IN THE UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF GEORGIA
ATLANTA DIVISION

BREAKING GLASS PICTURES, LLC,	)
	)
Plaintiff,	)
	)
v.	) Case No. TBD
	)
DOES 1-13.	) ***JURY TRIAL DEMANDED***
	)
Defendants.	)
	)

DECLARATION OF DARREN M. GRIFFIN

1.   My name is Darren M. Griffin. I am over the age of 18 and am otherwise competent to make this declaration. This declaration is based on my personal knowledge and, if called upon to do so, I will testify that the facts stated herein are true and accurate.

2.   I have been retained as a software consultant by Crystal Bay Corporation ("CBC"), a company incorporated in South Dakota and organized and existing under the laws of the United States, in its technical department. CBC is in the business of providing forensic investigation services to copyright owners.

3.   The forensic software used by CBC routinely collects, identifies and records the Internet Protocol ("IP") addresses in

use by those people who employ the BitTorrent protocol to share, copy, reproduce and distribute copyrighted works.

4.   An IP address is a unique numerical identifier that is automatically assigned to an internet user by the user's internet Service Provider ("ISP"). In logs kept in the ordinary course of business, ISPs keep track of the IP addresses assigned to their subscribers. Once provided with an IP address, plus the date and time of the detected and documented infringing activity, ISPs can use their subscriber logs to identify the name, address, email address, phone number and Media Access Control number of the user/subscriber.

5.   Only the ISP to whom a particular IP address has been assigned for use by its subscribers can correlate that IP address to a particular subscriber. From time to time, a subscriber of internet services may be assigned different IP addresses from their ISP. Thus, to correlate a subscriber with an IP address, the ISP also needs to know when the IP address was being used. Unfortunately, many ISPs only retain for a very limited amount of time the information necessary to correlate an IP address to a particular subscriber.

6.   Plaintiff retained CBC to identify the IP addresses of those BitTorrent users who were copying and distributing Plaintiff's copyrighted audiovisual work as identified in

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Exhibit A (the "6 Degrees Of Hell").   CBC tasked me with analyzing, reviewing and attesting to the results of the investigation.

7.   During the performance of my duties as detailed below, I used forensic software provided by CBC to scan peer-to-peer networks for the presence of infringing transactions.

8.   After reviewing the evidence logs, I isolated the transactions and the IP addresses of the users responsible for copying and distributing the 6 Degrees Of Hell.

9.   Through each of the transactions, the computers using the IP addresses identified in Plaintiff's Complaint and Exhibit A transmitted a copy or a part of a copy of a digital media file identified by the hash value set forth in Plaintiff's Complaint and Exhibit A.   The IP addresses, hash values, dates and times contained in Plaintiff's Complaint and Exhibit A correctly reflect what is contained in the evidence logs.   The subscribers using the IP addresses set forth in Plaintiff's Complaint and Exhibit A were all part of a "swarm" of users that were reproducing, distributing, displaying or performing the copyrighted work identified in Plaintiff's Complaint and Exhibit A.

10.   Moreover, the users were sharing the exact same copy of the 6 Degrees Of Hell.   Any digital copy of an audiovisual

work may be uniquely identified by a unique, coded, string of characters called a "hash checksum." The hash checksum is a string of alphanumeric characters generated by a mathematical algorithm know as US secure Hash Algorithm 1 or "SHA-1", which was developed by the National Security Agency and published as a US government standard. Using a hash tag to identify different copies of the 6 Degrees Of Hell, I confirmed that these users reproduced the very same copy of the 6 Degrees Of Hell.

11. The CBC software analyzed each BitTorrent "Piece" distributed by each IP address listed in Exhibit A and verified that reassembling the pieces using a specialized BitTorrent client results in a fully playable digital motion picture.

12. The software uses a geolocation functionality to confirm that all IP addresses of the users set forth in Exhibit A were located in Georgia. Though an IP address alone does not reveal the name or contact information of the account holder, it does reveal the locations of the Internet line used for the transaction. IP addresses are distributed to ISPs by public, nonprofit organizations called Regional Internet Registries. These registries assign blocks of IP addresses to ISPs by geographic region. In the United States, these blocks are assigned and tracked by the American Registry of Internet Numbers. Master tables correlating the IP addresses with local

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regions are maintained by these organizations in a publicly-available and searchable format. An IP address' geographic location can be further narrowed by cross-referencing this information with secondary sources such as data contributed to commercial database by ISPs.

13. As set forth in Exhibit A, I have confirmed not only that the users distributed the files in Georgia, but also the specific location where the distribution took place.

I declare under penalty of perjury that the foregoing is true and correct to the best of my knowledge, this __ of March, 2013.

_____
Darren M. Griffin