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6 Attorneys Specially Appearing for
7 PAUL DUFFY, ANGELA VAN DEN
8 HEMEL, and PRENDA LAW, INC.

8 **UNITED STATES DISTRICT COURT**
9 **CENTRAL DISTRICT OF CALIFORNIA**

KLINEDINST PC
501 WEST BROADWAY, SUITE 600
SAN DIEGO, CALIFORNIA 92101

11 INGENUITY 13 LLC,

12 Plaintiff,

13 v.

14 JOHN DOE,

15 Defendant.

Case No. 2:12-cv-8333-ODW(JCx)

Related Cases: 2:12-cv-05709-ODW-JC
2:12-cv-08322-ODW-JC

**DECLARATION OF PHILIP W.
VINEYARD IN SUPPORT OF
PRENDA LAW'S, PAUL DUFFY'S,
AND ANGELA VAN DEN HEMEL'S
OBJECTION TO REQUEST OF
PUTATIVE JOHN DOE TO FILE A
REPLY BRIEF**

Judge: Hon. Otis D. Wright, II
Magistrate Judge: Hon. Jacqueline Chooljian
Courtroom: 11

Complaint Filed: September 27, 2012
Trial Date: None set

21 I, Philip W. Vineyard, declare as follows:

22 1. I am over the age of 18 years and an associate with the law firm
23 Klinedinst P.C., counsel of record for Prenda Law, Inc., Paul Duffy, and Angela
24 Van Den Hemel. I am a member in good standing with the California State Bar
25 and admitted to practice in all of the State's courts, as well as in the federal courts
26 for the Central and Northern Districts of the State of California.

27 2. I have personal knowledge of the following facts and, if called upon
28 as a witness, could competently testify thereto, except as to those matters which are


1 explicitly set forth as based upon my information and belief and, as to such
2 matters, I am informed and believe that they are true and correct.

3 3. Attached hereto as Exhibit A are true and correct copies of print-outs
4 that I made of the website "pietzlawfirm.com" on April 10, 2013.

5 4. I have contacted Brent Berry twice to discuss his declaration and
6 accompanying exhibits that were filed in support of my clients' Response to Order
7 to Show Cause Why Sanctions Should Not Be Levied. The purposes of my calls
8 were to confirm the authenticity of the declaration and exhibits prior to filing the
9 documents, to instruct Mr. Berry not to delete the texts that were attached as
10 exhibits to his declaration, and to arrange for a computer forensics engineer to
11 preserve the texts and maintain a chain of custody for same. I have further
12 contacted the aforementioned forensics engineer to schedule a date on which he
13 may obtain Mr. Berry's phone to perform the preservation and chain of evidence
14 functions and anticipate those functions will be completed in the next week.

15
16 I declare under penalty of perjury under the laws of the United States of
17 America that the foregoing is true and correct.

18 Executed the 11th day of April 2013 at Los Angeles, California.

19
20
21 
22 _____

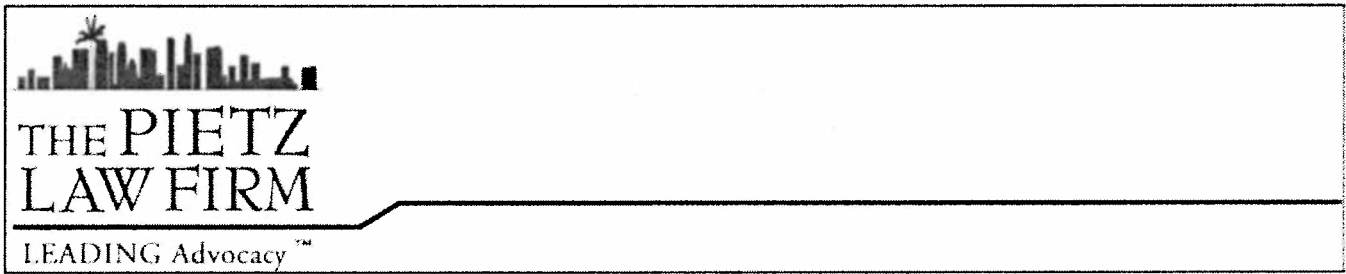
Philip W. Vineyard

23 15511878v1

KLINEDINST PC
501 WEST BROADWAY, SUITE 600
SAN DIEGO, CALIFORNIA 92101

EXHIBIT A

**COPIES OF PRINT-OUTS FROM WEBSITE
“PIETZLAWFIRM.COM ON APRIL 10, 2013 TO
DECLARATION OF PHILIP W. VINEYARD IN
SUPPORT OF OBJECTION TO REQUEST OF
PUTATIVE JOHN DOE TO FILE A REPLY BRIEF**



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The Pietz Law Firm is dedicated to providing **LEADING** Advocacy™, a concept that defines not just *what* we do, but also *how* we do it:

Litigation – copyright, trademark, entertainment and business litigation.

Entertainment & Sports – representation of talent, athletes, and related talent-side media and management companies.

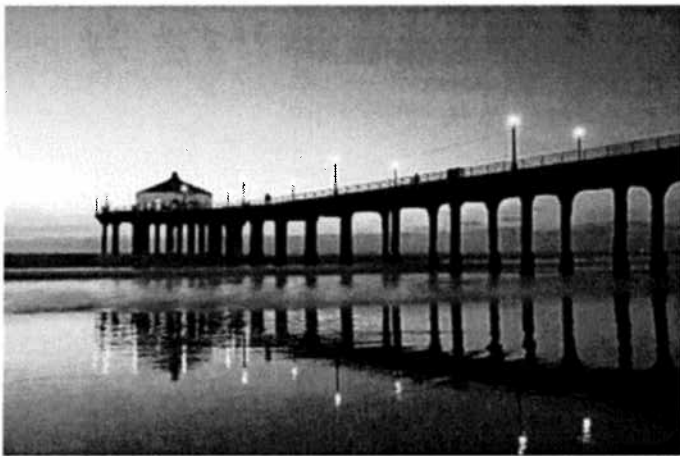
Antitrust & Unfair Competition – under both California and federal law.

Domain Names – including Uniform Domain-Name Dispute-Resolution Policy (“UDRP”) proceedings, as well as cybersquatting issues.

Intellectual Property – special focus on copyright, trademark, trade secrets, including licensing, software and technology, business and product name issues, co-existence agreements, litigation and advice, subpoena defense and copyright troll lawsuits.

New Media – counsel to a wide variety of cutting-edge new media companies that operate at the intersection of entertainment and technology.

General Business – assistance in all manner of standard corporate transactions, including the formation of business entities such as corporations and LLC’s, licensing issues, and acting as an outside general counsel to smaller businesses.



• Copyright Lawsuit Cases

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 - [Lightspeed Media Corporation + Prenda Law](#)
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- [LW Systems v. Christopher Hubbard – St. Clair County Illinois 13-L-0015](#)
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- [Third Degree Films v. Does 1-178 – N.D. Cal. No. 3:2012-cv-03858](#)

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• **Useful Resources**

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 - [A Second Primer: Subpoena Defense 201](#)
 - [California Business Entity Search](#)
 - [Copyright Registration – ECO](#)
 - [Trademark Search – USPTO](#)
 - [U.S. Supreme Court Decisions](#)

• **Legal Sites of Interest**

- [Deadline Hollywood Daily](#)
- [dietrolldie.com](#)
- [FightCopyrightTrolls.com](#)
- [SCOTUSBlog – Supreme Court Blog](#)
- [TTABlog – Trademark Blog](#)



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Contact

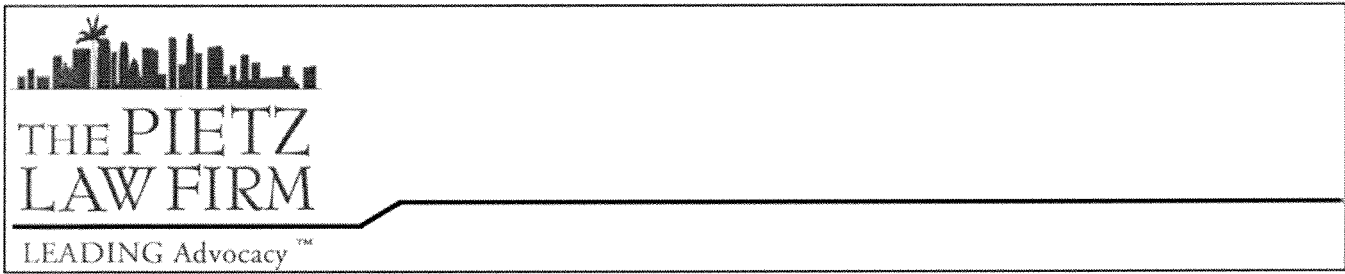
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Ingenuity 13, LLC + Prenda Law

This summer, Prenda Law, Inc. and its attorneys John Steele and Brett Gibbs have been busy filing lawsuits in California on behalf of Ingenuity 13, LLC.

Ingenuity 13 is the latest plaintiff Prenda is using to orchestrate its national campaign to coerce copyright "settlements" from ISP subscribers who may or may not have actually downloaded any of plaintiff's movies.

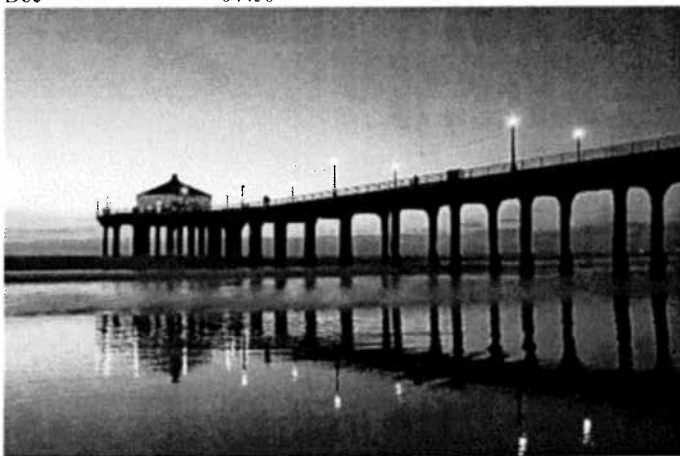
In a departure from prior practice, Prenda has been filing these lawsuits against single John Does. That means these cases will likely be harder to resolve because plaintiff will likely be seeking a higher settlement value (passing the cost on to the defendant) and there is one less procedural problem with the case. However, clients in these cases still have options.

If you have received a letter from your ISP regarding an Ingenuity 13 subpoena, or if you have been contacted by an Ingenuity 13 representative directly, please contact The Pietz Law Firm.

Here is a list of Ingenuity 13, LLC cases as of October 19, 2012:

case_title	case_no	court_id
Ingenuity 13 LLC v. John Doe	2:2012-cv-06635	cacdce
Ingenuity 13 LLC v. John Doe	2:2012-cv-06660	cacdce
Ingenuity 13 LLC v. John Doe	2:2012-cv-06662	cacdce
Ingenuity 13 LLC v. John Doe	2:2012-cv-06668	cacdce
Ingenuity 13 LLC v. John Doe	2:2012-cv-06664	cacdce
Ingenuity 13 LLC v. John Doe	2:2012-cv-06666	cacdce
Ingenuity 13 LLC v. John Doe	2:2012-cv-07404	cacdce
Ingenuity 13 LLC v. John Doe	2:2012-cv-07408	cacdce
Ingenuity 13 LLC v. John Doe	2:2012-cv-07410	cacdce
Ingenuity 13 LLC v. John Doe	2:2012-cv-07385	cacdce
Ingenuity 13 LLC v. John Doe	2:2012-cv-07386	cacdce
Ingenuity 13 LLC v. John Doe	2:2012-cv-08326	cacdce
Ingenuity 13 LLC v. John Doe	2:2012-cv-08332	cacdce
Ingenuity 13 LLC v. John Doe	2:2012-cv-08327	cacdce
Ingenuity 13 LLC v. Doe	3:2012-cv-04976	candce
Ingenuity 13 LLC v. Doe	5:2012-cv-04979	candce
Ingenuity 13 LLC v. Doe	3:2012-cv-04981	candce

Ingenuity 13 LLC v. Doe	5:2012-cv-04980	candce
Ingenuity 13 LLC v. Doe	3:2012-cv-04977	candce
Ingenuity 13 LLC v. Doe	4:2012-cv-04978	candce
Ingenuity 13 LLC v. Doe	8:2012-cv-01690	flmdce
Ingenuity 13 LLC v. John Doe	2:2012-cv-08334	cacdce
Ingenuity 13 LLC v. John Doe	2:2012-cv-08330	cacdce
Ingenuity 13 LLC v. John Doe	2:2012-cv-08336	cacdce
Ingenuity 13 LLC v. John Doe	2:2012-cv-08328	cacdce
Ingenuity 13 LLC v. John Doe	2:2012-cv-08324	cacdce
Ingenuity 13 LLC v. John Doe	2:2012-cv-08322	cacdce
Ingenuity 13 LLC v. John Doe	2:2012-cv-08331	cacdce
Ingenuity 13 LLC v. John Doe	1:2012-cv-04225	ilndce
Ingenuity 13 LLC v. John Doe	1:2012-cv-06129	ilndce
Ingenuity 13 LLC v. John Doe	1:2012-cv-06131	ilndce
Ingenuity 13 LLC v. John Doe	1:2012-cv-07943	ilndce
Ingenuity 13, LLC v. Doe	1:2012-cv-22756	flsdce
INGENUITY 13, LLC v. DOE	1:2012-cv-22757	flsdce
Ingenuity 13, LLC v. Doe	2:2012-cv-00520	vaedce
Ingenuity 13 LLC v. John Doe	2:2012-cv-08329	cacdce
Ingenuity 13 LLC v. John Doe	2:2012-cv-08323	cacdce
Ingenuity 13 LLC v. Doe	3:2012-cv-04217	candce
Ingenuity 13 LLC v. Doe	3:2012-cv-04216	candce
Ingenuity 13 LLC v. Doe	5:2012-cv-04445	candce
Ingenuity 13 LLC v. Doe	3:2012-cv-04449	candce
Ingenuity 13 LLC v. Doe	3:2012-cv-04450	candce



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- [TTABlog – Trademark Blog](#)



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