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LIBERTY MEDIA HOLDINGS, LLC
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8 UNITED STATES DISTRICT COURT
9 DISTRICT OF ARIZONA

10	Liberty Media Holdings, LLC)	Case No. 11-CV-0280-PHX-LOA
11	Plaintiff,)	Declaration of Henry Leonard in Support of
12	vs.)	Application for Entry of Default Judgment
13)	Hearing Date: July 8, 2011
14	Vinigay.com; Gustavo Paladeski; Vinicius)	Hearing Time: 2:00 p.m.
15	Alves)	Judge: Hon. Lawrence O. Anderson
16	Defendants.)	

17 I, Henry Leonard, declare under penalty of perjury that:

18 1. I am the Certified Public Accountant and Certified Management Accountant for
19 Plaintiff Liberty Media Holdings (Liberty).

20 2. I have reviewed copies of the infringements as they occurred on Vinigay.com.
21 Specifically, I reviewed the infringements of Plaintiff's works "Cody Fucks Lucas," "Dave
22 Fucks Dawson (also titled "Fucking Dawson")," and "Cain Fucks Travis," (jointly referred to as
23 the "Works"), which appear as Exhibit 6 to the Memorandum in Support of Plaintiff's
24 Application for Default Judgment.

25 3. The Plaintiff charges \$39.95 for a one-time, non-recurring one-month
26 membership to its website. See Exh. 8 to the Memorandum in Support of Plaintiff's Application
27 for Default Judgment.
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1 4. Had each of the 10,137 people who viewed “Cody Fucks Lucas” and each of the
2 14,655 people who viewed “Cain Fucks Travis” purchased a one-time membership to
3 Corbinfisher.com, Liberty would have earned \$990,440.40.

4 5. As I am not aware of how many people viewed “Dave Fucks Dawson,” I am
5 unable to include this information into my calculations. However, if we presume that it is within
6 the same realm as the other two films, this would mean that Liberty lost approximately \$1.5
7 million from these three infringements.

8 6. Additionally, there are factors, which are difficult to know, which could adjust
9 this figure upward or downward.

10 a. For example, these amounts do not take into account how many people would
11 have **renewed** their memberships to Plaintiff’s site on an ongoing basis, nor
12 how many additional people received copies of the Works from the people
13 who downloaded the Works from Vinigay.com. These factors would increase
14 the amount of damages.

15 b. On the other hand, it can not be stated with 100% certainty that everyone who
16 viewed the material on Vinigay.com would have purchased a subscription to
17 the Plaintiff’s website. Therefore, this could adjust the figure downward.

18 7. As such, by my calculations, Plaintiff’s actual damages are likely exponentially
19 higher than \$990,440.40, but I am prepared to support the \$990,440.40 figure as a verifiable lost
20 sales estimate.

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Signed on May ___, 2011 in San Diego, California.

Henry Leonard

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CERTIFICATE OF SERVICE

I hereby certify that the foregoing document was filed using this Court's CM/ECF system on May 31, 2011. Service was made on Defendants by email pursuant to the Court's Order (ECF No. 10).

Dated: May 31, 2011

Respectfully submitted,

s/ Marc Randazza

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