

1 **HELLER & EDWARDS**
Lawrence E. Heller, Esq. - Bar No. 69770
2 lheller@hellerandedwards.com
9454 Wilshire Boulevard, Suite 500
3 BEVERLY HILLS CA 90212-2982
Telephone: (310) 550-8833
4 Facsimile: (310) 858-6637

5 Specially Appearing for Morgan E. Pietz and Nicholas Ranallo

6
7 **UNITED STATES DISTRICT COURT**
8 **CENTRAL DISTRICT OF CALIFORNIA**
9

10 INGENUITY 13, LLC, a Limited Liability
11 Company Organized Under the Laws of the
Federation of Saint Kitts and Nevis,

12 Plaintiff,

13 vs.

14 JOHN DOE,

15 Defendant.

USDC Case No.: 2:12-cv-08333-ODW-JC
[Consolidated with Case Nos. 2:12-cv-6636;
2:12-cv-6669; 2:12-cv-6662; 2:12-cv-6668]

DECLARATION OF MORGAN PIETZ IN
SUPPORT OF OPPOSITION TO MOTION
FOR RECONSIDERATION OF THE
COURT'S JUNE 21 ORDER

DATE: July 12, 2013
TIME: 11:00 a.m.
Courtroom: 11 [The Honorable Otis D.
Wright

17
18 I, Morgan E. Pietz am over the age of 18, have personal knowledge of the facts alleged
19 herein, and hereby declare as follows:

20 1. I am a member in good standing of the State Bar of California, duly admitted to
21 the practice of law in the state and federal courts of the State of California.

22 2. I represent the ISP subscriber who was targeted by Prenda Law, Inc. as the
23 supposed John Doe defendant in Ingenuity 13, LLC v. John Doe, C.D. Cal. No. 12-cv-8333. I
24 have also represented other clients similarly threatened by Prenda in other lawsuits in other
25 jurisdictions.

26 3. Attached hereto as Exhibit 1 is a true and correct copy of the email I sent to John
27 Steele on June 23, 2013, and the bounce-back I received immediately thereafter from gmail. I
28 have sometimes sent emails to John Steele at johnlsteel@gmail.com which did not

1 bounce-back. I believe that the June 23rd email I sent to that address was the first email I sent
2 him to that address which did bounce back.

3 4. Attached hereto as Exhibit 2 is a true and correct copy of an email thread between
4 Philip Vineyard and the other parties in this case, where Mr. Vineyard circulates a motion
5 regarding the bond issue, and on which John Steele provides comments on Vineyard's bond
6 motion, via the johnlsteel@gmail.com email address.

7 5. Attached hereto as Exhibit 3 is the so-called "pre-execution" version of Mr.
8 Vineyard's motion, which he circulated via email (Exhibit 2), and which John Steele apparently
9 reviewed and about which he apparently provided comments.

10 6. As a member of the California Bar I take motions which request non-discovery
11 sanctions very seriously. I accordingly felt the need to retain outside counsel to assess the present
12 motion and to represent me in defending the motion, which I believe was wholly necessary.

13

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

16 Executed the 8th day of July, 2013 at Manhattan Beach, California

17

18 /s/Morgan E. Pietz
19 Morgan Pietz, declarant

20

21

22

23

24

25

26

27

28

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

PROOF OF SERVICE

STATE OF CALIFORNIA, COUNTY OF LOS ANGELES

I declare that I am over the age of eighteen (18) years and not a party to this action. My business address is 9454 Wilshire Boulevard, Fifth Floor, Beverly Hills, California, and I am employed in the office of a member of the bar of this Court at whose direction this service was made.

On July 8, 2013, I served the foregoing document described as

DECLARATION OF MORGANE. PIETZ IN SUPPORT OF RESPONSE TO STEELE'S MOTION FOR RECONSIDERATION OF THE COURT'S JUNE 21 ORDER

on all interested parties in this action by placing a true and correct copy of the document in a sealed envelope addressed as follows:

SEE PROOF OF SERVICE LIST

- BY MAIL** as follows: I am "readily familiar" with the firm's practice of collection and processing of correspondence for mailing with the United States Postal Service. I know that the correspondence was deposited with the United States Postal Service on the same day this declaration was executed in the ordinary course of business. I know that the envelope(s) was (were) sealed, and with postage thereon fully prepaid, placed for collection and mailing on this date in the United States Mail at Los Angeles, California.
- BY PERSONAL SERVICE** as follows: I caused such envelope(s) to be delivered by hand to the addressee(s) by _____ Messenger Service. Delivery was made to the attorney or at the attorney's office by leaving the documents, in an envelope or package clearly labeled to identify the attorney being served, with a receptionist or an individual in charge of the office, between the hours of nine in the morning and five in the evening.
- BY OVERNIGHT COURIER SERVICE** as follows: I caused the above-referenced document to be delivered to **Federal Express** for overnight courier service to the addressee(s).
- BY ELECTRONIC MAIL (email)** as follows: I electronically filed the document(s) with the Clerk of the Court by using the CM/ECF electronic filing system. Participants in the case who are registered CM/ECF users will be served by the CM/ECF system. Participants in the case who are not registered CM/ECF users will be served by mail or by other means permitted by the court rules.

I declare under penalty of perjury under the laws of the United States that the foregoing is true and correct and that this declaration was executed on July 8, 2013, at Beverly Hills, California.

/s/Cora Mayrina
Cora Mayrina

PROOF OF SERVICE LIST

Ingenuity 13, LLC v. John Doe
USDC Case No.: 2:12-cv-08333-ODW-JC

[Consolidated with Case Nos. 2:12-cv-6636; 2:12-cv-6669; 2:12-cv-6662; 2:12-cv-6668]

John Steele, Pro Se
1111 Lincoln Road
MIAMI BEACH FL 33139
Via Federal Express and email to "johnsteele@gmail.com"

Via U.S. MAIL and email (where available)

Brett L. Gibbs, Esq., Pro Se
28 Altamont Avenue
Mill Valley, CA 94941
(415) 381-3104
brett.gibbs@gmail.com

Paul Hansmeier, Pro Se
Alpha Law Firm LLC
80 S. 8th Street, Suite 900
Minneapolis, MN 55402
(612) 234-5744
prhansmeier@thefirm.com

Paul Duffy, Pro Se
2 N. LaSalle Street, 13th Floor
Chicago, IL 60602
312-952-6136
Fax: 312-346-8434
paduffy@wefightpiracy.com

Pro se and for Ingenuity 13, LLC and for AF Holdings, LLC

Mark Lutz, Pro Se
Peter Hansmeier, Pro Se
c/o Livewire Holdings, LLC
2100 M Street Northwest
Suite 170-417
Washington, D.C. 20037

Angela Van Den Hemel, Pro Se
PRENDA LAW INC.
161 North Clark Street, Suite 3200
Chicago, IL 60601

Peter Hansmeier
c/o Livewire Holdings, LLC
2100 Street Northwest, Suite 170-417
Washington DC 20037

By ECF Electronic Notice:

Prenda Law, Inc., through counsel Heather Rosing, Esq., and Philip Vineyard, Esq.
Putative John Doe, through counsel Morgan Pietz, Esq., and Nicholas Ranallo, Esq.
Morgan Pietz and Nicholas Ranallo, through special counsel Lawrence Heller, Esq