

1 GILL SPERLEIN (172887)
 2 THE LAW FIRM OF GILL SPERLEIN
 3 584 Castro Street, Suite 849
 4 San Francisco, California 94114
 5 Telephone: (415) 487-1211 X32
 6 Facsimile: (415) 252-7747
 7 legal@titanmedia.com

8 Attorney for Plaintiff
 9 IO GROUP, INC.

10 **UNITED STATES DISTRICT COURT**
 11 **NORTHERN DISTRICT OF CALIFORNIA**

12	IO GROUP, INC. v. VEOH NETWORKS, a California corporation)	CASE NO. C-06-3926 (HRL)
13)	
14	IO GROUP, INC. v. DATA CONVERSIONS, INC. , a South Carolina corporation d/b/a AEBN and pornotube.com)	CASE NO. C-06-5162 (HRL)
15)	
16	IO GROUP, INC. v. WEBNOVAS TECHNOLOGIES, INC., a Canadian business entity type unknown, and GONETMARKET, INC., a Nevada Corporation)	CASE NO. C-06-5334 (JSW)
17)	DECLARATION OF GILL SPERLEIN IN
18)	SUPPORT OF PLAINTIFF IO GROUP,
19)	INC.'S NOTICE OF RELATED CASES
20)	(MOTION FOR ADMINISTRATIVE
21)	RELIEF)

22 I, GILL SPERLEIN, declare:

23 1. I am an attorney at law licensed to practice in the State of California and attorney of
 24 record for Plaintiff Io Group, Inc.

25 2. On June 23, 2006, on behalf of Io Group, Inc., I filed in the United States District
 26 Court for the Northern District of California a civil complaint against Veoh Networks, Inc. The
 27 Clerk assigned the case to Magistrate Judge Howard R. Lloyd in the San Jose Division attaching
 28 the docket number C-06-3926 (HRL).

1 3. On August 23, 2006, on behalf of Io Group, Inc., I, filed in the United States
2 District Court for the Northern District of California a civil complaint against DATA
3 CONVERSIONS, INC. , a South Carolina corporation d/b/a AEBN and pornotube.com. The
4 Clerk assigned the case to Magistrate Judge Howard R. Lloyd in the San Jose Division attaching
5 the docket number C-06-5162 (HRL).
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7 4. On August 30, 2006, on behalf of Io Group, Inc., I filed in the United States
8 District Court for the Northern District of California a civil complaint against WEBNOVAS
9 TECHNOLOGIES, INC., a Canadian business entity type unknown, and GONETMARKET,
10 INC., a Nevada Corporation. The Clerk assigned the case to the Honorable Jeffery S. White in the
11 San Francisco Division attaching the docket number C-06-5334 (JSW).
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13 5. The above-referenced cases are related in the following manner: a) The cases have
14 substantially the same parties in that the Plaintiff in all three cases is identical, namely Io Group,
15 Inc.; and b) The matters pertain to identical property rights, namely the catalog of films produced
16 and owned by plaintiff Io Group, Inc.
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18 6. These three cases all deal with a similar and unique legal question, whether a
19 website that displays video content contributed by others without authorization from the copyright
20 owner can be held liable for copyright infringement. The websites at issue in each of the three
21 matters operate in a substantially similar manner. Because the three cases are likely to be
22 determined through resolution of this overriding legal question, hearing the cases before different
23 judges could produce conflicting results.
24

25 7. Moreover, if the cases are conducted before different judges there is likely to be an
26 unduly burdensome duplication of labor and expense. In addition to labor involved in resolving
27 the identical legal issues, much of the development of the factual record would also be duplicative.
28

1 Specifically, establishing ownership and registration of the infringed content and required expert
2 testimony regarding technology would be duplicative in the three cases.

3
4 8. Because the claims in the above-referenced cases involve similar parties, property
5 rights and overlapping factual and legal issues of law, Plaintiff Io Group, Inc. contends that
6 assignment of the three matters to Magistrate Judge Lloyd in the San Jose Division will likely
7 conserve judicial resources and promote efficient determination of the actions.

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9 9. A stipulation could not be obtained regarding this Motion for Administrative Relief
10 in compliance with Local Civil Rule 7-11(a) because: a) parties are not authorized to relate cases
11 via stipulation and b) most defendants have yet to appear.

12 Pursuant to the laws of the United States, I declare under penalty of perjury the foregoing
13 is true and correct.

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Dated: *September 11, 2006*

Respectfully submitted,

/s/ Gill Sperlein

GILL SPERLEIN,
Attorney for Plaintiff

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CERTIFICATE OF SERVICE

I am over 18 years of age, am employed in the county of San Francisco, at 69 Converse Street, San Francisco, California, 94103. I am readily familiar with the practice of this office for collection and processing of correspondence for mailing with United Parcel Service and correspondence is deposited with United Parcel Service that same day in the ordinary course of business.

Today I served the attached:

- **PLAINTIFF IO GROUP, INC.’S NOTICE OF RELATED CASES (MOTION FOR ADMINISTRATIVE RELIEF)**
- **DECLARATION OF GILL SPERLEIN IN SUPPORT OF PLAINTIFF IO GROUP, INC.’S NOTICE OF RELATED CASES (MOTION FOR ADMINISTRATIVE RELIEF)**
- **PROPOSED ORDER**

by causing a true and correct copy of the above to be placed with United Parcel Service at San Francisco, California in sealed envelopes with postage prepaid, addressed as follows:

On Veoh Networks, Inc. by service on its attorneys

David S. Steuer
Wilson Sonsini Goodrich & Rosati
650 Page Mill Road
Palo Alto, CA 94304-1050

VIA UPS Ground (Signature Required)
(within overnight delivery zone)
Also via fax 650-565-5100

Webnovas Technologies
184 Shorting Road
Toronto, Ontario M1S 3S7
CANADA

VIA UPS Worlwide Express (Signature Required) (Overnight)

1 Data Conversions, Inc.
2 c/o Larry McKinney, Registered Agent
3 5751 Augusta Road
4 Greenville, SC 29605

4 **VIA UPS Overnight (Signature Required)**

5 Gonetmarket, Inc.
6 c/o Eastbiz.com, Registered Agent
7 5348 Vegas Drive
8 Las Vegas, NV 89108

8 **VIA UPS Overnight (Signature Required)**

9
10 I declare under penalty of perjury that the foregoing is true and correct and that this
11 declaration was executed on *September 11, 2006*.

12 */s/ Eric Burford*
13 Eric Burford

14 I hereby attest that this is the declaration of Eric Burford and the original with Eric Burford's
15 holographic signature is on file for production for the Court if so ordered, or for inspection upon
16 request by any party. Pursuant to the laws of the United States, I declare under penalty of perjury
17 the foregoing is true and correct.

18 Dated: *September 11, 2006*

19 */s/ Gill Sperlein*
20 GILL SPERLEIN,
21 Counsel for Plaintiff Io Group, Inc.