

**IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF COLORADO**

Civil Action No.: 1:11-cv-00211-JLK

RIGHTHAVEN LLC, a Nevada limited-liability company,

Plaintiff,

v.

BRIAN D. HILL, an individual,

Defendant.

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**DECLARATION OF STEVEN G. GANIM, ESQ. IN SUPPORT OF RIGHTHAVEN  
LLC'S RESPONSE TO DEFENDANT BRIAN D. HILL'S MOTION FOR ATTORNEY  
FEES PURSUANT TO APRIL 14, 2011 MINUTE ORDER WITH CERTIFICATE OF  
SERVICE**

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I, Steven G. Ganim, Esq., being first duly sworn upon oath, do hereby depose and state:

1. I am licensed to practice law before this Court, as well as in the State of Florida. I have personal knowledge of the facts stated herein, except as to those matters stated on information and belief, and if called upon to testify thereto, would be competent to do so.

2. I am in house-counsel for Plaintiff Righthaven LLC ("Righthaven"). I am also counsel of record in this action for Righthaven. This declaration is made in support of Plaintiff Righthaven LLC's Response to Defendant Brian D. Hill's Motion for Attorney Fees Pursuant to April 14, 2011 Minute Order With Certificate of Service.

3. I am familiar with the photograph entitled, "TSA Agent performs enhanced pat-downs" (the "Work"), a true and correct copy of which is attached as Exhibit 2 to Righthaven's Complaint (Doc. # 1) in this case. The Work was taken by a photographer on behalf of *The Denver Post* at an airport located in Denver, Colorado.

4. *The Denver Post* published the Work on or about November 18, 2010.

5. Defendant Brian D. Hill (“Defendant”) was identified as the “founder of USWGO” and the Internet domain <uswgo.com> (the “Website”). A true and correct copy of content accessible on the Defendant’s Twitter profile as it existed at or around the time this action was filed is attached as Exhibit 1 to Righthaven’s Complaint.

6. On or about December 1, 2010, Defendant republished an unauthorized copy of the Work on the Website. A true and correct copy of the infringing replication of the Work on the Website, as it existed at or around the time this action was filed is attached as Exhibit 3 to Righthaven’s Complaint.

7. All rights, title and interest in and to the Work, including the right to sue for all past, present and future infringements, were assigned to the Righthaven on or about December 1, 2010. On December 8, 2010, Righthaven was granted registration of the Work by the United States Copyright Office. A true and correct copy of a printout of the USCO’s database record depicting Righthaven’s registration of the Work is attached to the Complaint as Exhibit 4.

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

Executed this 5<sup>th</sup> day of May, 2011.

/s/Steven G. Ganim  
Steven G. Ganim, Esq.

**CERTIFICATE OF SERVICE**

Pursuant to Federal Rule of Civil Procedure 5(b), I hereby certify that on this 5<sup>th</sup> day of May, 2011, I caused a copy of the **DECLARATION OF STEVEN G. GANIM, ESQ. IN SUPPORT OF PLAINTIFF RIGHTHAVEN LLC'S RESPONSE TO DEFENDANT BRIAN D. HILL'S MOTION FOR ATTORNEY FEES PURSUANT TO APRIL 14, 2011 MINUTE ORDER WITH CERTIFICATE OF SERVICE** to be to be served by the Court's CM/ECF system.

By: /s/ Shawn A. Mangano  
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