

Hon. Robert S. Lasnick

**UNITED STATE DISTRICT COURT  
WESTERN DISTRICT OF WASHINGTON**

RIDING FILMS, INC.,

Plaintiff,

v.

DOES 1-65,

Defendants.

NO. 2:13-CV-00288

DECLARATION OF MICHAEL P. MATESKY,  
II, IN SUPPORT OF MOTION FOR  
RECONSIDERATION

NOTE ON MOTION CALENDAR: MAY 13,  
2013

I, MICHAEL P. MATESKY, II, Declare:

1. I am an attorney and member at Matesky Law PLLC in Seattle, Washington. I make this declaration in support of Defendant John Doe 64's Motion to Reconsider and Vacate Order Granting Leave to Take Early Discovery, and to Sever and Dismiss Doe 64. I make this declaration based on personal knowledge, and could and would testify competently thereto if called upon to do so.

2. I represent the named subscriber for an internet service account provided by Comcast Cable, and referred to as "John Doe 64" in the Motion in support of which this

Declaration of Michael P. Matesky, II- 1

Matesky Law PLLC  
1001 4<sup>th</sup> Ave., Suite 3200  
Seattle, WA 98154  
Ph: 206.701.0331 Fax: 206.701.0332  
© 2013 Matesky Law

Declaration is submitted.

3. Attached hereto as Exhibit A is a true and correct copy of a letter and associated documentation sent by Comcast Cable to John Doe 64, dated April 12, 2013, with identifying or potentially-identifying information redacted.

4. On Monday, April 29, 2013, I participated in a telephone call with Richard Symmes, counsel for Riding Films, Inc. During that call, Mr. Symmes informed me that, when he receives an individual's contact information from an internet service provider, he contacts that individual and offers to settle the claims raised in the suit(s) he has filed in exchange for a sum in the thousands of dollars. Mr. Symmes did not mention any discovery method undertaken to determine whether an account subscriber is or is not an individual who engaged in the acts of infringement alleged in a complaint filed with the Court.

5. Attached hereto as Exhibit B is a true and correct copy of a printout from PACER ([www.pacer.gov](http://www.pacer.gov)) showing suits filed by Riding Films, Inc. in multiple U.S. District Courts.

Dated this 13th day of May, 2013 at Seattle, Washington

/s/ Michael P. Matesky, II  
Michael P. Matesky, II