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UNITED STATES DISTRICT COURT
NORTHERN DISTRICT INDIANA 2013 MAR 14 AM 11:20
HAMMOND DIVISION

MALIBU MEDIA, LLC,

Plaintiff,

v.

JOHN DOE subscriber assigned IP address
98.220.153.245,

Defendant.

Civil Action Case No.

2 13 CV 097

**COMPLAINT-ACTION FOR DAMAGES FOR
PROPERTY RIGHTS INFRINGEMENT**

Plaintiff, Malibu Media, LLC, sues Defendant John Doe subscriber assigned IP address
98.220.153.245, and alleges:

Introduction

1. This matter arises under the United States Copyright Act of 1976, as amended, 17
U.S.C. §§ 101 et seq. (the "Copyright Act").

2. Defendant is a persistent online infringer of Plaintiff's copyrights. Indeed,
Defendant's IP address as set forth on Exhibit A was used to illegally distribute each of the
copyrighted movies set forth on Exhibit B.

3. Plaintiff is the registered owner of the copyrights set forth on Exhibit B (the
"Copyrights-in-Suit.")

Jurisdiction And Venue

4. This Court has subject matter jurisdiction over this action pursuant to 28 U.S.C. § 1331 (federal question); and 28 U.S.C. § 1338 (patents, copyrights, trademarks and unfair competition).

5. The Defendant's acts of copyright infringement occurred using an Internet Protocol address ("IP address") traced to a physical address located within this District, and therefore this Court has personal jurisdiction over the Defendant because (a) Defendant committed the tortious conduct alleged in this Complaint in this State, and (i) Defendant resides in this State and/or (ii) Defendant has engaged in substantial and not isolated business activity in this State.

6. Venue is proper in this District pursuant to 28 U.S.C. § 1391(b) and (c), because: (i) a substantial part of the events or omissions giving rise to the claims occurred in this District; and, (ii) the Defendant resides (and therefore can be found) in this District and resides in this State; additionally, venue is proper in this District pursuant 28 U.S.C. § 1400(a) (venue for copyright cases) because each Defendant or Defendant's agent resides or may be found in this District.

Parties

7. Plaintiff, Malibu Media, LLC, is a limited liability company organized and existing under the laws of the State of California and has its principal place of business located at 409 W. Olympic Blvd., Suite 501, Los Angeles, CA, 90015.

8. Plaintiff only knows Defendant by his, her or its IP Address. Defendant's IP address is set forth on Exhibit A.

9. Defendant's Internet Service Provider can identify the Defendant.

Factual Background

I. Defendant Used the BitTorrent File Distribution Network To Infringe Plaintiff's Copyrights

10. The BitTorrent file distribution network (“BitTorrent”) is one of the most common peer-to-peer file sharing venues used for distributing large amounts of data, including, but not limited to, digital movie files.

11. BitTorrent’s popularity stems from the ability of users to directly interact with each other in order to distribute a large file without creating a heavy load on any individual source computer and/or network. The methodology of BitTorrent allows users to interact directly with each other, thus avoiding the need for intermediary host websites which are subject to DMCA take down notices and potential regulatory enforcement actions.

12. In order to distribute a large file, the BitTorrent protocol breaks a file into many small pieces called bits. Users then exchange these small bits amongst each other instead of attempting to distribute a much larger digital file.

13. After the infringer receives all of the bits of a digital media file, the infringer’s BitTorrent client software reassembles the bits so that the file may be opened and utilized.

14. Each bit of a BitTorrent file is assigned a unique cryptographic hash value.

15. The cryptographic hash value of the bit (“bit hash”) acts as that bit’s unique digital fingerprint. Every digital file has one single possible cryptographic hash value correlating to it. The BitTorrent protocol utilizes cryptographic hash values to ensure each bit is properly routed amongst BitTorrent users as they engage in file sharing.

16. The entirety of the digital media file also has a unique cryptographic hash value (“file hash”), which acts as a digital fingerprint identifying the digital media file (e.g. a movie). Once infringers complete downloading all bits which comprise a digital media file, the

BitTorrent software uses the file hash to determine that the file is complete and accurate.

17. Plaintiff's investigator, IPP Limited, established a direct TCP/IP connection with the Defendant's IP address as set forth on Exhibit A.

18. IPP Limited downloaded from Defendant one or more bits of each of the digital movie files identified by the file hashes on Exhibit A.

19. Each of the cryptographic file hashes as set forth on Exhibit A correlates to copyrighted movies owned by Plaintiff as identified on Exhibit B.

20. IPP Limited downloaded from Defendant one of more bits of each file has listed in Exhibit A. IPP Limited further downloaded a full copy of each file hash from the BitTorrent file distribution network and confirmed through independent calculation that the file hash matched what is listed on Exhibit A. IPP Limited then verified that the digital media file correlating to each file hash listed on Exhibit A contained a copy of a movie which is identical (or alternatively, strikingly similar or substantially similar) to the movie associated with that file hash on Exhibit A. At no time did IPP Limited upload Plaintiff's copyrighted content to any other BitTorrent user.

21. IPP Limited downloaded from Defendant one or more bits of each digital media file as identified by its hash value on Exhibit A. The most recent TCP/IP connection between IPP and the Defendant's IP address for each file hash listed on Exhibit A is included within the column labeled Hit Date UTC. UTC refers to Universal Time which is utilized for air traffic control as well as computer forensic purposes.

22. An overview of the Copyrights-in-Suit, including each hit date, date of first publication, registration date, and registration number issued by the United States Copyright Office is set forth on Exhibit B.

23. IPP Limited has also engaged in enhanced surveillance of other digital media files being distributed by Defendant. The results of this more intensive surveillance are outlined in Exhibit C. The Copyrights-in-Suit are solely limited to content owned by Plaintiff as outlined in Exhibit B. Exhibit C is provided for evidentiary purposes only.

24. As the subscriber in control of the IP address being used to distribute Plaintiff's copyrighted movies, Defendant is the most likely infringer. Consequently, Plaintiff hereby alleges Defendant is the infringer. Plaintiff has included as Exhibit D a solicitation of exculpatory evidence in the event that Defendant chooses to deny the allegations.

25. Defendant is the only person who can be identified as the infringer at this time.

Miscellaneous

26. All conditions precedent to bringing this action have occurred or been waived.

27. Plaintiff has retained counsel and is obligated to pay said counsel a reasonable fee for its services.

COUNT I
Direct Infringement Against Defendant

28. The allegations contained in paragraphs 1-27 are hereby re-alleged as if fully set forth herein.

29. Plaintiff is the owner of the Copyrights-in-Suit, as outlined in Exhibit B, each of which covers an original work of authorship.

30. By using BitTorrent, Defendant copied and distributed the constituent elements of each of the original works covered by the Copyrights-in-Suit.

31. Plaintiff did not authorize, permit or consent to Defendant's distribution of its works.

32. As a result of the foregoing, Defendant violated Plaintiff's exclusive right to:

(A) Reproduce the works in copies, in violation of 17 U.S.C. §§ 106(1) and 501;

(B) Redistribute copies of the works to the public by sale or other transfer of ownership, or by rental, lease or lending, in violation of 17 U.S.C. §§ 106(3) and 501;

(C) Perform the copyrighted works, in violation of 17 U.S.C. §§ 106(4) and 501, by showing the works' images in any sequence and/or by making the sounds accompanying the works audible and transmitting said performance of the works, by means of a device or process, to members of the public capable of receiving the display (as set forth in 17 U.S.C. § 101's definitions of "perform" and "publically" perform); and

(D) Display the copyrighted works, in violation of 17 U.S.C. §§ 106(5) and 501, by showing individual images of the works nonsequentially and transmitting said display of the works by means of a device or process to members of the public capable of receiving the display (as set forth in 17 U.S.C. § 101's definition of "publically" display).

33. Defendant's infringements were committed "willfully" within the meaning of 17 U.S.C. § 504(c)(2).

WHEREFORE, Plaintiff respectfully requests that the Court:

(A) Permanently enjoin Defendant and all other persons who are in active concert or participation with Defendant from continuing to infringe Plaintiff's copyrighted works;

(B) Order that Defendant delete and permanently remove the digital media files relating to Plaintiff's works from each of the computers under Defendant's possession, custody or control;

(C) Order that Defendant delete and permanently remove the infringing copies of the works Defendant has on computers under Defendant's possession, custody or control;

(D) Award Plaintiff statutory damages in the amount of \$150,000 per infringed Work pursuant to 17 U.S.C. § 504-(a) and (c);

(E) Award Plaintiff its reasonable attorneys' fees and costs pursuant to 17 U.S.C. § 505; and

(F) Grant Plaintiff any other and further relief this Court deems just and proper.

DEMAND FOR A JURY TRIAL

Plaintiff hereby demands a trial by jury on all issues so triable.

Respectfully submitted,

NICOLETTI & ASSOCIATES, PLLC

By:

/s/ Paul J. Nicoletti

Paul J. Nicoletti, Esq. (P44419)
36880 Woodward Ave, Suite 100
Bloomfield Hills, MI 48304

Tel: (248) 203-7800

Fax: (248) 203-7801

E-Fax: (248) 928-7051

Email: paul@nicoletti-associates.com

Attorneys for Plaintiff

File Hashes for IP Address 98.220.153.245

ISP: Comcast Cable

Physical Location: Hobart, IN

| Hit Date UTC | File Hash | Title |
|---------------------|--|------------------------------------|
| 03/01/2013 02:38:59 | F8C806DF92D3B1CDD3003B1D9CC43826876F373B | Ready for Bed |
| 02/18/2013 00:33:05 | 78947B46C5390B97124EF24F79AEFC4AABAB2975 | A Little Rain Must Fall |
| 10/07/2012 20:40:31 | 680520878EF0B11003F715C2EB34FD7D53D6584D | Photo Fantasy |
| 10/07/2012 03:24:18 | 09689C830A2FB51BD2AD9499CB80E13C53321CFA | Carlie Beautiful Blowjob |
| 10/05/2012 05:18:41 | 0A44E83328E29F6EBDDCFafa649CE3E09C2A04EC | Carlie Leila Strawberries and Wine |

Total Statutory Claims Against Defendant: 5

EXHIBIT A

NIN22

Copyrights-In-Suit for IP Address 98.220.153.245

ISP: Comcast Cable

Location: Hobart, IN

| Title | Registration Number | Date of First Publication | Registration Date | Most Recent Hit UTC |
|------------------------------------|----------------------------|----------------------------------|--------------------------|----------------------------|
| A Little Rain Must Fall | PA0001822653 | 01/23/2013 | 01/27/2013 | 02/18/2013 |
| Carlie Beautiful Blowjob | PA0001762079 | 03/26/2010 | 11/21/2011 | 10/07/2012 |
| Carlie Leila Strawberries and Wine | PA0001762081 | 05/07/2010 | 11/18/2011 | 10/05/2012 |
| Photo Fantasy | PA0001808631 | 09/28/2012 | 09/28/2012 | 10/07/2012 |
| Ready for Bed | PENDING | 02/26/2013 | 02/28/2013 | 03/01/2013 |

Total Malibu Media, LLC Copyrights Infringed: 5

Expanded Surveillance of IP Address 98.220.153.245

ISP: Comcast Cable

Location: Hobart, IN

| Hit Date UTC | Filename |
|--------------|---|
| 03/06/2013 | Richard Bandler - 30 Years of NLP |
| 03/06/2013 | Livia_Hardcore_Innocence_SD.mp4 |
| 03/06/2013 | Nikita_To_My_Balls_SD.mp4 |
| 03/06/2013 | Sky and Telescope - April 2013 |
| 03/06/2013 | Nikita.Eager.Honey.WowGirls.2013_iyutero.com.mp4 |
| 03/06/2013 | Sky and Telescope - March 2013 |
| 03/06/2013 | WowGirls - Nubile Films Monday! Love Song - Penelope aka Henessy [720p].mp4 |
| 03/05/2013 | The Walking Dead S03E12 HDTV XviD-3LTON[ettv] |
| 03/03/2013 | The.Hobbit.An.Unexpected.Journey.2012.DVDRip.XviD-SPARKS |
| 03/03/2013 | mandingo's_14in_black_nightmare_sd_no_smoking_to_pornolab.net.mp4 |
| 03/03/2013 | Nasty Talk POV Jenny Hendrix |
| 03/03/2013 | 09.09.30.Jenny Hendrix_BigTitsInUniform.mp4 |
| 03/02/2013 | nubilefilms_my_amazing_girlfriend_1280.mp4 |
| 03/02/2013 | nubilefilms_deep_touch_960-chkm8te.mp4 |
| 03/02/2013 | Shameless.US.S03E06.HDTV.x264-ASAP.mp4 |
| 03/02/2013 | Californication.S06E07.HDTV.x264-2HD.mp4 |
| 03/02/2013 | Nubilefilms-Beata-Elegant-Dawn-SD.mp4 |
| 03/01/2013 | The Walking Dead S03E09 HDTV XviD-Marcelo[ettv] |
| 03/01/2013 | Community.S04E03.HDTV.x264-LOL.mp4 |
| 03/01/2013 | The.Mist.2007.DC.DVDRip.XviD-EXViD |
| 03/01/2013 | The Walking Dead S03E11 HDTV XviD-3LTON[ettv] |

EXHIBIT C

NIN22

| Hit Date UTC | Filename |
|--------------|--|
| 03/01/2013 | WowGirls - Hardcore Innocence - Livia [1080p].mp4 |
| 03/01/2013 | Hansel And Gretel Get Baked 2013 WEBRip XViD juggs |
| 03/01/2013 | [www.TorrentDay.com] - Catfish.The.TV.Show.S01E12.The.Reunion.Show.HDTV.x264-2HD |
| 03/01/2013 | x-art_lexi_ready_for_bed_540.mp4 |
| 02/25/2013 | Resident Evil Retribution 2012 DVDRip XViD-NYDIC |
| 02/25/2013 | Iron.Sky.2012.LIMITED.BDRip.XviD-4PlayHD |
| 02/25/2013 | The.Walking.Dead.S03E10.HDTV.XviD-AFG |
| 02/24/2013 | The.Mechanical.Universe.and.Beyond.02of52.Derivatives.XviD.AC3.MVGroup.org.avi |
| 02/23/2013 | Californication.S06E04.HDTV.x264-2HD.mp4 |
| 02/23/2013 | mathtutordvd |
| 02/23/2013 | Red.Dawn.2012.WEBRip XViD-juggs |
| 02/23/2013 | Shameless.US.S03E05.HDTV.x264-2HD.mp4 |
| 02/22/2013 | Californication.S06E04.720p.HDTV.x264-2HD.mkv |
| 02/22/2013 | Californication.S06E05.720p.HDTV.x264-EVOLVE.mkv |
| 02/22/2013 | Californication.S06E06.720p.HDTV.x264-EVOLVE.mkv |
| 02/22/2013 | Riddle.2013.DVDRip.XviD-VoMiT |
| 02/21/2013 | X-Art - Angelica (A Little Rain Must Fall) |
| 02/18/2013 | Company.Of.Heroes.2013.BDRIP.AC3-5.1.XviD-AXED |
| 02/16/2013 | BBC4 Tails You Win_ The Science of Chance XviD AC3.avi |
| 02/16/2013 | Shameless US S03E04 HDTV x264-2HD[ettv] |
| 02/15/2013 | Skyfall[2012]DVDRip XviD-ETRG |
| 02/13/2013 | [www.TorrentDay.com] - Buckwild.S01E05E06.HDTV.x264-2HD |
| 02/13/2013 | [www.TorrentDay.com] - Buckwild.S01E07E08.HDTV.x264-2HD |
| 02/13/2013 | [www.TorrentDay.com] - Buckwild.S01E01E02.HDTV.XviD-AFG |
| 02/13/2013 | [www.TorrentDay.com] - Buckwild.S01E09E10.HDTV.x264-2HD |

EXHIBIT C

NIN22

| Hit Date UTC | Filename |
|--------------|--|
| 02/13/2013 | [www.TorrentDay.com] - Buckwild.S01E03E04.HDTV.x264-2HD |
| 02/13/2013 | nubilefilms-Lara-chkm8te.mp4 |
| 02/12/2013 | AutoPatcher_2000_Jan06_ENU_Update.exe |
| 02/11/2013 | nubilefilms_sensual_massage_1280.mp4 |
| 02/10/2013 | NubileFilms.Mira.The.One.I.Want.09.02.2013.HD.mp4 |
| 02/09/2013 | Orgasms.13.01.01.Jessica.F.Rude.Awakening.XXX.1080p.MP4-KTR[rbg] |
| 02/09/2013 | Lawless.2012.DVD5.PAL.BitHQ |
| 02/09/2013 | Stevie Ray Vaughan And Double Trouble - Couldn't Stand The Weather (1984) [SACD] (2011 MFSL Remaster PCM Stereo) |
| 02/09/2013 | OneManBanned.12.12.16.Sonia.Hardcore.Photoshoot.XXX.WMV-OHRLY[rbg] |
| 02/09/2013 | (New) Windows 8 Activator 2013.zip |
| 02/09/2013 | NubileFilms - All I Want - Maddy O'Reilly.mp4 |
| 02/09/2013 | Equinox.Black.Holes.DVB.Xvid.AC3.www.mvgroup.org.avi |
| 02/09/2013 | VA-Stora popboxen-1964-1969-Vol. 1-3- |
| 02/09/2013 | Stephen.Hawking.A.Brief.History.of.Time.XviD.AC3.Dual.Audio.Eng.Ger.www.mvgroup.org.avi |
| 02/09/2013 | BBC4 Order and Disorder with Jim Al-Khalili 1 of 2 Energy XviD AC3.avi |
| 02/09/2013 | Community.S04E01.720p.HDTV.X264-DIMENSION [PublicHD] |
| 02/09/2013 | NubileFilms - It Must Be Lust - Sage Evans.mp4 |
| 02/07/2013 | Breaking Bad - The Complete Seasons 1-5 + EXTRAS [BRRip-480p]-BoB |
| 02/06/2013 | [www.TorrentDay.com] - Catfish.The.TV.Show.S01E10.Rico.and.Jamari.HDTV.x264-2HD |
| 02/06/2013 | Californication.S06E03.HDTV.x264-ASAP.mp4 |
| 02/05/2013 | Ghost.Adventures.S07E20.Passport.to.Hell.HDTV.x264-tNe |
| 02/05/2013 | Argo[2012]BRRip XviD-ETRG |
| 02/03/2013 | The Walking Dead S03E07 HDTV x264-2HD[ettv] |
| 02/03/2013 | Hollywood Undead - Notes From The Underground |

EXHIBIT C

| Hit Date UTC | Filename |
|--------------|--|
| 02/03/2013 | The.Hobbit.2012.SweSub.DVDScr.x264.5.1-SWAXXON |
| 02/03/2013 | Dexter |
| 02/02/2013 | Diary of a Wimpy Kid Dog Days (2012) |
| 02/02/2013 | [HorribleSubs] Space Brothers - 31_(XviD_AnimeSenshi).avi |
| 02/01/2013 | College Algebra |
| 02/01/2013 | [www.TorrentDay.com] - Order.And.Disorder.With.Jim.Ai.Khalili.S01E02.HDTV.XviD-AFG |
| 02/01/2013 | Trigonometry |
| 01/31/2013 | tareeq jameel bayan on islam in urdu.rar |
| 01/31/2013 | Self Confidence Hypnosis by Hypnotica - Edited and Looped.wma |
| 01/29/2013 | [www.TorrentDay.com] - Derren.Brown.Apocalypse.S01E02.HDTV.XviD-AFG |
| 01/29/2013 | [www.TorrentDay.com] - Derren.Brown.Apocalypse.S01E01.HDTV.XviD-AFG |
| 01/29/2013 | Red Dawn 2013 DVDrip XviD-BAYBOY |
| 01/28/2013 | Arrow S01E03 Lone Gunman HDTV x264-LOL [VTV] |
| 01/28/2013 | The Walking Dead Season 3 Complete(Ep 1-8) HDTV x264 [Vector] |
| 01/28/2013 | U.F.O.2012.LiMiTED.BRRip.XviD-ViP3R |
| 01/27/2013 | Sapop-Saborear Nostalgia-016-Universal |
| 01/25/2013 | Shameless US S03E02 HDTV x264-ASAP[ettv] |
| 01/25/2013 | [www.Speed.Cd] - Catfish.The.TV.Show.S01E09.Rod.and.Ebony.720p.HDTV.x264-2HD |
| 01/25/2013 | Californication.S06E02.HDTV.x264-EVOLVE.mp4 |
| 01/25/2013 | The Walking Dead - Season 2 Complete 480p HDTV x264 [Vector] |
| 01/25/2013 | max faktor 13 [silverdust] |
| 01/25/2013 | [www.TorrentDay.com] - King.of.The.Nerds.S01E01.HDTV.XviD-AFG |
| 01/25/2013 | Catfish.The.TV.Show.S01E09.Rod.and.Ebony.720p.HDTV.x264-2HD [PublicHD] |
| 01/25/2013 | The Walking Dead Season 1 - Complete BDRip x264 [Vector] |
| 01/24/2013 | Prosecuting.Casey.Anthony.2013.HDTV.XviD-AFG |

EXHIBIT C

NIN22

| Hit Date UTC | Filename |
|--------------|---|
| 01/23/2013 | Graphic styles for Adobe Illustrator |
| 01/21/2013 | Life.Of.Pi.2012.DVDSCREENER.XviD-DEYA |
| 01/21/2013 | Ghost.Adventures.S07E19.Sailors.Snug.Harbor.HDTV.x264-tNe |
| 01/21/2013 | Hitchcock.2012.DVDSCR.XviD-NYDIC |
| 01/19/2013 | [www.TorrentDay.com] - Catfish.The.TV.Show.S01E05.Jarrold.and.Aby.HDTV.x264-2HD |
| 01/19/2013 | All Internal - Elaine.wmv |
| 01/19/2013 | Ghost.Adventures.S07E18.Wyoming.Frontier.Prison.HDTV.x264-tNe |
| 01/19/2013 | [www.TorrentDay.com] - Catfish.The.TV.Show.S01E04.Jasmine.and.Mike.HDTV.x264-2HD |
| 01/19/2013 | [www.TorrentDay.com] - Catfish.The.TV.Show.S01E06.Kya.and.Alyx.HDTV.x264-2HD |
| 01/19/2013 | [www.TorrentDay.com] - Catfish.The.TV.Show.S01E07.Joe.and.Kari.Ann.480p.HDTV.x264-mSD |
| 01/18/2013 | Mike and Molly S03E05 HDTV x264-LOL |
| 01/18/2013 | Stand Up Guys[2012]DVDScr XviD-ETRG |
| 01/18/2013 | Brian Eno - LUX (2012) [FLAC] |
| 01/18/2013 | Hotel Transylvania 2012 LiMiTED DVDRip XviD-PRiMOR |
| 01/18/2013 | Robert Walser |
| 01/17/2013 | [www.TorrentDay.com] - Catfish.The.TV.Show.S01E03.Kim.and.Matt.HDTV.x264-2HD |
| 01/17/2013 | Sherri.and.Marie.Pack.XXX.[GoldenPirates] |
| 01/16/2013 | Officer.Down.2013.BRRip.XviD-S4A |
| 01/16/2013 | Killing Heat[2012]BRRip XviD-ETRG |
| 01/16/2013 | Holly_Shwarz-Joy-2002-TPT |
| 01/15/2013 | Californication S06E01 HDTV x264-EVOLVE[ettv] |
| 01/15/2013 | Hit and Run[2012]DVDRip XviD-ETRG |
| 01/15/2013 | Shameless US S03E01 HDTV x264-ASAP[ettv] |
| 01/12/2013 | Zero.Dark.Thirty.2012.DVDSCR.Xvid.Ac3-ADTRG |
| 01/12/2013 | Seven Psychopaths[2012]BRRip XviD-ETRG |

EXHIBIT C

NIN22

| Hit Date UTC | Filename |
|--------------|--|
| 01/11/2013 | Billboard 2012 Year end Top Hot 100 Songs Charts (Best Singles) |
| 01/11/2013 | VA - Billboard 2012 - Year End Hot 100 Songs [2012-Compilation] iTunes M4A NimitMak SilverRG |
| 01/09/2013 | Charles Swan 2012 WEB-DL XviD CeLL |
| 01/08/2013 | Downton.Abbey.S03E08.Series.3.Episode.8.HDTV.XviD-FQM |
| 01/07/2013 | Malwarebytes Anti-Malware Pro v1.70.0.1100 With Serial |
| 01/05/2013 | Ghost.Adventures.S07E16.Do.Not.Disturb.HDTV.x264-tNe |
| 01/05/2013 | Ghost.Adventures.S07E15.Killer.Nightlife.HDTV.x264-tNe |
| 01/05/2013 | Ghost.Adventures.S07E17.Home.Sweet.Hell.HDTV.x264-tNe |
| 01/04/2013 | Compliance.2012.DVDRip.XviD-NYDIC |
| 01/03/2013 | Homeland.S02E10.HDTV.x264-EVOLVE.[VTV].mp4 |
| 01/03/2013 | Homeland.S02E11.HDTV.x264-EVOLVE.[VTV].mp4 |
| 01/03/2013 | Homeland.S02E12.HDTV.x264-ASAP.[VTV].mp4 |
| 01/03/2013 | The Paperboy 2012 LIMITED DVDRip XVID-DEPRIVED |
| 01/03/2013 | Homeland.S02E09.HDTV.x264-ASAP.[VTV].mp4 |
| 01/02/2013 | The.Hobbit.2012.DVDSCR.XVID.AC3.Hive-CM8 |
| 01/02/2013 | Dexter.S07E12.HDTV.x264-ASAP.mp4 |
| 01/02/2013 | Canada.Russia.72.Part1.HDTV.XviD-MiNT |
| 01/02/2013 | [www.TorrentDay.com] - Dexter S07E11 HDTV XviD AC3-BHRG |
| 01/01/2013 | Ghostquake.2012.DVDRip.XviD-PTpOWeR |
| 01/01/2013 | Dexter.S07E10.HDTV.x264-ASAP.mp4 |
| 12/31/2012 | Yoga Anatomy (2nd Ed)(gnv64).epub |
| 12/31/2012 | John.Dies.At.The.End.2012.HDRip.XviD.HS |
| 12/29/2012 | [www.UsaBit.com] - Killing.Them.Softly.2012.DVDRIP.XVID-RESISTANCE |
| 12/29/2012 | THE GOOD GRAMMAR BOOK -MANTESHWER |
| 12/28/2012 | [www.Speed.Cd] - Dexter.S07E10.720p.HDTV.x264-IMMERSE |

EXHIBIT C

| Hit Date UTC | Filename |
|--------------|---|
| 12/28/2012 | Dexter.S07E09.HDTV.x264-ASAP.mp4 |
| 12/28/2012 | [www.TorrentDay.com] - Dexter.S07E12.REPACK.480p.HDTV.x264-mSD |
| 12/28/2012 | (??????) [???x????] SAKON ????? ?6? |
| 12/27/2012 | Yolanda Wallace |
| 12/27/2012 | The.League.S04E13.HDTV.x264-LOL.mp4 |
| 12/25/2012 | Chief Keef - Finally Rich [2012-Album] CD-Deluxe Mp3 320Kbps NimitMak SilverRG |
| 12/25/2012 | Ghost.Adventures.S07E14.Clinically.Dead.HDTV.x264-tNe |
| 12/25/2012 | Star Trek 2009 DvdRip ExtraScene RG |
| 12/25/2012 | Life.Of.Pi.2012.SILVER.TS.XVID-26K |
| 12/25/2012 | Game Change 2012 BRRiP XViD AC3-sC0rp |
| 12/25/2012 | Flight 2012 DVDSCR XviD Ac3 Feel-Free |
| 12/25/2012 | T.I - Trouble Man- Heavy Is The Head 2012 Rap 320kbps CBR MP3 [VX] [P2PDL] |
| 12/25/2012 | The Home Buyer's Answer Book -Practical Answers to More Than 250 Top Questions on Buying a Home - Mantesh |
| 12/25/2012 | The Game - Jesus Piece (Deluxe Edition) [iTunes] (2012-Album) [STumPZ-ReleaSe] |
| 12/25/2012 | St.Georges.Day.2012.DVDRiP.XViD-NoGRP |
| 12/25/2012 | How.To.Stop.Being.A.Loser.2011.BRRip.XviD-S4A |
| 12/25/2012 | All New Indoor Gardening - Learn How to Start your own indoor garden.pdf |
| 12/24/2012 | Mastering Chess A Course in 21 Lessons Ebook |
| 12/23/2012 | Dumbfoundead - Take the Stares [2012-Preview Leak] Mp3 NimitMak SilverRG |
| 12/21/2012 | I'm With You |
| 12/21/2012 | Cloud.Atlas.2012.RC.BDRip.STUDIO.AUDIO.XVID.AC3-5.1.HQ.Hive-CM8 |
| 12/21/2012 | [www.TorrentDay.com] - Jersey.Shore.S06E11.PDTV.x264-2HD |
| 12/21/2012 | Dredd 2012 HDRiP XViD-sC0rp |
| 12/20/2012 | The.Hobbit.An.Unexpected.Journey.2012.CAM.XviD-RESISTANCE |

EXHIBIT C

| Hit Date UTC | Filename |
|--------------|---|
| 12/20/2012 | Louie S03E12 HDTV x264-EVOLVE |
| 12/20/2012 | Nipples and Palm Trees 2012 DvdRip Xvid SuReNo |
| 12/20/2012 | [www.UsaBit.com] - Hit and Run (2012) 720p WEB-DL 700MB Ganool.mkv |
| 12/20/2012 | Taken 2 2012 DVDRIP XVID AC3 - [RiSES] |
| 12/19/2012 | The.League.S04E11.HDTV.x264-LOL.mp4 |
| 12/19/2012 | Hope.Springs.2012.DVDRip.XviD-ViP3Ra |
| 12/19/2012 | My Soul to Take 2010 DVDSCR XviD-MegaPlay |
| 12/19/2012 | Jersey Shore S06E12 PDTV x264-2HD[ettv] |
| 12/18/2012 | The.League.S04E10.HDTV.x264-LOL.mp4 |
| 12/18/2012 | The.League.S04E09.HDTV.x264-LOL.mp4 |
| 12/18/2012 | [www.Speed.Cd] - The.League.S04E11.720p.HDTV.X264-DIMENSION |
| 12/17/2012 | Repo Man[1984]DVDRip-VG.avi |
| 12/17/2012 | Its.Always.Sunny.in.Philadelphia.S08E09.HDTV.x264-ASAP.mp4 |
| 12/17/2012 | Star.Trek.Into.Darkness.2013.10MiN.PREVIEW.CAM.XViD-RESISTANCE |
| 12/16/2012 | The Big Bang Theory - S06E11 - The Santa Simulation - 1080p WEB-DL H.264 {\$H@uN} |
| 12/15/2012 | Für Geld gefickt |
| 12/15/2012 | XCOM.Enemy.Unknown.(Multi9).Steam-Rip - R.G.Origins |
| 12/13/2012 | Cougar Town S03E13.mp4 |
| 12/12/2012 | The.Five-Year.Engagement.(2012).DVDRip.XvidAC3[5.1] |
| 12/12/2012 | AI_Roboform_and_RoboForm2Go_Pro_6.9.98 |
| 12/12/2012 | Trouble.with.the.Curve.2012.BRRip.XviD.AbSurdiTy |
| 12/11/2012 | The Event - 1x07 - So Chi Sei.avi |
| 12/11/2012 | BBC Top 40 Albums Of 2010 S±A [320+Covers] - 40 - Gorillaz, Plas |
| 12/11/2012 | Sword Art Online |
| 12/10/2012 | The.League.S04E08.HDTV.x264-LOL.mp4 |

EXHIBIT C

NIN22

| Hit Date UTC | Filename |
|--------------|--|
| 12/10/2012 | Its.Always.Sunny.in.Philadelphia.S08E08.HDTV.x264-2HD.mp4 |
| 12/09/2012 | Hi-Fi Choice Magazine January 2013 [azizex666] |
| 12/08/2012 | Sleepwalk.With.Me.2012.LIMITED.BDRip.XviD-SPARKS |
| 12/08/2012 | Ghost.Adventures.S07E13.Crazy.Town.HDTV.x264-tNe |
| 12/08/2012 | The Hunger Games[2012]BRRip XviD-ETRG |
| 12/07/2012 | [www.TorrentDay.com] - Jersey.Shore.S06E10.PDTV.x264-2HD |
| 12/07/2012 | Resident Evil Retribution[2012]BRRip XviD-ETRG |
| 12/03/2012 | People Of the Lie |
| 12/02/2012 | Ghost.Adventures.S07E12.Death.by.Wild.West.HDTV.x264-tNe |
| 12/02/2012 | Trigonometry and PreCalculus Tutor Volume 2 |
| 12/02/2012 | The.League.S04E07.HDTV.x264-LOL.mp4 |
| 12/02/2012 | Its.Always.Sunny.in.Philadelphia.S08E07.HDTV.x264-2HD.mp4 |
| 12/02/2012 | Premium Rush[2012]BRRip XviD-ETRG |
| 12/01/2012 | Get The Gringo (2012) |
| 12/01/2012 | Wiz_Khalifa-O.N.I.F.C.-2012-CR |
| 11/30/2012 | The Bourne Legacy[2012]BRRip XviD-ETRG |
| 11/28/2012 | South.of.Nowhere.s01e04.Put.Out.or.Get.Out.-TV-Rip-.[XviD].avi |
| 11/28/2012 | [HorribleSubs] Bottom Biting Bug - 08 [480p].mkv |
| 11/28/2012 | Lawless.2012.BDRip.XviD-SPARKS |
| 11/27/2012 | Breaking.Bad.S05E08.HDTV.XviD-AFG |
| 11/27/2012 | The Imposter 2012 HDRip XViD-PLAYNOW |
| 11/27/2012 | Grabbers 2012 BRRiP XViD AC3-sC0rp |
| 11/27/2012 | Anna Karenina (2012) DVDRip XviD-MAX |
| 11/27/2012 | nip.tuck.s04e08.dsr.xvid.notv.[VTV].avi |
| 11/24/2012 | Ghost.Adventures.S07E11.Union.Station.HDTV.x264-tNe |

EXHIBIT C

NIN22

| Hit Date UTC | Filename |
|--------------|--|
| 11/23/2012 | Argo 2012 R6 WEBRip LiNE XviD UNIQUE |
| 11/23/2012 | Argo - (2012) TS XviD-IMAGiNE |
| 11/22/2012 | Anal_Invasion_Porn_Cumshot_XXX |
| 11/22/2012 | {www.scenetime.com}Order.And.Disorder.With.Jim.AI.Khalili.S01E01.HDTV.XviD-AFG |
| 11/21/2012 | Savages[2012]BRRip XviD-ETRG |
| 11/21/2012 | The.Survival.Games.2012.DVDRip.XviD-IGUANA |
| 11/21/2012 | Sinister.2012.R5.LiNE.XviD-BiDA.avi |
| 11/20/2012 | 007.Skyfall.2012.HDTS.NEW.XviD-RESISTANCE |
| 11/20/2012 | Looper 2012 DVDRip AC3 XviD-RemixHD |
| 11/20/2012 | Homeland S02E08 Season 2 Episode 8 HDTV x264 [GlowGaze] |
| 11/20/2012 | Dexter.S07E08.HDTV.x264-ASAP.mp4 |
| 11/20/2012 | Bratany-3.18.SATRip.avi |
| 11/20/2012 | The Walking Dead S03E06 HDTV x264-ASAP[ettv] |
| 11/19/2012 | All About Space - Andromeda Plus NASAs Gratest Achievements (Issue 6, 2012) |
| 11/19/2012 | Jersey Shore S06E09 PDTV x264-OMiCRON[ettv] |
| 11/19/2012 | The.Mentalist.S05E08.HDTV.XviD-AFG |
| 11/17/2012 | Its.Always.Sunny.in.Philadelphia.S08E06.HDTV.x264-ASAP.mp4 |
| 11/17/2012 | The Dark Knight Rises 2012 BRRip XviD - ExtraTorrent |
| 11/17/2012 | The Avengers[2012]BRRip XviD-ETRG |
| 11/15/2012 | Dexter S07E07 Season 7 Episode 7 HDTV x264 [GlowGaze] |
| 11/15/2012 | Looper.2012.DVDRip.XviD-PTpOWeR |
| 11/15/2012 | Safe.DVDRip.XviD-DoNE |
| 11/14/2012 | Citadel.2012.DVDSCR.AC3-2.0.XviD-AXED |

EXHIBIT C

NIN22

EXCULPATORY EVIDENCE REQUEST

Subscriber Name:

Subscriber Address:

Attorney Name/Contact:

1. List all authorized users (including household members) of any IP Address assigned to the Defendant.

Authorized User Name/Relationship

A. _____

- Adult Child
- Domestic Partner
- Minor Child
- Roommate
- Spouse
- Tenant
- Unrelated adult

B. _____

- Adult Child
- Domestic Partner
- Minor Child
- Roommate
- Spouse
- Tenant
- Unrelated adult

C. _____

- Adult Child
- Domestic Partner
- Minor Child
- Roommate
- Spouse
- Tenant
- Unrelated adult

EXHIBIT D

D. _____

- Adult Child
- Domestic Partner
- Minor Child
- Roommate
- Spouse
- Tenant
- Unrelated adult

2. Has a WI-FI enabled device been used to effectuate a connection to an IP Address assigned to the Defendant?

YES NO

3. If #2 is yes, please provide make, model and serial number of all such WI-FI modems and/or routers:

4. Has a Bittorrent Client been installed on any electronic device used by the Defendant and/or other Authorized Users used to access the Internet via an IP Address assigned to the Defendant?

YES NO

5. What is the distance from the Defendant's residence to the closest neighbor?

_____ Yards.

EXHIBIT D

NIN22

6. Has the Defendant and/or Authorized Users as listed in #1 above ever legally purchased Plaintiff's material or visited their website?

YES NO

7. Has the Defendant and/or Authorized Users as listed in #1 above ever visited any website containing Torrent Magnet Links?

YES NO

8. Has the Defendant and/or Authorized Users as listed in #1 above ever used Google, Bing, Yahoo or any other Internet Search Engine to search for information on Torrent files and/or websites?

YES NO

9. Has the Defendant and/or Authorized Users as listed in #1 above ever visited a streaming media site containing unauthorized copies of Plaintiff's works?

YES NO

10. Has the Defendant and/or any Authorized User as listed in #1 received a notice of copyright infringement from their Internet Service Provider, from the Center for Copyright Information, or from any other private intellectual property owner?

YES NO

Signed

Date

EXHIBIT D

NIN22