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6 IN THE UNITED STATES DISTRICT COURT FOR THE
7
8 NORTHERN DISTRICT OF CALIFORNIA
9
10 SAN FRANCISCO DIVISION

11 HARD DRIVE PRODUCTIONS, INC.,)
12)
13 Plaintiff,)
14 v.)
15 DOES 1-53,)
16 Defendants.)

No. C-11-02330 EDL
SUPPLEMENTAL DECLARATION OF
PETER HANSMEIER RESPONDING TO
THE COURT’S JULY 14 ORDER

17 **SUPPLEMENTAL DECLARATION OF PETER HANSMEIER**
18 **RESPONDING TO THE COURT’S JULY 14 ORDER**

19 I, Peter Hansmeier, declare under penalty of perjury as true and correct that:

20 1. I am a technician at Media Copyright Group, LLC (“MCG”). My daily tasks include
21 conducting day-to-day copyright infringement monitoring with respect to MCG’s clients’
22 copyrighted creative works, including the work relevant to the above-captioned action (“Violet”),
23 which was fully described in Plaintiff’s Complaint (Doc. No. 1 at ¶ 7). I submit this declaration in
24 response to the Court’s Order Denying Without Prejudice Plaintiff’s Revised Application for Leave
25 to Take Expedited Discovery (Doc. No. 11, hereinafter “Order”), which granted Plaintiff leave to
26 submit “a revised declaration addressing whether or not the Doe Defendants named in this action all
27 participated in a common swarm.”
28

1 a unique file hash. A file hash is a unique number that is generated from bits and bytes and is unique
2 to a given file, distinguishing a torrent from all other torrents in existence. Through my tracking, I
3 personally observed that all of the Doe Defendants in this case uploaded and downloaded this unique
4 hash, thus “sharing” amongst each other the exact same file containing Plaintiff’s copyrighted
5 works.
6

7 6. Perhaps worth noting is the fact that I observed other swarms with respect to similar
8 content (i.e. other files relating to our client’s “Violet” scene, but with different file hashes—likely
9 because the files were of a different resolution or the torrent files related to different combinations of
10 videos and pictures). The infringers that we tracked in those swarms are not included in this suit. In
11 other words, Plaintiff would have named more infringers in this suit if it had included infringers
12 from other swarms.
13

14 **Conclusion**

15 7. In my opinion, therefore, the observed interactions between Doe Defendants in this
16 case were consistent with them participating in a common swarm. Considering it was the same file
17 in the same swarm, it was not a situation where, as the Court postulates, “two or more *different* files
18 of the same copyrighted work could potentially seed two or more different swarms” (Doc. No. 11 at
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1 2, Ins. 20-22). Again, in my opinion and through my personal observations, all IP Address listed in
2 Exhibit A to the Complaint (Doc. No. 1 at 13) were engaged in activity in the same swarm in
3 relation to the allegations of this lawsuit.

4 Executed on July 20, 2011, in Minneapolis, MN.

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10 Peter Hansmeier

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