

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

MALIBU MEDIA, LLC

Plaintiff,

v.

JOHN DOES 1 - 14,

Defendants.

Civil No.: 2:12-cv-02084

Hon. Michael M. Baylson

DECLARATION OF JOHN DOE 6 IN THE BELLWETHER TRIAL

I, JOHN DOE 6, DO HEREBY DECLARE:

1. I am the Comcast subscriber who was assigned IP address 71.224.144.232 in the above captioned matter.

2. I am over the age of eighteen (18) and otherwise competent to make this declaration.

3. The facts stated in this declaration are based upon my personal knowledge.

4. On July 5, 2012, I filed a declaration in this case (2:12-cv-02084, CM/ECF # 13) (the "First Declaration") in which I denied downloading Plaintiff's copyrighted works as set forth in the Complaint.

5. Since filing the First Declaration, in response to the discovery efforts of Plaintiff, and the questioning of my family members, I learned that each of Plaintiff's copyrighted works, as set forth on the Exhibits to the Amended Complaint, which is incorporated herein by reference, were infringed by a member of my family that resides in my home.

6. My family member confessed to me that he or she used the BitTorrent protocol to distribute, download and view Plaintiff's copyrighted works as alleged in the Amended Complaint.

7. After hearing this confession, I advised my family member that using the internet to steal is morally abhorrent and expressed my deep disappointment in the person's judgment.

8. The affected family member appreciates the severity of the person's wrongful actions and has assured me that no such further infringement will occur.

9. On behalf of myself, and my infringing family member, we hereby apologize to Malibu Media, LLC and its owners for the infringement.

10. We know committing on-line infringement is wrong and we are sorry.

11. I also now fully appreciate that Malibu Media, LLC has every right to enforce its copyrights against those people who commit infringement on-line. Further, I understand and appreciate Malibu Media, LLC's allegations are made in good faith. Indeed, if people were stealing my intellectual property on anywhere near the same scale that people are stealing Malibu Media, LLC's intellectual property; I would be outraged.

12. Upon the realization that my further defense of this action would only lead to the successful prosecution of a beloved family member, in order to protect my family's integrity, and avoid the inevitable adverse consequences of this litigation on my family, I knowingly, intelligently, and voluntarily asked my attorney to contact Plaintiff's attorney for the purpose of negotiating a settlement, and thereafter agreed to settle this matter on behalf of myself and my family for ten thousand dollars (\$10,000.00)

13. Ten thousand dollars (\$10,000.00) is a substantial amount of money for me and my family and is as much as we can afford to pay without it substantially adversely affecting our lives.

FROM : WETZEL AND SON INC


FAX NO. : 215-663-8554

Feb. 04 2013 07:04AM P6

14. A signed copy of this declaration with my true name on it has been provided to Plaintiff's counsel has agreed not to disclose it unless ordered to do so by a Court of competent jurisdiction.

I HEREBY DECLARE, under penalty of perjury, pursuant to 28 U.S.C. §1746 that the facts stated in the foregoing declaration is true and correct.

Executed this the 30th day of January, 2013.



JOHN DOE 6