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8 Attorney for Plaintiff,  
9 Liberty Media Holdings, LLC

10 **UNITED STATES DISTRICT COURT**

11 **SOUTHERN DISTRICT OF CALIFORNIA, SAN DIEGO DIVISION**

12 LIBERTY MEDIA HOLDINGS, LLC )

Case No. 10-CV-1972-JAH-POR

13 Plaintiff, )

14 vs. )

**DECLARATION OF MARC J. RANDAZZA  
IN SUPPORT OF MOTION FOR  
ISSUANCE OF LETTER ROGATORY**

15 YOUNGTEK SOLUTIONS LTD. D/B/A/  
16 TNAFLIX.COM, "FRANK," DOE 1, DOE 2 )  
17 and DOES 3-500 )

18 Defendants )

19 I, Marc. J. Randazza, swear under penalty of perjury:

- 20 1. I am the attorney for Liberty Media Holdings, LLC, in this action.
- 21 2. This action is brought for Direct Copyright Infringement.
- 22 3. It is material and necessary that Plaintiff have the testimony of the following named  
23 witnesses who resides in the Province of Ontario, Canada:
  - 24 i. Rogers Communications Inc., Attn: Legal Department 333 Bloor Street  
25 East, 7th Floor, Toronto, ON M4W 1G9, [dana.drake@rci.rogers.com](mailto:dana.drake@rci.rogers.com),  
26 416-935-7627 (fax).
- 27 4. The above named witness is material and necessary to prove the cause of action for  
28 Direct Copyright Infringement stated in the pleadings for the following reasons:

1 i. Rogers Communications Inc. is the only entity having knowledge of the  
2 personally identifiable information of Defendant Doe 1 a/k/a  
3 “GreatBoobies1985.”

4 5. Plaintiff desires to examine the witness concerning the personally identifiable  
5 information of Doe 1 a/k/a “GreatBoobies1985” in order to properly litigate  
6 Plaintiff’s claim of Direct Copyright Infringement with written questions attached to  
7 the motion for issuance of a letter rogatory.

8 6. The above named witness is unable to give their testimony in any manner whatsoever,  
9 unless they are compelled to do so by court order. The laws of Canada are such that  
10 the Canadian courts do not recognize a commission issued from this country to a  
11 commissioner designated therein and, under the laws of Canada, it will be impossible  
12 to enforce the attendance of the witness, or to compel them to testify, or to sign their  
13 testimony after it is given, unless letter rogatory is issued to some court of Canada.

14  
15 Executed this 28th day of January 2011, in San Diego, California.

16 s/ Marc Randazza  
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