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9 Appearance Attorney for Defendant,
10 *Michael Leon*

11 **UNITED STATES DISTRICT COURT**
12 **DISTRICT OF NEVADA**

13 RIGHTHAVEN, LLC, a Nevada limited liability
14 company,

Case No. 2:10-cv-01672

15 Plaintiff,

**DECLARATION OF J. MALCOLM
DEVOY IV IN RESPONSE TO
ORDER ON APPLICATION TO
STAY, DOCKET # 56**

16 vs.

17 MICHAEL LEON, an individual; DENISE
18 NICHOLS, an individual; and MEDBILLZ,
19 INC., a corporation of unknown origin,

20 Defendants.

21 **DECLARATION OF J. MALCOLM DEVOY IV IN RESPONSE TO ORDER ON**
22 **APPLICATION TO STAY, DOCKET # 56**

23 I, J. MALCOLM DEVOY IV, hereby declare as follows:

24 1. I am a duly licensed attorney in Nevada and a member of the Nevada bar in good
25 standing, attorney for the Randazza Legal Group law firm (alternatively, the "Firm"), and served
26 as counsel of record for Michael Leon during his April 20, 2011 hearing in this matter.

27 2. On July 12, 2011, this Court ordered that Plaintiff Righthaven LLC shall have until
28 5:00 pm on July 25, 2011 to pay Randazza Legal Group's judgment in this matter. (Docs. # 56,
53.)

3. Following the Court's Order (Doc. # 56), Shawn Mangano advised me that
Righthaven would be transmitting a check to Randazza Legal Group for the full value of the
firm's judgment.

1 4. Also on July 24, I transmitted a copy of the receipt attached to this declaration as
2 Exhibit A to Shawn Mangano, on behalf of Righthaven LLC.

3 5. As explained in Exhibit A, Righthaven LLC sent the check to the Firm's former San
4 Diego address – an unusual choice, as the filings in this case and numerous others between
5 Righthaven LLC and myself have borne the firm's Las Vegas address, to which Righthaven has
6 sent mail in the past.

7 6. Fortunately, Randazza Legal Group contacted the occupants of its former San Diego
8 office space, and was able to retrieve the check, confirming its receipt on July 24, 2011.

9 7. At this point, I consider Righthaven to have made full payment on the judgment
10 entered in this case (Doc. # 53), on condition that Randazza Legal Group reserves its right to
11 renew its Motion for Preliminary Injunction (Doc. # 54) in the event Righthaven LLC's check
12 does not clear payment – an outcome that will not be known until after this Court's July 25
13 deadline.

14 8. Accordingly, I request that the July 26, 2011 hearing in this case be vacated.

15
16 I declare under penalty of perjury that the foregoing is true and correct.

17 Dated: July 24, 2011

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19 By: /s/ J. Malcolm DeVoy IV

20 J. Malcolm DeVoy IV
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CERTIFICATE OF SERVICE

Pursuant to Federal Rule of Civil Procedure 5(b), I hereby certify that I am a representative of Randazza Legal Group and that on this 24th day of July, 2011, I caused the document(s) entitled:

- **DECLARATION OF J. MALCOLM DEVOY IV IN RESPONSE TO ORDER ON APPLICATION TO STAY, DOCKET # 56**

and all attachments to be served as follows:

by depositing same for mailing in the United States Mail, in a sealed envelope addressed to Steven A. Gibson, Esq., Righthaven, LLC, 9960 West Cheyenne Avenue, Suite 210, Las Vegas, Nevada, 89129-7701, upon which first class postage was fully prepaid; and/or

Pursuant to Fed. R. Civ. P. 5(b)(2)(D), to be sent via facsimile as indicated; and/or

by the Court’s CM/ECF system.

/s/ J. Malcolm DeVoy

J. Malcolm DeVoy