

UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF MASSACHUSETTS

LIBERTY MEDIA HOLDINGS, LLC,

Plaintiff,

v.

SWARM SHARING HASH FILE  
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C9C05 AND COMPRISING MICHAEL  
RAPISARDA, JEREMY MARRON, TIM  
ZOLLER, PHILIP PIRELLO, THEODORE  
WARNER, JOHN DOE 15, MARK PACKARD,  
TIM GRANGER, THA CHANH, AVANT  
PAVIDAPHA, KYLE BORAN, LARRY SON,  
SHANNON LYONS, AND JOHN DOES 39-51,

Defendants.

Civil Action No. 11-cv-10802-WGY

**DECLARATION OF AARON Y.  
SILVERSTEIN IN SUPPORT OF  
PLAINTIFF LIBERTY MEDIA  
HOLDINGS LLC'S REQUEST TO  
ENTER DEFAULT AGAINST  
DEFENDANT MICHAEL RAPISARDA**

I, Aaron Y. Silverstein, declare as follows:

1. I am an attorney licensed to practice in Massachusetts and before this Court. I am a partner of Saunders & Silverstein, LLP and counsel for Liberty Media Holdings, LLC ("Liberty") in this matter. I submit this declaration in support of Liberty's Request to Enter Default against defendant Michael Rapisarda. I have personal knowledge of the facts stated herein and, if called as a witness, I could and would testify competently thereto.

2. Attached hereto as Exhibit A is a true and correct copy of Liberty's First Amended Complaint against the defendant for negligence, Copyright Infringement and Contributory Copyright Infringement arising under 17 U.S.C. § 501. The First Amended Complaint was served on the defendant Michael Rapisarda on January 28, 2012.

3. Attached hereto as Exhibit B is a true and correct copy of the Summons, also served on the Defendant on January 28, 2012.

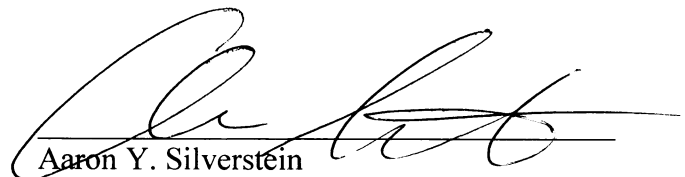
4. Attached hereto as Exhibit C is a true and correct copy of the Proof of Service of Summons and First Amended Complaint on the defendant, dated January 28, 2012.

5. Under Rule 12 of the Federal Rules of Civil Procedure, the defendant was required to respond, answer or otherwise plead to Liberty's Complaint by February 20, 2012. Neither the defendant, nor anyone claiming to represent the defendant, has contacted anyone at Saunders & Silverstein LLP to request an extension to respond to Liberty's Complaint.

6. As of February 24, 2012, defendant Michael Rapisarda has not served Saunders & Silverstein LLP with a response, answer or pleading to Liberty's Complaint.

I declare under penalty of perjury that the foregoing is true and correct.

EXECUTED this 24th day of February, 2012 at Amesbury, Massachusetts.



Aaron Y. Silverstein  
Attorney for Plaintiff  
LIBERTY MEDIA HOLDINGS, LLC

**CERTIFICATE OF SERVICE**

I hereby certify that February 24, 2012, the foregoing document, filed through the ECF system, will be sent electronically to the registered participants as identified on the Notice of Electronic Filing, and paper copies will be served via first-class mail to those indicated as non-registered participants. A copy of the foregoing document has been sent via first-class mail to defendant at the following address:

Michael Rapisarda  
23 Highcrest Terrace, Apt. 23  
Roslindale, MA 02131

/s/ Aaron Silverstein  
Aaron Silverstein