is the basis for what gets Prenda and the other Trolls their subpoenas granted. Destroy this and their operation takes a dive. Don’t lose faith and keep telling the Trolls to bring it on. They don’t want a full-out trial, only your money.” (Ex. 21).

55. “Prenda also apparently has decided to pack up and move the scam to the California Eastern District” (Ex. 22).

56. “Dan Booth and Jason Sweet are currently involved in multiple battles with Prenda’s local goon and swindler Daniel Ruggiero.” (Ex. 23).

57. “It is hardly a surprise to those who follow Prenda and other trolls: cockroaches tend to explore cracks in the floor (in this case, in the floor of the US judicial system).” (Ex. 24).

58. “Many local counsels deceived by Prenda turned out to be ethical attorneys (George Banas, Jonathan Torres, Matthew Wasinger, Trina Morrison...) and would not even think about associating their names with Prenda scumbags if they knew how much their cores are rotten. Seeing that, I would not rush and blame an underemployed attorney: I hope he will smell the stink of decay that the criminal organization Prenda exudes and will resign from this case — the sooner the better. (Ex. 25).

59. “It was obvious that a rash of CFAA cases filed in state courts by Prenda con artists — Guava v. Skylar Case (Cook county, IL), Guava v. Spencer Merkel (Hennepin county, MN), and Arte de Oaxaca v. Stacey Mullen (Cook county, IL) — were sham lawsuits that employed the same scheme.” (Ex. 26).

60. “Prenda’s fraudulent activity continues unabated: new harassing calls, ransom letters etc.” (Ex. 27).

61. Recently I heard too many reports that Steele Hansmeier / Prenda Law / Anti-Piracy Law Group has intensified its harassing calls. And the crook on the other end of the phone line is no one else but previously “retired” (or rather fired — after he foolishly disobeyed his master’s order to move to Las Vegas) Mark Lutz. These calls are beyond fraud.” (Ex. 27).

62. “I assume they’re calling everyone in their shakedown database and trying to get cash before they kill Prenda, leave the country, or go to jail..not sure which one will come first.” (Ex. 28).

63. “While “Prenda” was a rather neutral term (please don’t start the “Pretenda” joke), ironically the criminal enterprise has managed to embed the deceit as a modus operandi in its very name: one simply cannot be anti- its own turf. It’s like if a plumber would declare that he is anti-sewage. Or a lion would declare that he is anti-meat.” (Ex. 29).

64. “We all know how Prenda crooks have been doing a hard work of depriving people a say in the court, the very people they rape” (Ex. 30).

65. “Is Prenda calling it quits or cooking a new fraud?” (Ex. 31).

66. “I cannot read crooked minds, and undeniably, we don’t have enough information to speculate about both why all these sudden dismissals are taking place, and why the most suspicious “plaintiffs” were spared at this time. I hope that Prenda’s impudent

fraudulent activities have finally caught attention of law enforcement, and the crooks are on the run.” (Ex. 32).

67. “Does ‘under penalty of perjury’ mean anything? Apparently not for Prenda and one of its plaintiffs.” (Ex. 33).

68. [W]e consider your clients [i.e., Prenda] the worst representatives of our society and do everything in our ability to accelerate their downfall, this case will continue to gain publicity. I expect bigger media outlets (TechDirt, ArsTechnica, Wired) to spread the news pretty soon.” (Ex. 34).

69. (Fight Copyright Trolls email to Prenda’s Florida attorneys for the sanction hearing attempting to threaten them to get off of the case) “His masters [i.e., Florida attorneys working on behalf of Prenda], criminal masterminds from now being abandoned ship Prenda, are not in much better situation.” (Ex. 35).

70. “[C]rooked bosses [i.e., Prenda] are in the process of pulling a machination — abandoning the old corporation (most likely, to avoid writing the annual report and to get rid of bad publicity) and creating another one — with the same people, same mailing address, same website and same goal — mass extortion.” (Ex. 36).

71. “SJD, since you have a habit of sending welcome letters to new local counsels, you must have many of them in your address book already. How about sending Prenda’s a helpful note regarding their employer’s current lack of good standing? Some of these guys may be naive, they may be stupid, a few may even be genuinely evil, but I’ll be all of them are lawyer enough and have a strong enough sense of self-preservation to find the idea of “Personal Liability” utterly terrifying. You may have the means to trigger a collecting pants-soiling and send the rats over the sides of this sinking ship.” (Ex. 37).



72. “Why anyone wants to abandon the company that is not bankrupt, that has a nice positive settlement cash flow, not being sued etc.? Only crooks need machinations like this to operate.” (Ex. 38).

73. “Too many of the marks were Googling “Prenda” and discovering what assclowns they are. Not good for business. Am I the only one wondering if they plan to keep on changing their skin every year, just as the annual report comes due?” (Ex. 39).

74. It took only a year before the majority of judges in the country started recognizing the name “Prenda,” frowning every time they hear it. What our fraudsters are supposed to do? Maybe simply changing the name will help?” (Ex. 40).

75. “I bet you know an amateurish-looking portal Wefightpiracy.com whose few goals are simpler than its design: to spread FUD, to justify criminal activity with the help of poorly-articulated ideas lifted from multiple copyright maximalists, and to facilitate defamation.” (Ex. 40).

76. “[O]ur bandits are now called “Anti-Piracy Law Group” in an attempt to squeeze a couple of more dimes from the judicial system bastardized by them.” (Ex. 40).

77. “I say we all chip in and order one of those “How to Survive in Prison” books for each Prenda attorney and have like a dozen sent to Duffy’s office in Chicago because guaranteed all of those clowns in the office know about it too. Maybe order Duffy’s wife a book about how to deal with her husband being in prison... “You and your spouse are now separated by plexiglass” hahaha.” (Ex. 41).

78. These [i.e.,Prenda attorneys] are the kind of people who would rob their families blind if it suited their ambitions. A few decades ago, Psychologist would be diagnosing these clowns as Criminal Psychopaths (now it’s called Antisocial because the public had hurt

feelers) ... [T]his is the same psychosis that drives (drove) people like Bundy and Dahmer ... These men have ... the mentality of Ted Bundy...” (Ex. 41).

79. “[W]e’ve destroyed the reputation of every single Prenda associated troll who stuck it out ... For example, Google “Paul Lesko” and the second result that I get is a link to a story about Lesko and “Teen Anal Sluts” hahahaha.” (Ex. 42).

80. “And this is where blogs like this come in. When a law partner google a prospective new hire’s name, and the first hit is an expose of that person on fightcopyrighttrolls.com describing how they shook down a poor, defenseless grandma for a few thousand dollars over an illegal download of “stop daddy, my ass is on fire” ... that may raise a few eyebrows ..., lawyers will soon loathe to be associated with Prenda, ... Let’s share a toast to seeing America’s bigger n better version blow up even more dramatically, eh?” (Ex. 42).

81. Prenda has a “history of fraud...” (Ex. 43).

82. “The thing to keep in mind is that no matter how vicious they get, they still have no teeth...When things get real, they’re just a bunch of bumbling idiots playing a massive game of “Who’s on first?”.” (Ex. 44).

83. “We won’t hear about it until they make arrests but I’m pretty sure Prenda has been on the FBI’s radar for quite some time.” (Ex. 45).

84. “Every time a new guy understood that the newly acquired stink he couldn’t get rid of is exuded by Prenda Law, he ran away as quickly as possible. Even 75% contingency fee cannot persuade local lawyers to stain their future careers by associating themselves with a lawfirm that is actively investigated by the Florida Bar Association, and is expected to be investigated criminally in the nearest future.” (Ex. 46).

85. “Prenda engages in fraud upon the public and the judicial system, [and][ a careful reading of this transcript will put those doubts to rest. Prenda’s past and current employees ... all misrepresent their capacity and involvement in this circus...” (Ex. 47).

86. A “cast of idiots ... run[s] Prenda Law.” (Ex. 48).

87. “I encourage you to read the comments to understand the unprecedented extent of Prenda’s arrogance and bad faith.”(Ex. 49). “Since I used words farce, fraud, frivolous describing much less brazen abuses of the court system by copyright trolls, I ran out of epithets. I cannot find proper words that describe this garbage. And it will get even worse: we will for sure witness more fraud if Prenda criminals are not deterred ASAP.” (Ex. 50).

88. “The reason ... Prenda “gang” ... have their law licenses is because the IARDC works at an INCREDIBLY SLOW pace.” (Ex. 51).

89. “Prenda’s clowns are incompetent enough when calm and sober.” (Ex. 52).

90. Below is Raul’s translation from Pinocchiolean: Full-Time Apprentice Copyright Troll (mill valley) Mill Valley Of Counsel to Copyright Troll Firm, Prenda Law, seeking full-time apprentice troll to help maintain the caseload provided by a nationally disdained Chicago-based copyright troll firm specializing in a barely legal extortion racket. Currently, this is a one-person scumbag operation, and will be looking for someone to work with that one person directly to accomplish the tasks presented. Very sleazy environment in the office but we keep lots of beer on hand to please our leader, Master Troll John Steele, in case he visits us from sunny Florida. A lot of opportunities to appear in State and Federal courts to receive lashing by judges, potential sanctions, and unanimous contempt by others in the legal profession. Necessary Qualifications:  
- No clear moral compass; - Ability to work independently on certain projects like harassing grandmothers, the blind, and the innocent; - Love of money above all else; - Good at not being

good but being a little evil; - Must be proficient in Douchebaggery; - Creative in lying to others.” (Ex. 53, 54).

91. “Being affiliated with Prenda will and likely is toxic to any attorney’s reputation and, as in any profession, reputation is everything ... Put “Prenda Law, LLC” on your resume and guaranteed, no one will hire you so the lawyers there better make as much as they can, as fast as they can because no semi-reputable law firm or even hick county public defender’s office will wanna go near them afterward. Their reputation, tainted. Freshly-minted JDs associated with Prenda, wow, they’re boned.” (Ex. 55).

92. “[I]f at this moment any of Prenda’s criminals ... were nearby, I honestly don’t know if I would be able to restrain myself ..”. “The crooks must be stopped unless it is too late ... Please don’t be passive.” (Ex. 56).

93. Prenda is “about 1 step up from the people who send emails looking for help to move millions of dollars from other countries and just need your bank details or you to send some fee money to make it happen. They prey on people and are parasites, and we try to give people the best possible defense... information. If you know it is a scam, and they will say anything to make a buck their words are much less scary.” (Ex. 57).

94. “[A]t least few uneducated Does would contact Prenda for clarifications, and be conned as a result. As I repeatedly state, talking to a troll is a big no-no: you cannot outfox seasoned fraudsters.” (Ex. 58).

95. “Prenda’s continuous disregard of ethics leads to a motion for sanctions.” (Ex. 59).

96. “Prenda utilizes the entire database of addresses they were able to loot using unsuspecting courts as burglary tools ... this is a deliberate fraud on the federal court.” (Ex. 60).

97. Reading this “journalism,” you might mistake corrupt, state judge LeChien — who issues subpoenas for alleged crimes he cannot try — for Justice Brandeis.” (Ex. 61).

98. “Prenda Law is an infamous clique of lawyers who file hundreds of mass extortion-like lawsuits against peer-to-peer users who allegedly share copyrighted pornography movies. This outfit has no desire to progress their cases to the actual litigation ...Prenda Law comprises some creative con artists and managed to deceive judges around the country for more than a year.” (Ex. 62).

99. “Shame on Judge LeChien for allowing this to happen and shame on Prenda for engaging in Grisham (the antagonists) like behavior ... “His Honor” may face some awkward questions sooner rather than later..” (Ex. 63).

**COUNT I – LIBEL PER SE**  
*(False Allegations of Criminal Offenses)*

100. The allegations contained in the preceding paragraphs are hereby re-alleged as if fully set forth herein.

101. Defendants made the statements set forth in Paragraphs 30 through 99, as well as a vast number of similar statements, posted to the same and similar Internet sites. Those statements remained on those sites until at least shortly before the filing of this Complaint, and thus are still, as of the date hereof, being published without restriction to any person in the world with an Internet connection who visits those unrestricted sites.

102. The statements set forth in Paragraphs 30 through 99 falsely allege that Plaintiffs, and their agents, have committed criminal offenses. Among other things, and as set forth therein, one or more Defendant wrote, and published to third parties, statements that Plaintiffs, and/or attorneys working for or on their behalf, were engaged in a “scam” and “criminality;” being “crooks;” engaging in “blackmail” and an “extortion scheme;” being “crooked;” engaging

in “criminal acts;” and being “seasoned fraudsters.” One such Defendant declared that Plaintiff’s attorneys were “like Dahmer and Bundy,” two mass murders.

103. Defendants’ false statements accusing Plaintiffs of criminal offenses generally, and specific criminal offenses such as extortion, blackmail and fraud, are libelous *per se*.

104. Defendants made those statements with either knowledge of their falsity, or in reckless disregard of the truth. Neither Plaintiff, nor any individual performing work for them, is a public figure. In many of those statements, however, Defendants admit that they were making false statements with actual malice, for the express purpose of damaging the business reputation of Prenda, its clients and attorneys performing work on its behalf. Among other things, one or more Defendant stated that his purpose in making defamatory statements was to assure that being associated with Plaintiffs was toxic to any attorney’s reputation.

105. Defendants’ false and defamatory statements that Plaintiffs have committed criminal offenses has caused Plaintiffs significant actual damages including, but not limited to, damaged reputation, loss of revenue, loss of prospective clients and other damages.

**COUNT II – LIBEL PER SE**  
*(False Allegations of Want of Integrity in Employment)*

106. The allegations contained in the preceding paragraphs are hereby re-alleged as if fully set forth herein.

107. Defendants made the statements set forth in Paragraphs 30 through 99, as well as a vast number of similar statements, posted to the same and similar Internet sites. Those statements remained on those sites until at least shortly before the filing of this Complaint, and thus are still, as of the date hereof, being published without restriction to any person in the world with an Internet connection who visits those unrestricted sites.

108. The statements set forth in Paragraphs 30 through 99 falsely allege that Plaintiffs, and their agents, want of integrity in employment. Among other things, and as set forth therein, one or more Defendant wrote, and published to third parties, statements that Plaintiffs, and/or attorneys working for or on their behalf, were engaged in a “scam” and “criminality;” “evil;” that they are not “legitimate” attorneys; they are “crooked;” “incompetent;” that they “facilitate defamation;” are “goons” who are participating in “fraud on the court[s];” are “bottom feeding;” “crooks;” and that they “shook down a poor, defenseless grandma for a few thousand dollars over an illegal download of ‘stop daddy, my ass is on fire’”

109. Defendants’ false statements accusing Plaintiffs of want of integrity in employment as attorneys are libelous *per se*.

110. Defendants made those statements with either knowledge of their falsity, or in reckless disregard of the truth. Neither Plaintiff, nor any individual performing work for them, is a public figure. In many of those statements, however, Defendants admit that they were making false statements with actual malice, for the express purpose of damaging the business reputation of Plaintiffs, their clients and attorneys performing work on their behalf. Among other things, one or more Defendant stated that his purpose in making defamatory statements was to assure that being associated with Plaintiffs was toxic to any attorney’s reputation.

111. Defendants’ false and defamatory statements that Plaintiffs have committed criminal offenses has caused Plaintiffs significant actual damages including, but not limited to, damaged reputation, loss of revenue, loss of prospective clients and other damages.

**COUNT III – LIBEL *PER SE***  
***(False Allegations Imputing Lack of Ability in Plaintiff’s Profession)***

112. The allegations contained in the preceding paragraphs are hereby re-alleged as if fully set forth herein.

113. Defendants made the statements set forth in Paragraphs 30 through 99, as well as a vast number of similar statements, posted to the same and similar Internet sites. Those statements remained on those sites until at least shortly before the filing of this Complaint, and thus are still, as of the date hereof, being published without restriction to any person in the world with an Internet connection who visits those unrestricted sites.

114. Many of the statements set forth in Paragraphs 30 through 99 falsely allege that Plaintiffs, and their agents, lack professional ability. Among other things, and as set forth therein, one or more Defendant wrote, and published to third parties, statements that Plaintiffs, and/or attorneys working for or on their behalf, are “incompetent;” “naïve;” “stupid;” “evil;” “criminals” “crooks” and “seasoned fraudsters.”

115. Defendants’ false statements that Plaintiffs and their agents lack ability as attorneys, their profession, are libelous *per se*.

116. Defendants made those statements with either knowledge of their falsity, or in reckless disregard of the truth. Neither Plaintiff, nor any individual performing work for them, is a public figure. In many of those statements, however, Defendants admit that they were making false statements with actual malice, for the express purpose of damaging the business reputation of Plaintiffs, their clients and attorneys performing work on their behalf. Among other things, one or more Defendant stated that his purpose in making defamatory statements was to assure that being associated with Plaintiffs was toxic to any attorney’s reputation.

117. Defendants’ false and defamatory statements that Plaintiffs want of ability in its profession has caused Plaintiffs significant actual damages including, but not limited to, damaged reputation, loss of revenue, loss of prospective clients and other damages.

**COUNT IV – LIBEL *PER SE***  
***(False Allegations of Plaintiff’s Agents of Fornication and Adultery)***



118. The allegations contained in the preceding paragraphs are hereby re-alleged as if fully set forth herein.

119. Defendants made the statements set forth in Paragraphs 30 through 99, as well as a vast number of similar statements, posted to the same and similar Internet sites. Those statements remained on those sites until at least shortly before the filing of this Complaint, and thus are still, as of the date hereof, being published without restriction to any person in the world with an Internet connection who visits those unrestricted sites.

120. Certain statements set forth in Paragraphs 30 through 99 falsely allege that Plaintiffs' agents committed fornication and adultery. Among other things, Defendants have accused Plaintiffs' agents of "incest," being "cornholers" and promoting prostitution

121. Defendants' false statements as to fornication and adultery are libelous *per se*.

122. Defendants made those statements with either knowledge of their falsity, or in reckless disregard of the truth. Neither Plaintiff, nor any individual performing work for them, is a public figure. In many of those statements, however, Defendants admit that they were making false statements with actual malice, for the express purpose of damaging the business reputation of Prenda, its clients and attorneys performing work on its behalf. Among other things, one or more Defendant stated that his purpose in making defamatory statements was to assure that being associated with Prenda was toxic to any attorney's reputation.

123. Defendants' false and defamatory statements that Plaintiffs want of ability in their profession has caused Plaintiffs significant actual damages including, but not limited to, damaged reputation, loss of revenue, loss of prospective clients and other damages.

#### **COUNT V – FALSE LIGHTS**

124. The allegations contained in the preceding paragraphs are hereby re-alleged as if fully set forth herein.

125. Each of the Defendant's statements has placed Plaintiffs in a false lights before the public. In addition to those set forth in the preceding Counts of this Complaint, Defendants have published statements that Plaintiffs' agents have "psychosis like Dahmer and Bundy," two convicted mass murderers; engage in "mass extortion;" and will soon be jailed. One Defendant bragged that, due to his efforts, a google search of an attorney formerly associated with Plaintiffs would produce, as the second result, the attorney's name with "a link to a story about [the attorney] and 'Teen Anal Sluts' hahahaha."

126. The false lights, as alleged above, were of such a nature as to be highly offensive to a reasonable person.

127. Defendants' false and defamatory statements have caused Plaintiffs significant actual damages including, but not limited to, damaged reputation, loss of revenue, loss of prospective clients and other damages.

**COUNT VI – TORTIOUS INTERFERENCE WITH  
CONTRACTUAL RELATIONSHIPS**

128. The allegations contained in the preceding paragraphs are hereby re-alleged as if fully set forth herein.

129. At all times relevant hereto, Plaintiffs were parties to valid and enforceable contracts with third parties. Those third parties included clients that retained Plaintiffs to represent them in court, and attorneys who performed work as agent or of counsel to Plaintiffs.

130. Some or all Defendants admitted, in published statements referenced above and in other statements, that they were aware that Plaintiffs had such business relationships with their clients and attorneys performing work on their behalf.

131. Defendants intentionally engaged in the unjustified inducement of a breach, by making false and defamatory statements about Plaintiffs. Several Defendants expressly admitted that they published such statements to alienate Plaintiffs from their clients and attorneys.

132. Defendants' wrongful conduct caused subsequent breaches of parties to which Plaintiffs were parties by third parties. Among other things, Plaintiffs lost both clients and attorneys as a consequence of certain defamatory statements that Defendants published, and by other conduct by Defendants.

133. Defendants' false accusations has caused Plaintiffs significant actual damages including, but not limited to, damaged reputation, loss of revenue, loss of prospective clients and other damages.

**COUNT VII – TORTIOUS INTERFERENCE WITH  
A PROSPECTIVE BUSINESS RELATIONSHIP**

134. The allegations contained in the preceding paragraphs are hereby re-alleged as if fully set forth herein.

135. The allegations contained in the preceding paragraphs are hereby re-alleged as if fully set forth herein.

136. At all times relevant hereto, Plaintiffs had reasonable expectations of entering into valid business relationships with third parties, including prospective clients and attorneys whom Plaintiffs may have retained or contracted with to representation of their clients.

137. Some or all Defendants admitted, in published statements referenced above and in other statements, that they were aware that Plaintiffs had reasonable expectations of entering into valid business relationships with prospective clients and attorneys who may work on their behalf.

138. Plaintiffs were parties to valid and enforceable contracts with third parties. Those third parties included clients that retained Plaintiffs to represent them in court, and attorneys who performed work as agent or of counsel to Plaintiffs.

139. Some or all Defendants admitted, in published statements referenced above and in other statements, that they were aware that Plaintiffs had such business relationships with their clients and attorneys performing work on its behalf.

140. Defendants intentionally engaged in the unjustified interference that prevented Plaintiffs' legitimate expectancy from ripening into valid business relationships.

141. Defendants' false and defamatory statements have caused Plaintiffs significant actual damages including, but not limited to, damaged reputation, loss of revenue, loss of prospective clients and other damages.

#### **COUNT VIII – CIVIL CONSPIRACY**

142. Plaintiffs hereby incorporates by reference each and every allegation contained in the preceding paragraphs as if set forth fully herein.

143. The Defendants collaborated with one another by planning, coordinating and assisting one another in preparing the defamatory statements that were disseminated to third-parties via the Internet "communities" referenced above. Each Defendant engaged in a concerted action with other Defendants and yet unnamed individuals to defame and commit other tortious conduct against Plaintiffs.

144. Each Defendant who posted false and defamatory comments in connection with this "community" thus conspired with other Defendants to commit defamation and other tortious actions against Plaintiffs.

145. In furtherance of this civil conspiracy, Defendants and others committed overt tortious and unlawful acts by making and publishing to third parties false and defamatory statements about Plaintiffs, and each was a willful participant in this joint activity.

146. As a proximate result of this conspiracy, Plaintiffs have been damaged, as is more fully alleged above.

#### **JURY DEMAND**

147. Plaintiffs hereby demand a jury trial in this case.

#### **PRAYER FOR RELIEF**

**WHEREFORE**, Plaintiffs respectfully request Judgment and relief as follows:

- 1) Judgment against Defendant that they have committed the torts set forth in each of Count I through Count VIII hereof;
- 2) Judgment in favor of the Plaintiffs and against the Defendants for damages in excess of \$100,000 against each Defendant to be ascertained at trial;
- 3) Judgment in favor of Plaintiffs against the Defendants awarding the Plaintiffs attorneys' fees, litigation expenses (including fees and costs of expert witnesses), and other costs of this action; and
- 4) Judgment in favor of the Plaintiffs against the Defendants, awarding Plaintiffs declaratory and injunctive or other equitable relief as may be just and warranted under the circumstances.

Respectfully submitted,


PRENDA LAW, INC.  
ALPHA LAW FIRM, LLC

DATED: February 21, 2013

By:

\_\_\_\_\_  
Paul Duffy (Bar No. 6210496)  
Prenda Law Inc.  
161 N. Clark St., Suite 3200  
Chicago, IL 60601  
Telephone: (312) 880-9160  
Facsimile: (312) 893-5677  
E-mail: paduffy@wefightpiracy.com  
*Attorney for Plaintiffs*

By:

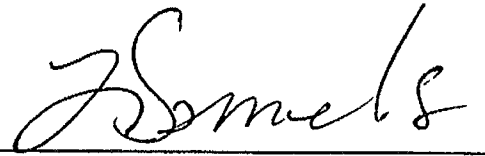
  
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Kevin T. Hoerner  
Bar No. 06196686  
Becker, Paulson, Hoerner & Thompson,  
P.C.  
5111 West Main Street  
Belleville, IL 62226  
Telephone: (618) 235-0020  
Facsimile: (618) 235-8558  
*Attorney for Plaintiff*

**CERTIFICATE OF SERVICE**

The under certifies that a copy of the foregoing was served upon the following persons or attorney(s) of record of all parties to the captioned case by enclosing the same in an envelope addressed to each at the address(es) disclosed by the pleadings of record, with postage fully prepaid on this 25<sup>th</sup> day of February, 2013.

Paul Godfread  
Godfread Law Firm  
100 S. 5<sup>th</sup> Street, #1900  
Minneapolis, MN 55402

Alan Cooper  
C/O Paul Godfread  
100 S. 5<sup>th</sup> Street, #1900  
Minneapolis, MN 55402



A handwritten signature in cursive script, appearing to read "J. Somers", is written above a solid horizontal line.

Exhibit B

Exhibit B



IN THE CIRCUIT COURT OF COOK COUNTY, ILLINOIS

PRENDA LAW, INC

Plaintiff/Petitioner

v.

PAUL A. GODFREAD, ALAN COOPER AND DOES 1-10

Defendant/Respondent

No. 13-L-75

SUBPOENA IN A CIVIL MATTER (For Testimony and/or Documents)

To: Wild West Domains, LLC
c/o Kenna Willis, Go Daddy Operating Company, LLC
14455 N Hayden Rd. Ste. 2019, Scottsdale, AZ 85260

1. YOU ARE COMMANDED to appear to give your testimony before the Honorable ... in Room ... Illinois on ... at ... m.

2. YOU ARE COMMANDED to appear and give your deposition testimony before a Notary Public at: ... in Room ... Illinois on ... at ... m.

3. YOU ARE COMMANDED to mail the following documents in your possession or control to Paul A. Duffy, Esq. at 161 N. Clark St. Ste. 3200, Chicago, IL 60601, on or before March 6, 2013 at 10:00 am m.

(THIS IS FOR RECORDS ONLY. THERE WILL BE NO ORAL INTERROGATORIES.):

Provide the name, current (and permanent) addresses, billing addresses, telephone numbers and e-mail addresses associated with the individual who registered the domain dietrolldie.com.

Description continued on attached page(s).

YOUR FAILURE TO RESPOND TO THIS SUBPOENA WILL SUBJECT YOU TO PUNISHMENT FOR CONTEMPT OF THIS COURT.

Notice to Deponent:

1. The deponent is a public or private corporation, partnership, association, or governmental agency. The matter(s) on which examination is requested are as follows:

Description continued on attached page(s).

(A nonparty organization has a duty to designate one or more officers, directors, or managing agents, or other persons to testify on its behalf, and may set forth, for each person designated, the matters on which that person will testify. Ill. Sup. Ct. Rule 206.)

2. The deponent's testimony will be recorded by use of an audio-visual recording device, operated by ... (Name of Recording Device Operator)

3. No discovery deposition of any party or witnesses shall exceed three hours regardless of the number of parties involved in the case, except by stipulation of the parties or by order upon showing that good cause warrants a lengthier examination. Ill. Sup. Ct. Rule 206(d).

Atty. No. 6210496

Pro Se 99500

Name: Paul A. Duffy

Issued by:

Signature of Paul A. Duffy

Atty. for: Prenda Law, Inc.

Attorney

Address: 161 N. Clark St. Ste. 3200

Clerk of Court

City/State/Zip: Chicago, IL 60601

Telephone: 1-800-380-0840

Date: February 27, 2013

I served this subpoena by mailing a copy, as required by Ill. Sup. Ct. Rules 11, 12 and 204(a)(2), to Go Daddy Operating Company, LLC by certified mail, return receipt requested (Receipt # 94071112010504703246) on February 27, 2013

I paid the witness \$ for witness and mileage fees. 80

I served this subpoena by handing a copy to on

I paid the witness \$ for witness and mileage fees.

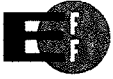
(Signature of Server)

(Print Name)

DOROTHY BROWN, CLERK OF THE CIRCUIT COURT OF COOK COUNTY, ILLINOIS

Exhibit C

Exhibit C



March 12, 2013

**VIA EMAIL AND U.S. MAIL**

Paul Duffy, Esq.  
Prenda Law LLC  
161 N. Clark St., Suite 3200  
Chicago IL 60601  
paduffy@wefightpiracy.com

**Re: *Paul Duffy. v. Paul A. Godfread, Alan Cooper, et al., 1:13-cv-01569 (N.D. Ill);  
Prenda Law LLC v. Paul Godfread, Alan Cooper, et al., 3:13-cv-00207 (S.D. Ill)***

Dear Mr. Duffy:

I am an attorney at the Electronic Frontier Foundation, non-profit legal services organization. We are writing to inform you and Prenda Law that the Electronic Frontier Foundation and Charles Mudd of the Mudd Law Office, are representing the blogs fightcopyrighttrolls.com and dietrolldie.com with respect to your efforts to discover information about the blogs, the operators of these blogs and the readers of these blogs.

This includes the Marin County Superior Court Subpoena Duces Tecum delivered to Automattic/Wordpress, which references *Prenda v. Godfread*, Circuit Court of the Twentieth Judicial Circuit, St. Clair County, Illinois, Case No. 13-L-75 (a case which has been subsequently removed to federal court).

It is our understanding that Automattic/Wordpress will not be responding to this subpoena for the compelling reasons set forth in their letter to you dated March 8.

Please copy us on any further efforts to obtain information from or about our clients, whether by attempting to enforce the above referenced subpoena or otherwise.

Best regards,

Mitch Stoltz, Esq.  
Staff Attorney  
Electronic Frontier Foundation

cc: Charles Mudd, Esq. (via email)  
Matt Zimmerman, Esq. (via email)  
Nate Cardozo, Esq. (via email)  
Kurt Opsahl, Esq. (via email)

Exhibit D

Exhibit D

From: Compliancemgr@wildwestdomains.com

To: [REDACTED]

Subject: dietrolldie.com

Date: Fri, 22 Mar 2013 09:48:15 -0700

This email is to inform you that we have received a properly formatted subpoena for documents in the following civil action: Prenda Law v Paul A. Godfread, Alan Cooper and Does 1-10 issued by the Cook County, Illinois Circuit Court, Case No. 13-L-75. Our response to this subpoena may require us to disclose some of your personally identifiable information. Therefore, we are providing this notice as a courtesy to give you an opportunity to object to the subpoena. The only way to object to a properly filed subpoena is by filing an objection with the court in which the matter is pending. If you intend on filing an objection, please let us know within 3 business days. If we do not receive an objection notice indicating that you have filed or will be filing an objection, we will continue with producing the documents requested and may charge your account according to our registration agreement. Should you require additional time within which to file your objection with the court, please let us know.

In order to obtain further information related to the pending litigation or a copy of the subpoena, you may contact counsel for the requesting party as follows:

Paul A. Duffy, Esq.  
Prenda Law, Inc.  
161 N. Clark Street, Suite 3200  
Chicago, IL 60601

Sincerely,

C. Heffelfinger  
Compliance Specialist  
(480)624-2546 Facsimile

-This email message and any attachments hereto is intended for use only by the addressee(s) named herein and may contain legally privileged and/or confidential information. If you have received this email in error, please immediately notify the sender and permanently delete the original and any copy of this message and its attachments.

Exhibit E

Exhibit E

**Subject:** Duffy v. Godfread, et al. and Prenda Law v. Godfread, et al.

**From:** Nate Cardozo <nate@eff.org>

**Date:** 3/22/13 2:43 PM

**To:** paduffy@wefightpiracy.com

**CC:** legal@wildwestdomains.com, tavila@godaddy.com, tbaum@godaddy.com, Kurt Opsahl <kurt@eff.org>, Matt Zimmerman <mattz@eff.org>, Mitch Stoltz <mitch@eff.org>, cmudd@muddlawoffices.com, compliancemgr@wildwestdomains.com

Dear Mr. Duffy and Prenda Law:

This email is further to the voicemail I left with you this afternoon. As you are aware, my office represents the blog dietrolldie.com with respect to your efforts to discovery information about the blog, the operators of the blog, and the readers of the blog.

We understand that you have purported serve a subpoena on Wild West Domains seeking information related to the domain dietrolldie.com. According to Wild West Domains, the subpoena was issued by the Cook County Superior Court, Case No. 13-L-75. This is curious because Case No. 13-L-75 was filed in the St. Clair County Court. In any case, as you are aware, both of your defamation actions, in Cook County and St. Clair County, were removed to federal court in February, 2013.

Please provide us with a copy of this subpoena and any others you may have issued that relate to our clients, dietrolldie.com and fightcopyrighttrolls.com.

We object to your subpoena to Wild West Domains and have asked Wild West Domains not to release any information to you until this matter is resolved by a court of competent jurisdiction.

I look forward to your prompt response.

Best,

Nate Cardozo

Electronic Frontier Foundation

Counsel for dietrolldie.com and fightcopyrighttrolls.com

--

Nate Cardozo

Staff Attorney

Electronic Frontier Foundation

[nate@eff.org](mailto:nate@eff.org) | 415.436.9333 x146

Help EFF defend our rights in the digital world

<https://www.eff.org/donate>

Exhibit F

Exhibit F



**Subject:** Re: Duffy v. Godfread, et al. and Prenda Law v. Godfread, et al.  
**From:** Prenda <paduffy@wefightpiracy.com>  
**Date:** 3/22/13 2:51 PM  
**To:** Nate Cardozo <nate@eff.org>

There are a few typos in your message. I am not sure what you want. Kindly contact me directly – thanks very much.

On Mar 22, 2013, at 4:43 PM, Nate Cardozo <[nate@eff.org](mailto:nate@eff.org)> wrote:

Dear Mr. Duffy and Prenda Law:

This email is further to the voicemail I left with you this afternoon. As you are aware, my office represents the blog dietrolldie.com with respect to your efforts to discovery information about the blog, the operators of the blog, and the readers of the blog.

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We object to your subpoena to Wild West Domains and have asked Wild West Domains not to release any information to you until this matter is resolved by a court of competent jurisdiction.

I look forward to your prompt response.

Best,  
Nate Cardozo  
Electronic Frontier Foundation  
Counsel for dietrolldie.com and fightcopyrighttrolls.com

--

Nate Cardozo  
Staff Attorney  
Electronic Frontier Foundation  
[nate@eff.org](mailto:nate@eff.org) | 415.436.9333 x146  
Help EFF defend our rights in the digital world  
<https://www.eff.org/donate>

Exhibit G

Exhibit G

**Subject:** Re: Duffy v. Godfread, et al. and Prenda Law v. Godfread, et al.  
**From:** Nate Cardozo <nate@eff.org>  
**Date:** 3/22/13 3:27 PM  
**To:** paduffy@wefightpiracy.com  
**CC:** Kurt Opsahl <Kurt@eff.org>, Mitch Stoltz <mitch@eff.org>, Matt Zimmerman <mattz@eff.org>, compliancemgr@wildwestdomains.com

Dear Mr. Duffy,

While we believe our email was clear, I will reiterate.

Please provide us a copy of any subpoenas you or office have issued to or served on Wild West Domains regarding dietrolldie.com.

What is the best telephone number at which to reach you? We called 312-880-9160 and left a voicemail for you at that number.

You can contact me directly at 415-436-9333 extension 146.

Best,  
Nate

On 3/22/13 2:51 PM, Prenda wrote:

There are a few typos in your message. I am not sure what you want. Kindly contact me directly - thanks very much.

On Mar 22, 2013, at 4:43 PM, Nate Cardozo <nate@eff.org> wrote:

Dear Mr. Duffy and Prenda Law:

This email is further to the voicemail I left with you this afternoon. As you are aware, my office represents the blog dietrolldie.com with respect to your efforts to discovery information about the blog, the operators of the blog, and the readers of the blog.

We understand that you have purported serve a subpoena on Wild West Domains seeking information related to the domain dietrolldie.com. According to Wild West Domains, the subpoena was issued by the Cook County Superior Court, Case No. 13-L-75. This is curious because Case No. 13-L-75 was filed in the St. Clair County Court. In any case, as you are aware, both of your defamation actions, in Cook County and St. Clair County, were removed to federal court in February, 2013.

Please provide us with a copy of this subpoena and any others you may have issued that relate to our clients, dietrolldie.com and fightcopyrighttrolls.com.

We object to your subpoena to Wild West Domains and have asked Wild West Domains not to release any information to you until this matter is resolved by a court of competent jurisdiction.

I look forward to your prompt response.

Best,  
Nate Cardozo  
Electronic Frontier Foundation  
Counsel for dietrolldie.com and fightcopyrighttrolls.com

--

Nate Cardozo  
Staff Attorney  
Electronic Frontier Foundation  
[nate@eff.org](mailto:nate@eff.org) | 415.436.9333 x146  
Help EFF defend our rights in the digital world  
<https://www.eff.org/donate>

--

Nate Cardozo  
Staff Attorney  
Electronic Frontier Foundation  
[nate@eff.org](mailto:nate@eff.org) | 415.436.9333 x146  
  
Help EFF defend our rights in the digital world  
<https://www.eff.org/donate>

Exhibit H

Exhibit H

**IN THE CIRCUIT COURT OF ST. CLAIR COUNTY, ILLINOIS  
COUNTY DEPARTMENT – LAW DIVISION**

PRENDA LAW, INC,

Plaintiff,

v.

PAUL A. GODFREAD, ALAN COOPER,  
AND DOES 1-10

Defendant,

No. 13-L-75

**NOTICE OF SUBPOENAS**

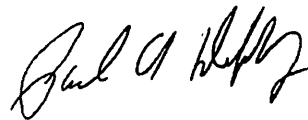
PLEASE TAKE NOTICE that we have caused the following subpoenas duces tecum to be served upon the following entities, with the service and return dates stated therein. A true and complete copy of each subpoena is attached hereto and hereby served upon you:

<b><u>Entity</u></b>	<b><u>Service Date(s)</u></b>	<b><u>Return Date(s)</u></b>
Wild West Domains, LLC 14455 N. Hayden Rd. Ste. 226 Scottsdale, AZ 85260	2/27/2013	3/6/2013

Respectfully submitted,

**Prenda Law, Inc.,**  
Plaintiff

DATED: February 27, 2013



By: \_\_\_\_\_  
One of its attorneys

Paul A. Duffy, Esq.  
2 N. LaSalle Street  
13th Floor  
Chicago, IL 60602

IN THE CIRCUIT COURT OF COOK COUNTY, ILLINOIS

PRENDA LAW, INC

Plaintiff/Petitioner
v.
PAUL A. GODFREAD, ALAN COOPER AND DOES 1-10
Defendant/Respondent

No. 13-L-75

SUBPOENA IN A CIVIL MATTER
(For Testimony and/or Documents)

To: Wild West Domains, LLC
c/o Kenna Willis, Go Daddy Operating Company, LLC
14455 N Hayden Rd. Ste. 2019, Scottsdale, AZ 85260

- 1. YOU ARE COMMANDED to appear to give your testimony before the Honorable...
2. YOU ARE COMMANDED to appear and give your deposition testimony before a Notary Public at:
3. YOU ARE COMMANDED to mail the following documents in your possession or control to Paul A. Duffy, Esq. at 161 N. Clark St. Ste. 3200, Chicago, IL 60601, on or before March 6, 2013 at 10:00 am m.

(THIS IS FOR RECORDS ONLY. THERE WILL BE NO ORAL INTERROGATORIES.):
Provide the name, current (and permanent) addresses, billing addresses, telephone numbers and e-mail addresses associated with the individual who registered the domain dietrolldie.com.

Description continued on attached page(s).

YOUR FAILURE TO RESPOND TO THIS SUBPOENA WILL SUBJECT YOU TO PUNISHMENT FOR CONTEMPT OF THIS COURT.

Notice to Deponent:

- 1. The deponent is a public or private corporation, partnership, association, or governmental agency. The matter(s) on which examination is requested are as follows:

Description continued on attached page(s).

(A nonparty organization has a duty to designate one or more officers, directors, or managing agents, or other persons to testify on its behalf, and may set forth, for each person designated, the matters on which that person will testify. Ill. Sup. Ct. Rule 206.)

- 2. The deponent's testimony will be recorded by use of an audio-visual recording device, operated by...
3. No discovery deposition of any party or witnesses shall exceed three hours regardless of the number of parties involved in the case, except by stipulation of the parties or by order upon showing that good cause warrants a lengthier examination. Ill. Sup. Ct. Rule 206(d).

Atty. No. 6210496 Pro Se 99500

Name: Paul A. Duffy

Issued by:

Signature

Atty. for: Prenda Law, Inc.

Attorney

Address: 161 N. Clark St. Ste. 3200

Clerk of Court

City/State/Zip: Chicago, IL 60601

Date: February 27, 2013

Telephone: 1-800-380-0840

- I served this subpoena by mailing a copy, as required by Ill. Sup. Ct. Rules 11, 12 and 204(a)(2), to Go Daddy Operating Company, LLC by certified mail, return receipt requested (Receipt # 94071112010504703246) on February 27, 2013

I paid the witness \$ for witness and mileage fees. 80

- I served this subpoena by handing a copy to on

I paid the witness \$ for witness and mileage fees.

(Signature of Server)

(Print Name)

DOROTHY BROWN, CLERK OF THE CIRCUIT COURT OF COOK COUNTY, ILLINOIS



Exhibit I

Exhibit I

# Forbes



**Kashmir Hill**, Forbes Staff

Welcome to The Not-So Private Parts where technology & privacy collide

TECH | 10/15/2012 @ 2:09PM | 21,652 views

## How Porn Copyright Lawyer John Steele Has Made A 'Few Million Dollars' Pursuing (Sometimes Innocent) 'Porn Pirates'

The rather long list of “People Most Hated By The Internet” — that guy who sued the Oatmeal, RIAA, Hunter Moore, Julia Allison, Violentacrez... — would be incomplete were it not to include John Steele. Steele is a lawyer who has partnered with the pornography industry to go after “pirates” who download their XXX films without paying for them. He has filed over 350 of these suits, and says he is currently suing approximately 20,000 people.



Attorney John Steele is currently suing approximately 20,000 Internet users.

The tactic is similar to the one employed by the recording industry years ago to sue people who were amassing huge music libraries through peer-to-peer sharing rather than buying CDs.

But where RIAA wanted to scare people out of illegal downloads by getting massive, scary judgments in highly publicized cases against individual Napster users, Steele and the lawyers like him are content to get relatively small settlements from individuals who pay up quietly to avoid being linked by name in public court filings for allegedly watching a film such as “[Illegal Ass 2](#).”

“I’m considered the original copyright troll,” says John Steele, almost proudly. “At least my wife loves me. When I read about myself on the Internet, I think, ‘Who is this jerk?’”

Attorneys like Steele identify allegedly guilty parties by monitoring file-sharing on BitTorrent (an [increasingly surveilled place](#)) and capturing the IP addresses of people sharing movies made by their porn producing clients. They then name the IP addresses as John Does in a copyright infringement lawsuit, and get a judge to force an ISP to reveal the paying customers behind the IP addresses. They sometimes sue hundreds of people at a time this way. Those people then get a letter from the lawyer informing them that they’re

accused of downloading a particular movie and that they have the opportunity to pay a settlement (usually around \$3,000) to make the legal matter go away, or risk being taken to court. Steele's tactics are controversial, and have inspired a huge online backlash with critical stories from Ars Technica, TechDirt, and specialized sites such as DieTrollDie. Those who believe that everything should be free online are especially vocal.



Unless you're Sasha Grey, you probably don't want your name publicly linked with this movie.

Buzzfeed did a [rather long piece](#) laying out why Steele's suits inspire such criticism. To boil it down to two reasons:

- **ONE:** The paying customer behind the IP address may not be the person who downloaded "Tranny Donkey Porn From Mars." A judge overseeing a lawsuit in [New York](#) against 176 John Does accused of downloading "My Little Panties 2" expressed concerns after the lawyer representing Digital Sin in the suit "estimated that 30% of the names turned over by ISPs are not those of individuals who actually downloaded or shared copyrighted material. Counsel stated that the true offender is often the 'teenaged son ... or the boyfriend if it's a lady.' Alternatively, the perpetrator might turn out to be a neighbor in an apartment building that uses shared IP addresses or a dormitory that uses shared wireless networks," wrote Judge Alison Nathan, in an order giving the John Does and the ISPs 60 days to try to quash the subpoena.

"Just because wrong person arrested for murder doesn't mean murder shouldn't be a crime," quips Steele. "We assess the situation and try to get the facts. There's certain fact patterns that suggest it's not the right person."

He doesn't elaborate on what fact patterns suggest the person they're suing isn't a porn lover but says most of their targets tend to be "20 to 40-something males."

Still Steele says even if the person isn't the porn perp, he thinks the person still plays a role in the crime. "Don't let people commit criminal acts on your network," he says. "If you lend your gun to someone who commits a crime, you're responsible." (Ed. Note: Probably not in a court of law though.)

- **TWO:** Some criticize the suits as a perversion of the justice system, and some of the judges asked to force ISPs to turn over the information are expressing discomfort about being asked to do so. "[T]he potential for abuse is very high. The infringed work is a pornographic film. To save himself from embarrassment, even if he is not the infringer, the subscriber will very likely pay the settlement price," wrote Judge Otis Wright [in a California case](#) against 10 John Does accused of illegally downloading "Blonde Ambition." Critics say that the lawyers bringing these suits have no plan to take them to trial, but simply want to get identifying information for alleged copyright infringers and then shame them into paying a few thousand dollars to make the problem go away – whether they did the downloading or not. "The Court will not idly watch what is essentially an extortion scheme, for a case that plaintiff has no intention of bringing to trial," wrote Wright in a June order that asked Cox Communications to out John Doe 1 to porn company Malibu Media, but said that Malibu needed to sue the rest of its John Does individually (making the mass outing and settlement request process much harder and more expensive, as they can't sue hundreds of people at one time).

Steele, who was previously a family law attorney handling divorce cases before discovering the exciting world of porn copyright law, says his firm, Steele Hansmeier, was one of the first to partner with the porn industry and start filing these suits; he filed his first porn case in 2010. He claims to have come up with the idea of pursuing people for illegal downloads while in law school at the University of Minnesota (from which he graduated in 2006).

"When we were in law school, we could look at the router and see people

ripping movies and songs. We thought, ‘Wouldn’t it be amazing if we could find a way to identify these people and go after them?’” he says. “Adult entertainment companies were only ones that would work with us.”

Now there are many lawyers and porn companies – who have been struggling in the age of free salacious Internet content – seeking to make profits this way. Hundreds of these cases have made or are making their way through court systems around the country, and tens of thousands John Does have been sued. (Surprise! Lots of people watch porn on the Internet.) Steele says he files 20 lawsuits a month, and would like to increase this to 300.

“[Copyrighted porn being downloaded for free] is a huge problem,” says Steele. “I think we’ve made a difference. Otherwise, we wouldn’t have made so many people so mad.”

“Critics say we never actually file suit against people, just get their information, then pressure them to settle. But we’re prepared to fight if you don’t want to settle,” says Steele. In the “early stages,” they didn’t do this, but Steele says they are now willing to name names and take these cases to trial, bringing to bear other evidence, gathered from inspecting the accused’s computer and hard drive and interviewing friends and family about their porn habits. “We collect quite a bit of info about the Does.”

He points the finger at “other attorneys” who are abusing the process to get John Does to pay up without due process, whether they’re guilty of illegal porn consumption or not.

“Almost everyone who has not settled, we have sued,” says Steele. “There’s a backlog right now.”

Steele has never taken one of his John Does to court though he says he relishes the opportunity for a trial. “If I have judgments in my hands, wouldn’t that be a wonderful thing to show everyone to make other people settle?” he says.

I asked Steele, who works with approximately two dozen “adult entertainment clients” how many of these cases he has settled. He says a “fair number” would be 5,000.

These firms generally ask people to settle by paying them \$3,000. Doing the math, I suggest Steele has made \$15 million settling these suits.

“Maybe a little less. We don’t track the amount we’ve recovered. More than a few million,” he says, declining to offer exact numbers. “We’ve done reductions based on people’s situations. We decided we’re not going after people in the military or active service.”

There is trouble on the horizon, though. As mentioned before, some judges have expressed skepticism about these suits and are trying to make it harder for lawyers to file them en masse against hundreds of John Does.

Steele expresses annoyance at this: “When we sue 100 Does, we don’t always get 100 names. Sometimes, it just ends up being 40 people,” he says. “In one case, 27 ‘Doe’ IP addresses all belonged to one person.”

“When one side trying to find procedural loopholes, it speaks to the strength of their case,” he continues.

Steele’s other problem is that ISPs are starting to push back against complying with these subpoenas. In [Chicago](#), [Comcast](#) intervened in a case

that involved some of its subscribers saying that porn company AF Holdings was abusing the legal system “to shake down the Doe defendants,” getting their identifying information in order to embarrass and harass them into paying a settlement. In that case, the judge [quashed the subpoenas](#).

“Comcast has objected to 30 or 40 of our subpoenas. Couple they’ve won and couple where they’ve lost. We have great relationships with many ISPS, but not with Comcast,” says Steele. “It’s a business decision for them. They don’t want to lose their clients. But if you step into shoes of your subscribers, you become responsible. Comcast is sheltering people so they can make money.”

In August, Prenda [Law](#), another firm that pursues these types of case, filed a lawsuit in Illinois against AT&T, Comcast Cable Communications and their corporate executives “for aiding hackers targeting adult content” by refusing to turn over identifying information in these suits.

“It’s really simple,” says Steele. “We caught someone stealing.”

Some of those accused of stealing porn movies are starting to fight back. In addition to creating online forums with instructions as to how to fight these suits, some innocent parties have sued porn companies and their lawyers in return. Earlier this year, California woman Liuxia Wong [sued Hard Drive Productions](#) (represented by John Steele) for trying to extort her, accusing her of illegally downloading “Amateur Allure Jen” and requesting \$3,4000 from her to settle the suit. She and her husband had an open Wi-Fi network and said they had no idea who might have downloaded the movie. Steele settled the suit for an undisclosed amount.

“We’re very comfortable with who came out ahead in the case,” he says. “The way it ended caused us no pain.”

Other possible roadblocks: This summer, [a class action lawsuit](#) popped up in Kentucky accusing a bunch of porn companies of racketeering, fraud and defamation for their attempts to get people to pay for illegal downloads. Steele says he’s unconcerned. Eight state attorney generals have called him about extortion claims. “Once I explain, they’re reassured,” he says.

This fall, various ISPS announced plans to collaborate in a deal negotiated by copyright holders and the Obama administration: a “six strikes” program in which ISPs will issue warnings to their customers when they see them infringing on copyrights. I ask Steele if he’s worried that will effectively stop illegal downloads (and thus negate the need for porn companies to go after downloaders in court, making him unnecessary).

“I doubt the effectiveness of this,” he says. “Little pop-up windows? I don’t see the downside of getting caught. If consumer groups agree with it, can’t be that bad.”

Steele says part of the problem is the culture of the Internet: people thinking content is and should be free there. “Eighteen-year-olds call us [after receiving settlement letters], confused,” he says. “They don’t know they’re doing anything wrong.”

Asked about the criticism inherent in shaming people into paying settlements by threatening to associate them with dirty movies they’ve watched, Steele is unapologetic.

“People don’t like to get caught doing anything wrong,” he says. “They should be embarrassed about the stealing.”

**This article is available online at:**

<http://www.forbes.com/sites/kashmirhill/2012/10/15/how-porn-copyright-lawyer-john-steele-justifies-his-pursuit-of-sometimes-innocent-porn-pirates/>

Exhibit J

Exhibit J

# StarTribune

## Federal judge: Copyright troll attorneys hiding something

Article by: Dan Browning  
Star Tribune  
March 12, 2013 - 11:44 PM

A Minnesota lawyer and several associates await the wrath of a federal judge in Los Angeles after they defied his order to appear before him Monday to explain their practice of using the court system against people they suspect of downloading pornographic videos on the Internet.

Several defense attorneys have accused Minneapolis lawyer Paul Hansmeier, his former University of Minnesota law school classmate John L. Steele and others associated with them of using sham offshore companies as plaintiffs in the lawsuits.

U.S. District Judge Otis D. Wright called Monday's hearing so Hansmeier and his associates could tell their side of the story — but indicated that they could face severe sanctions if he didn't like their response.

In a motion filed late Friday, they argued that Wright lacks authority over them because a Californian handled the cases in that state. They also said they didn't have time to make travel arrangements and shouldn't have to pay for the trip.

Wright fumed when they failed to show, according to defense attorneys and reporters who packed the courtroom.

Defense attorney Morgan Pietz of Manhattan Beach, Calif., said the judge started the hearing by announcing he'd spent the weekend reading the transcript of Pietz's seven-hour deposition of Hansmeier. "There was so much obstruction in this deposition that it's obvious that someone has an awful lot to hide," Wright said, according to a legal blog called [Popehat.com](http://Popehat.com), which is following the controversy.

Heather Rosing, a legal malpractice specialist, appeared on behalf of Steele, Hansmeier and Chicago attorney Paul Duffy. Rosing said her clients were prepared to comment by phone. But Wright declined the offer and told her to sit down.

The judge said if her clients didn't want to appear, then he would conclude that his suspicions were accurate, "that this was a fraud on the federal courts," said Jason Sweet, a Massachusetts attorney who was present.

Hansmeier, Steele and Duffy did not respond to messages seeking comment.

The suits that sparked the controversy involve a practice known as copyright trolling, in which plaintiffs capture the Internet addresses of computers and routers used to download videos. They file lawsuits in an effort to compel Internet service providers to identify the subscribers, then send the subscribers letters demanding settlements of a few thousand dollars, noting that a violation carries potential fines of \$150,000. Facing exposure and potentially expensive litigation, many subscribers pay up.

Hansmeier and Steele formed a partnership to pursue such cases and built a national reputation before selling their practice to Duffy's firm, Prenda Law, in late 2011.

Some judges, including Wright, have dismissed copyright trolling cases, ruling that the plaintiffs must show that the Internet subscriber actually did the downloading. Steele said that leaves copyright holders in a Catch-22 position and that most judges have allowed his clients to subpoena Internet service providers for the information.

Among those Wright summoned Monday was Alan Cooper of Isle, Minn., who took care of Steele's cabin in rural Aitkin County. Cooper alleged in a lawsuit in Hennepin County that Steele had used his name without his knowledge or permission as a business figurehead. Nick Ranallo, a University of Minnesota graduate who practices law in California, said Cooper was shown copyright assignments, but Cooper had denied signing them.

Brett Gibbs, an attorney who has filed dozens of copyright lawsuits in California, testified that he took directions from Steele and Hansmeier and that he had never met Cooper.

After nearly three hours of testimony, Wright took the matter under advisement, indicating he would issue an order later.

Dan Browning • 612-673-4493




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## Man charges porn trolling firm Prenda Law with identity theft

Says firm listed him as the CEO of a shell corporation without permission.

by Timothy B. Lee - Dec 5 2012, 7:05pm PST

INTELLECTUAL PROPERTY LAWSUITS 51



Shell companies can hide CEOs like any good street hustler.

arkadin55

Last week, we covered the [comedy of errors](#) that played out in the Florida courtroom of Judge Mary Scriven, where it became clear that there were no attorneys willing to put their reputations at risk by associating themselves with the porn trolling firm Prenda Law. A local Florida attorney told Judge Scriven that he had been brought into the case by Prenda, but now wanted out of the case. Prenda itself denied any involvement in the case.

John Steele, an Illinois lawyer with longstanding ties to Prenda, happened to be in the audience at the hearing. But he also told Judge Scriven he had nothing to do with the case. An exasperated Judge Scriven threw out the case and threatened to sanction Prenda for its "lack of candor."

Now the same sketchy law firm is facing fresh charges of misconduct, this time in Minnesota. The federal courts in Minnesota are currently hearing a copyright infringement lawsuit brought by a firm called AF Holdings. A Minnesota man named Alan Cooper [says](#) that AF Holdings is really a shell company set up by Prenda. And Cooper says they've been listing him as the firm's CEO without his knowledge or consent.

### Smoke and mirrors

"AF Holdings" filed a [lawsuit](#) in Minnesota federal court on October 19, charging a "John Doe" Internet

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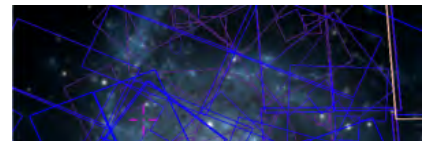
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user with distributing the pornographic film "Popular Demand" on BitTorrent. The firm says it is a "limited liability company organized and existing under the laws of the Federation of Saint Kitts and Nevis."

Paul Godfread, an attorney for Alan Cooper, sent a [letter](#) to the judge overseeing the case on November 29. In it, he explains that Cooper acts as a caretaker for property Steele owns in Minnesota. According to Cooper, Steele has "on numerous occasions bragged to [Cooper] about a plan involving massive copyright litigation." Steele told Cooper to call him if anyone asked Cooper about corporations involved in the litigation. Cooper says he became suspicious and confronted Steele about this strange request, but Steele said not to worry about it.

Cooper became even more alarmed when he learned about copyright lawsuits being filed by a company called AF Holdings that happened to have a CEO named Alan Cooper. Fearing he might get in legal trouble, Cooper retained Godfread, who approached AF Holdings to be sure that it wasn't just a coincidence that AF Holdings happened to have a CEO with Cooper's name.

He wasn't able to reach AF Holdings, but Godfread's calls did trigger a reaction from Steele. Within an hour, he called Cooper and demanded to know if Cooper had been talking to attorneys in Minnesota. And that's just one of the many reasons, detailed in Godfread's letter, to believe that Steele, Prenda Law, and AF Holdings are closely connected. Godfread uncovered *another* Steele-affiliated Nevis-based shell company, called Ingenuity 13, that also happens to have a CEO named Alan Cooper.

Godfread eventually received a response from Paul Duffy, a Prenda Law attorney, indicating that AF Holdings wasn't planning to answer his questions about the identity of their CEO. So Godfread had little choice but to intervene in the lawsuit. "My client would like certainty that his identity is not being used without his knowledge and against his will as the would be CEO of AF Holdings, LLC or as a manager of Ingenuity 13, LLC," Godfread wrote to the court.

Michael Dugas, an attorney for AF Holdings, [replied](#) to Godfread's letter on Monday. "Godfread accuses AF Holdings LLC of being a sham corporation and fraudulently holding his client out as its CEO," Dugas wrote. "Both of these accusations are categorically false."

Yet strangely, Dugas did not take the obvious step of explaining who *is* the CEO of AF Holdings. If AF Holdings really does have a different Alan Cooper as its CEO, that should be easy enough to prove. But Dugas produced no evidence that Cooper's fears are unfounded.


The court has not yet responded to Godfread's letter. But we predict it'll be great fun when it does.

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**Timothy B. Lee** / Timothy covers tech policy for Ars, with a particular focus on patent and copyright law, privacy, free speech, and open government. His writing has appeared in Slate, Reason, Wired, and the New York Times.

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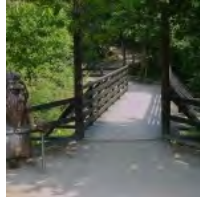
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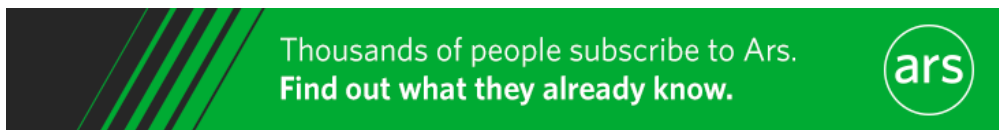
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## Porn copyright troll sues AT&T and Comcast, says they side with pirates

Objecting to subpoenas makes ISPs accessories to infringement, says law firm.

by Timothy B. Lee - Aug 10 2012, 11:15am PDT

INTELLECTUAL PROPERTY 91

One of the nation's most prolific P2P copyright trolls has raised the stakes in its ongoing fight with two leading ISPs, naming AT&T and Comcast as defendants in an Illinois lawsuit.

The law firms behind these mass lawsuits have **accused ISPs** of trying to profit from their customers' infringing activity for years. But that's often just talk. While disputes over subpoenas have led trolls and ISPs to regularly cross swords in the courtroom, we're not aware of any cases of an ISP being named as a defendant in one of these lawsuits.

That changed last week in an Illinois case. Prenda Law, representing the porn company Lightspeed Media, had issued subpoenas seeking the identity of 6,600 people. AT&T and Comcast objected to these subpoenas. In July, the Illinois Supreme Court **sided with the ISPs** and quashed the subpoenas.

Lightspeed's response to this setback? It added AT&T and Comcast as defendants in its lawsuit. The ISPs now stand accused of "negligence, computer fraud and abuse, civil conspiracy, violations of the Illinois Consumer Fraud and Deceptive Practice Act, and aiding and abetting."

"The ISPs chose to interpose themselves in this litigation, interfere with the Court's Orders, evade subpoenas, and prevent and obstruct Plaintiff from learning the identity of those ISP subscribers hacking into and stealing from its website," Lightspeed writes. AT&T and Comcast has also failed to take "any actions to prevent their subscribers from committing criminal and tortious acts against Plaintiff even after being on actual notice of the criminal and tortious activity."

Lightspeed says that the ISP defendants were "unjustly enriched because, while engaging in a dilatory legal strategy designed solely to prevent Plaintiff from learning the identities of their subscribers, they continued to collect subscriber fees from subscribers who did, and continued to, hack into and steal from Plaintiff's website."

Lightspeed also objects to the fact that AT&T and Comcast "acted as *de facto* counsel" for the alleged hackers "in exchange for continued receipt of subscriber fees." As a result, they effectively "reached an agreement to allow and/or shelter the continued hacking into and theft from Plaintiff's website."

### Provoking the sleeping giant

This argument seems unlikely to prevail. Even assuming that the underlying charges against the subscribers have merit, ISPs are generally neutral intermediaries who are not responsible for policing their users' online activities. And it's absurd to suggest that raising legal objections to Lightspeed's tactics—objections that were ultimately *upheld* by the Illinois Supreme Court—could constitute "interference" with court orders, or any other kind of misconduct.

Naming Comcast and AT&T as defendants in the case also seems like a strategic blunder. The ISPs were sufficiently irritated by Lightspeed's subpoenas to object to them, but the ISPs ultimately did not have a dog in the fight. They wouldn't have suffered any great harm if ultimately ordered to hand over

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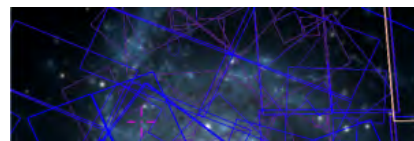
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their subscribers' information—indeed, they hand over such information to lawyers and police all the time.

But now, with the ISPs as named defendants, they will be strongly motivated to win the case and ensure that no one tries this tactic again. Lightspeed and Prenda will likely face the full force of Comcast and AT&T's vast legal resources, and irritated AT&T and Comcast executives will now be even less inclined to give an inch when Prenda sends them subpoenas on behalf of future clients.

"We believe the lawsuit is without merit," an AT&T spokesman told us by e-mail. "An appellate court has already ruled in AT&T's favor in this matter."

He noted that, at AT&T's request, the case has been moved to federal court, taking it away from the plaintiff-friendly judge in downstate Illinois who has handled it so far.

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**Timothy B. Lee** / Timothy covers tech policy for Ars, with a particular focus on patent and copyright law, privacy, free speech, and open government. His writing has appeared in Slate, Reason, Wired, and the New York Times.

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## Chicago lawyer leads fight against porn piracy

**Attorney writes those who illegally file-share adult films, demands they pay up or else face lawsuit**

November 15, 2010 | By Steve Schmadeke, Tribune reporter

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More than a dozen pornography studios are using a Chicago attorney to launch an attempted crackdown on the illegal online sharing of their movies, borrowing a page from the controversial campaign launched this year by the Hollywood makers of "The Hurt Locker" to go after thousands of alleged copyright violators.

John Steele, 39, dubbed a "pirate slayer" recently by an adult-video trade publication, has filed the first seven of what he expects will be 10 lawsuits this year, each potentially targeting thousands of people. It's the first time that type of lawsuit has been filed here, copyright attorneys said. Federal judges here have so far ordered Internet service providers to turn over the names of around 3,000 customers.

The legal technique of filing "John Doe" lawsuits naming thousands of defendants from across the country has come under fire from privacy groups. They question what they call the heavy-handed tactic of going after BitTorrent users who typically lack an attorney, often live in a different state than where the lawsuit is filed and fear the embarrassment of being named in a court file as having downloaded pornography.

Such lawsuits drew headlines last spring when the producers of "The Hurt Locker," this year's best-picture Oscar winner, went after thousands of BitTorrent users in a case filed in Washington.

"It's a fundamentally unfair process," said Corynne McSherry, senior staff attorney at the Electronic Frontier Foundation, which intervened in the "The Hurt Locker" case. "And there is the added reason that they're going to be named as a person who downloaded porn. Some of it is gay and lesbian porn, and not everybody is out about their preferences."

Steele said judges have upheld the technique, which he said is the only feasible way to go after so many defendants.

"There are people out there that don't support the idea of going after pirates, the idea that we're going after the little guy," Steele said. "But really there is only the little guy. So if we are just to sit back and let the little guy steal, there won't be any industry left."

Porn producers "deserve all the same rights as anybody else," he said.

The industry, faced with sagging revenues, has become deeply concerned about piracy. Though traditionally a splintered trade, the porn industry banded together this year to launch an anti-piracy campaign — complete with YouTube public-service announcements. "We work hard to entertain you and arouse you," says performer Alektra Blue in one, "so please show your support by buying our product."

"2010 is going to be the year of lawsuits," said Steve Jones, owner of Lightspeed Media, an Arizona porn

studio and Steele client that runs 40 Web sites, giving what he said was the general consensus among about 30 studios that met this month for the first porn anti-piracy conference.

While there are no public figures for how much studios, many of them privately held, are losing due to piracy, Jones said most attribute an estimated 30 percent of their revenue declines to illegal sharing. DVD sales have shriveled up, and most mid-size studios release new scenes or films electronically.

But so far the industry trade group is opposed to taking potential customers to court, preferring instead to do battle with what it calls the "tube sites" — YouTube-like sites that studios allege are illegally hosting their copyrighted porn, said Diane Duke of the trade group, called the Free Speech Coalition.

Still, a growing number of small to mid-level studios — which Steele said have revenues of \$1 million to \$8 million — have signed up with his Media Copyright Group, which he said is only paid a percentage of any money recovered. Steele said he and a partner spent about \$250,000 to develop software that tracks illegal BitTorrent sharing from an office in Minneapolis.

BitTorrent is a popular file-sharing method in which larger files are, typically, eventually split up into pieces that are shared on numerous private computers. People who download the file can then "seed" it, making it possible for many others to download part of it and share it themselves.

Steele's software logs BitTorrent activity along with what is known as the computer's IP address. That address is then included in a federal lawsuit that asks Internet service providers to turn over the name of the customer using that IP address.

Those customers then get a letter from Steele informing them that if they don't want to be named in federal court as having shared, for example, an "Amateur Allure" film, they can settle the case by paying a fine. Steele said it typically ranges from \$1,900 to \$3,000.

Steele said all the BitTorrent data gathered is public and his software doesn't leave traces on anyone else's computer.

During an interview at his Loop high-rise office suite, in a conference room stocked with cognac and first editions, Steele said he'd just gotten off the phone with a defendant.

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**Attorney writes those who illegally file-share adult films, demands they pay up or else face lawsuit**

November 15, 2010 | By Steve Schmadeke, Tribune reporter

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"He was more than willing to say, 'I don't want my name in a federal lawsuit for, in this case, downloading transsexual porn,'" Steele said. "We worked out a very reasonable, minor fine.

"If we resolve the matter prior to actually naming them ... then no one knows who those people ever were. I don't like the idea of trying to pressure somebody into settling in exchange for keeping their name secret. I think that what we're doing is pressuring people into not being revealed for stealing.

"People always ask me that — are you trying to extort things? I guess there's something to be said about people being more embarrassed about this than (illegally downloading) a regular movie like 'Titanic.'

"But I think I'd be most embarrassed that they're committing a crime."

Steele said the porn industry is trying to avoid the highly publicized mistakes the music industry trade group, the Recording Industry Association of America, known as RIAA, made in its fight against piracy. Among other things, he said his firm's software has so far had no "false positives" like those that gave the recording industry black eyes.

"All you have to do is sue a priest who's never owned a computer and this is a major PR problem," he said.

But McSherry said the attorneys filing the lawsuits — others are now pending in Texas and West Virginia — have missed the point.

"These guys have decided not to learn the RIAA's lessons — they've taken it beyond what even the RIAA did, suing thousands of people in one court," she said. "These are judicial resources being spent, I fear, primarily to extract settlements."

Jones, the studio owner, said the industry for years has tried issuing takedown notices without much effect. He believes the best approach is to go after both the "tube sites" and the end users who are sharing films illegally.

"The porn industry in general has never been one to worry too much about its own reputation," he said.

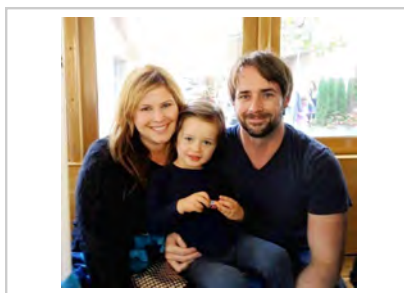
"Going after pirates is not one of the worst things you could say. We're just like any other business, and we have to protect it."

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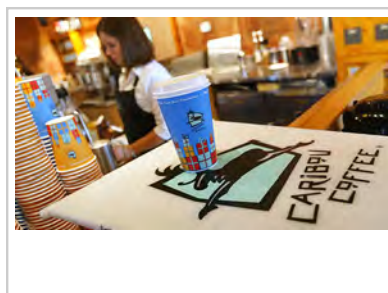
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