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7 Specially Appearing for Respondent  
BRETT L. GIBBS

8 UNITED STATES DISTRICT COURT  
9 CENTRAL DISTRICT OF CALIFORNIA  
10

11 INGENUITY 13 LLC,  
12 Plaintiff,

13 vs.

14 JOHN DOE,  
15 Defendant.  
16

Case No. 2:12-CV-8333-ODW (JCx)  
[Consolidated with Case Nos.:  
2:12-cv-6636; 2:12-cv-6669; 2:12-cv-  
6662; 2:12-cv-6668]

[Assigned to Judge Otis D. Wright, II ]

**DECLARATION OF ANDREW J.  
WAXLER RE SERVICE OF  
COURT'S ORDERS OF MARCH 14,  
2013 AND MARCH 15, 2013**

[Complaint Filed: September 27, 2012]

Trial date: None set

20 **DECLARATION OF ANDREW J. WAXLER**

21 I, ANDREW J. WAXLER, declare and state as follows:

22 1. I am an attorney at law duly licensed to practice before all of the Courts of  
23 the State of California and am a partner of the law firm of Waxler Carner Brodsky LLP,  
24 counsel for Respondent Brett L. Gibbs ("Gibbs") herein. I have personal knowledge of the  
25 following facts and if called and sworn as a witness, I could and would competently testify  
26 thereto under oath.

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1           2. Pursuant to the Court's Order of March 14, 2013, my office was ordered to  
2 serve the Court's March 14, 2013 Order on the individuals and entities listed on that  
3 Order by March 15, 2013. In addition, on March 15, 2013, the Court modified the  
4 hearing date set forth in its Order of March 14<sup>th</sup> and further ordered that my office serve  
5 the new hearing date on all the individuals and entities listed in its Order of March 14,  
6 2013. I have attached to my declaration as Exhibit "A" a copy of the Amended Proof of  
7 Service that was sent to all recipients on March 15, 2013. In this packet sent to all  
8 recipients as detailed below, we served a copy of the Court's Order of March 14, 2013  
9 and the Court's Order of March 15, 2013. We have deleted the personal home addresses  
10 which were served from the copy we are attaching for filing with the Court. This  
11 declaration details my office's attempted service on all individuals and entities as follows:

12           a) Service on "John Steele, of Steele Hansmeier PLLC, Prenda Law, Inc. and/or  
13 Livewire Holdings LLC." We served Mr. Steele on March 15<sup>th</sup> via Federal  
14 Express at a last known address for Mr. Steele in Florida which we have deleted  
15 in Exhibit A.<sup>1</sup> We have confirmed that this packet was delivered to this address  
16 on March 18<sup>th</sup>. We also served Mr. Steele on March 15<sup>th</sup> via the following e-  
17 mail addresses which we believed he has used in the past:  
18 jsteele@livewireholdings.com; jsteele@wefightpiracy.com. The service at the  
19 Live Wire Holding address was returned but not at the We Fight Piracy email  
20 address. On March 18<sup>th</sup>, we learned of a personal email address that was used  
21 by Mr. Steele at one time. We served a copy of the Orders on Mr. Steele at this  
22 personal email address on March 18<sup>th</sup>. We received an error message directing  
23 us to send further emails to service@livewireholdings.com. We then sent  
24 another copy of our packet to Mr. Steele at service@livewireholdings.com.

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27 <sup>1</sup> Rather than attempt to personally serve John Steele, Paul Hansmeier, Paul Duffy, and Angela  
28 Van Den Hemel at addresses that may or may not have been valid, we asked their lawyer if she  
would accept formal service of the Orders. Because we were advised by Ms. Rosing that she was  
unable to accept service, we have undertaken to serve these four individuals as set forth herein.

1 b) Service on Paul Hansmeier, of Steele Hansmeier PLLC and/or Livewire  
2 Holdings LLC.” We served Mr. Paul Hansmeier on March 15<sup>th</sup> via Federal  
3 Express at a last known address for him in Minnesota which we have deleted in  
4 Exhibit A. We also served Mr. Paul Hansmeier via the following e-mail  
5 addresses which we believed he has used in the past:

6 prhansmeier@wefightpiracy.com; prhansmeier@6881forensics.com;

7 prhansmeier@livewireholdings.com. After we received rejections concerning  
8 these email addresses, we contacted the following email address which we were  
9 directed to contact in several of the email rejections:

10 clerk@livewireholdings.com. This morning at 8:37 am my office received a  
11 response from “Paul” stating that the clerk@livewireholdings.com email address  
12 was “Paul’s email address.” Additional, on March 18<sup>th</sup>, we learned of a personal  
13 email address used by Mr. Paul Hansmeier. We served a copy of the Orders on  
14 Mr. Paul Hansmeier at his personal email address on March 18<sup>th</sup>.

15 c) Service on Paul Duffy, of Prenda Law, Inc. We served Mr. Duffy on March 15<sup>th</sup>  
16 via Federal Express at the last known address for Prenda Law, Inc. We have  
17 confirmed that this packet was delivered to this address on March 18<sup>th</sup>. We also  
18 served Mr. Duffy on March 15<sup>th</sup> via the following e-mail addresses which we  
19 believed he has used in the past: paduffy@wefightpiracy.com. We did not  
20 receive a rejection as a result of the sending of this email.

21 d) Service on Angela Van Den Hemel, of Prenda Law, Inc. We served Ms. Van  
22 Den Hemel on March 15<sup>th</sup> via Federal Express at the last known address for  
23 Prenda Law, Inc. We have confirmed that this packet was delivered to this  
24 address on March 18<sup>th</sup>. We also served Ms. Van Den Hemel on March 15<sup>th</sup> via  
25 the following e-mail addresses which we believed she has used in the past:  
26 akvandenhemel@wefightpiracy.com. We did receive a notice from Ms. Van  
27 Den Hemel that this address is no longer active.

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- 1 e) Service on Mark Lutz, of Prenda Law, Inc., AF Holdings LLC and/or Ingenuity  
2 13 LLC. Knowing that Mr. Lutz now works for Livewire Holdings, as  
3 confirmed by its web site, we served Mr. Lutz on March 15<sup>th</sup> via Federal  
4 Express at the address listed on the Livewire Holdings website. We have  
5 confirmed that this packet was delivered to this address on March 18<sup>th</sup>. I also  
6 left Mr. Lutz two voicemail messages to confirm his address. Mr. Lutz did not  
7 return my phone calls to him. We also served Mr. Lutz on March 15<sup>th</sup> via the  
8 following e-mail addresses which we believed he has used in the past:  
9 mclutz@wefightpiracy.com; mclutz@livewireholdings.com. The  
10 livewireholdings address came back undeliverable but we received no error  
11 message in connection with the email sent to the We Fight Piracy address.
- 12 f) Service on “Alan Cooper, of AF Holdings LLC.” The only “Alan Cooper” that  
13 we are aware of appeared in Court on March 11<sup>th</sup>. I understand that he claims  
14 that he is not affiliated with AF Holdings. We further understand that Mr. Steele  
15 may contend otherwise. In any event, since we know of no other Alan Cooper  
16 than the person that appeared in Court, I reached an agreement with his attorney,  
17 Paul Godfread, that I can serve “Alan Cooper” via email only care of Mr.  
18 Godfread’s email address, paul@godfreadlaw.com. Pursuant to that agreement,  
19 we served Mr. Cooper c/o Mr. Godfread on March 15<sup>th</sup>. Mr. Godfread did  
20 acknowledge receipt of the email when he wrote back with the following  
21 remarks: “Please note that I do not represent Alan Cooper of AF Holdings. I  
22 only represent Alan Cooper of Isle, MN. I do not accept service on behalf of  
23 Alan Cooper of AF Holdings. I not agree to accept service on behalf of Alan  
24 Cooper of AF Holdings. Please also note that the most recent order specifically  
25 does not order my client, Alan Cooper of Isle, MN to appear.”
- 26 g) Service on Peter Hansmeier. We served Mr. Peter Hansmeier on March 15<sup>th</sup> via  
27 Federal Express at the last known address for Mr. Peter Hansmeier. We have  
28 confirmed that this packet was delivered to this address on March 18<sup>th</sup>. I also

1 left Mr. Peter Hansmeier two voicemail messages on his cell phone to confirm  
2 his address. Mr. Peter Hansmeier did not return my phone calls to him. We also  
3 served Mr. Peter Hansmeier on March 15<sup>th</sup> via the following e-mail addresses  
4 which we believed he has used in the past: pfhansmeier@wefightpiracy.com;  
5 pfhansmeier@6881forensics.com. The email sent to the 6881forensics address  
6 came back as undeliverable but we received no error message in connection with  
7 the email sent to the We Fight Piracy address.

8 h) Service on Prenda Law, Inc. We served Prenda Law, Inc. on March 15<sup>th</sup> via  
9 Federal Express at the last known address for Prenda Law, Inc. We have  
10 confirmed that this packet was delivered to this address on March 18<sup>th</sup>. We also  
11 served Mr. Duffy care of Prenda Law, Inc. on March 15<sup>th</sup> via the following e-  
12 mail addresses which we believed he has used in the past:  
13 paduffy@wefightpiracy.com. No error message was received in connection  
14 with this email.

15 i) Service on Livewire Holdings LLC. Knowing that Mr. Lutz now works for  
16 Livewire Holdings, as confirmed by its web site, we served Livewire Holdings  
17 LLC care of Mr. Lutz on March 15<sup>th</sup> via Federal Express at the address listed on  
18 the Livewire Holdings website. We have confirmed that this packet was  
19 delivered to this address on March 18<sup>th</sup>. I also left Mr. Lutz two voicemail  
20 messages to confirm his address. Mr. Lutz did not return my phone calls to him.  
21 We also served Livewire Holdings LLC care of Mr. Lutz on March 15<sup>th</sup> via the  
22 following e-mail addresses which we believed he has used in the past:  
23 mclutz@wefightpiracy.com; mclutz@livewireholdings.com. The  
24 livewireholdings address came back undeliverable but we received no error  
25 message in connection with the email sent to the We Fight Piracy address.

26 j) Service on Steele Hansmeier PLLC. We understand that Steele Hansmeier  
27 PLLC may no longer be in business. Therefore, we served its successor, Prenda  
28 Law, Inc., on March 15<sup>th</sup> via Federal Express at the last known address for

1           Prenda Law, Inc. We have confirmed that this packet was delivered to this  
2           address on March 18<sup>th</sup>. We also served Mr. Duffy care of Prenda Law, Inc. on  
3           March 15<sup>th</sup> via the following e-mail addresses which we believed he has used in  
4           the past: [paduffy@wefightpiracy.com](mailto:paduffy@wefightpiracy.com). No error message was received in  
5           connection with this email.

6           k) Service on AF Holdings LLC. We understand that AF Holdings, LLC may be a  
7           subsidiary of Livewire Holdings, LLC. We served Livewire Holdings LLC care  
8           of Mr. Lutz on March 15<sup>th</sup> via Federal Express at the address listed on the  
9           Livewire Holdings website. We have confirmed that this packet was delivered  
10          to this address on March 18<sup>th</sup>. We also served Livewire Holdings LLC care of  
11          Mr. Lutz on March 15<sup>th</sup> via the following e-mail addresses which we believed  
12          Mr. Lutz has used in the past: [mclutz@wefightpiracy.com](mailto:mclutz@wefightpiracy.com);  
13          [mclutz@livewireholdings.com](mailto:mclutz@livewireholdings.com). The livewireholdings address came back  
14          undeliverable but we received no error message in connection with the email  
15          sent to the We Fight Piracy address.

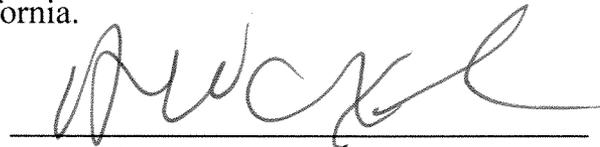
16          l) Service on Ingenuity 13 LLC. We understand that Ingenuity 13, LLC may be a  
17          subsidiary of Livewire Holdings, LLC. We served Livewire Holdings LLC care  
18          of Mr. Lutz on March 15<sup>th</sup> via Federal Express at the address listed on the  
19          Livewire Holdings website. We have confirmed that this packet was delivered  
20          to this address on March 18<sup>th</sup>. We also served Livewire Holdings LLC care of  
21          Mr. Lutz on March 15<sup>th</sup> via the following e-mail addresses which we believed  
22          Mr. Lutz has used in the past: [mclutz@wefightpiracy.com](mailto:mclutz@wefightpiracy.com);  
23          [mclutz@livewireholdings.com](mailto:mclutz@livewireholdings.com). The livewireholdings address came back  
24          undeliverable but we received no error message in connection with the email  
25          sent to the We Fight Piracy address.

26          m) Service on 6881 Forensics, LLC. We served 6881 Forensics, LLC on March  
27          15<sup>th</sup> via Federal Express at the last known address for that Company. We have  
28          confirmed that this packet was delivered to this address on March 18<sup>th</sup>. We also

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served the Company on March 15<sup>th</sup> via the following e-mail addresses which we believed it has used in the past: [pfhansmeier@wefightpiracy.com](mailto:pfhansmeier@wefightpiracy.com); [pfhansmeier@6881forensics.com](mailto:pfhansmeier@6881forensics.com). The email sent to the 6881forensics address came back as undeliverable but we received no error message in connection with the email sent to the We Fight Piracy address.

I declare under the penalty of perjury under the laws of the United States of America that the foregoing is true and correct. This declaration is executed on this 18<sup>th</sup> day of March 2013, in El Segundo, California.



ANDREW J. WAXLER

**EXHIBIT “A”**

1 ANDREW J. WAXLER, SBN 113682  
 BARRY Z. BRODSKY, SBN 93565  
 2 WON M. PARK, SBN 194333  
 WAXLER ♦ CARNER ♦ BRODSKY LLP  
 3 1960 East Grand Avenue, Suite 1210  
 El Segundo, California 90245  
 4 Telephone: (310) 416-1300  
 Facsimile: (310) 416-1310  
 5 e-mail: [awaxler@wcb-law.com](mailto:awaxler@wcb-law.com)  
 e-mail: [bbrodsky@wcb-law.com](mailto:bbrodsky@wcb-law.com)  
 6 e-mail: [wpark@wcb-law.com](mailto:wpark@wcb-law.com)

7 Specially Appearing for Respondent  
 BRETT L. GIBBS

8 UNITED STATES DISTRICT COURT  
 9 CENTRAL DISTRICT OF CALIFORNIA

11 INGENUITY 13 LLC,  
 12 Plaintiff,  
 13 vs.  
 14 JOHN DOE,  
 15 Defendant.

} Case No. 2:12-CV-8333-ODW (JCx)  
 [Consolidated with Case Nos.:  
 2:12-cv-6636; 2:12-cv-6669; 2:12-cv-  
 6662; 2:12-cv-6668]

} [Assigned to Judge Otis D. Wright, II ]

} **AMENDED PROOF OF SERVICE**  
**REGARDING COURT'S MARCH**  
**14, 2013 ORDER TO SHOW**  
**CAUSE; MARCH 15, 2013 ORDER**

[Complaint Filed: September 27, 2012]

Trial date: None set

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1 **PROOF OF SERVICE**

2 STATE OF CALIFORNIA )  
3 COUNTY OF LOS ANGELES )

4 I am employed in Los Angeles County. My business address is 1960 E.  
5 Grand Avenue, Suite 1210, El Segundo, California 90245, where this mailing  
6 occurred. I am over the age of 18 years and am not a party to this cause. I am  
7 readily familiar with the practices of WAXLER♦CARNER♦BRODSKY LLP for  
8 collection and processing of correspondence for mailing with the United States  
9 Postal Service. Such correspondence is deposited with the United States Postal  
10 Service the same day in the ordinary course of business.

11 On March 15, 2013, I served the foregoing documents on the interested  
12 parties in this action entitled as follows:

13 **COURT'S MARCH 14, 2013 ORDER TO SHOW CAUSE; MARCH 15, 2013 ORDER**

14  by placing  the original  true copies thereof enclosed in sealed envelopes  
15 addressed as follows:

16 **SEE ATTACHED AMENDED PROOF OF SERVICE LIST**

17  **(BY PERSONAL SERVICE)** I caused to be hand delivered such envelope  
18 to the addressee so indicated.

19  **(BY ELECTRONIC MAIL):** I caused to be served, via electronic mail  
20 (e-mail), the above-entitled document(s) to the e-mail address of the  
21 addressee(s) so indicated.

22  **(BY THE COURT'S ECF SYSTEM):** I caused each such document(s) to  
23 be transmitted electronically by posting such document electronically to the  
24 ECF website of the United States District Court for the Central District of  
25 California, on all ECF-registered parties in the action.

26  **(BY FEDERAL EXPRESS)** I am "readily familiar with the firm's practice  
27 of collection and processing correspondence for mailing via Express Mail (or  
28 another method of delivery providing for overnight delivery pursuant to  
C.C.P. § 1005(b)). Under that practice, it would be deposited with the United  
States Postal Service or other overnight delivery carrier (in this case, Federal  
Express) on that same day with postage thereon fully prepaid at El Segundo,  
California in the ordinary course of business.

**(BY FACSIMILE)** I caused to be served, via facsimile, the above-entitled  
document(s) to the office of the addressee so indicated.

**(STATE)** I declare under penalty of perjury that the foregoing is true and  
correct.

**(FEDERAL)** I declare that I am employed in the office of a member of the  
bar of this court at whose direction the services was made.

Executed on March 15, 2013, at El Segundo, California.

  
\_\_\_\_\_  
Heather Dodd

REDACTED

**AMENDED SERVICE LIST**

*Ingenuity 13, LLC v. John Doe*  
 United States District Court Case No. 2:12-CV-8333-ODW (JCx)

<p>John Steele, Esq.   <a href="mailto:jlsteele@livewireholdings.com">jlsteele@livewireholdings.com</a>  <a href="mailto:jlsteele@wefightpiracy.com">jlsteele@wefightpiracy.com</a>   <b>Via E-mail and Federal Express</b></p>	<p>Steele Hansmeier PLLC                  c/o Prenda Law, Inc.                  161 N. Clark Street, Suite 3200                  Chicago, IL 60601  <a href="mailto:paduffy@wefightpiracy.com">paduffy@wefightpiracy.com</a>   <b>Via E-mail and Federal Express</b></p>
<p>AF Holdings, LLC                  c/o Mark Lutz                  Livewire Holdings LLC                  2100 M St. NW, Suite 170-417                  Washington DC, 20037-1233  <a href="mailto:mclutz@wefightpiracy.com">mclutz@wefightpiracy.com</a>  <a href="mailto:mclutz@livewireholdings.com">mclutz@livewireholdings.com</a>   <b>Via E-mail and Federal Express</b></p>	<p>Ingenuity 13, LLC                  c/o Mark Lutz                  Livewire Holdings LLC                  2100 M St. NW, Suite 170-417                  Washington DC, 20037-1233  <a href="mailto:mclutz@wefightpiracy.com">mclutz@wefightpiracy.com</a>  <a href="mailto:mclutz@livewireholdings.com">mclutz@livewireholdings.com</a>   <b>Via E-mail and Federal Express</b></p>
<p>Mark Lutz of Prenda Law, Inc.                  c/o Livewire Holdings LLC                  2100 M St. NW, Suite 170-417                  Washington DC, 20037-1233  <a href="mailto:mclutz@wefightpiracy.com">mclutz@wefightpiracy.com</a>  <a href="mailto:mclutz@livewireholdings.com">mclutz@livewireholdings.com</a>   <b>Via E-mail and Federal Express</b></p>	<p>Livewire Holdings LLC                  2100 M St. NW, Suite 170-417                  Washington DC, 20037-1233  <a href="mailto:mclutz@wefightpiracy.com">mclutz@wefightpiracy.com</a>  <a href="mailto:mclutz@livewireholdings.com">mclutz@livewireholdings.com</a>   <b>Via E-mail and Federal Express</b></p>
<p>Alan Cooper                  C/O Paul Godfread                  GODFREAD LAW FIRM, P.C.                  100 South Fifth Street, Suite 1900                  Minneapolis, MN 55402   <a href="mailto:paul@godfreadlaw.com">paul@godfreadlaw.com</a>   <b>Via Email Only as per agreement</b></p>	<p>Peter Hansmeier                  161 N. Clark Street, Suite 3200                  Chicago, IL 60601  <a href="mailto:pfhansmeier@wefightpiracy.com">pfhansmeier@wefightpiracy.com</a>  <a href="mailto:pfhansmeier@6881forensics.com">pfhansmeier@6881forensics.com</a>   <b>Via E-mail and Federal Express</b></p>
<p>6881 Forensics, LLC                  C/O Peter Hansmeier                  161 N. Clark Street, Suite 3200                  Chicago, IL 60601  <a href="mailto:pfhansmeier@wefightpiracy.com">pfhansmeier@wefightpiracy.com</a>  <a href="mailto:pfhansmeier@6881forensics.com">pfhansmeier@6881forensics.com</a>   <b>Via E-mail and Federal Express</b></p>	<p>Prenda Law, Inc.                  161 N. Clark Street, Suite 3200                  Chicago, IL. 60601  <a href="mailto:paduffy@wefightpiracy.com">paduffy@wefightpiracy.com</a>   <b>Via E-mail and Federal Express</b></p>

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<p>Paul Hansmeier, Esq.</p> <p><a href="mailto:prhansmeier@wefightpiracy.com">prhansmeier@wefightpiracy.com</a>  <a href="mailto:prhansmeier@6881forensics.com">prhansmeier@6881forensics.com</a>  <a href="mailto:prhansmeier@livewireholdings.com">prhansmeier@livewireholdings.com</a></p> <p><b>Via E-mail and Federal Express</b></p>	<p>Paul Duffy, Esq.</p> <p>161 N. Clark Street, Suite 3200  Chicago, IL 60601</p> <p><a href="mailto:paduffy@wefightpiracy.com">paduffy@wefightpiracy.com</a></p> <p><b>Via E-mail and Federal Express</b></p>
<p>Angela Van Den Hemel</p> <p>161 N. Clark Street, Suite 3200  Chicago, IL 60601</p> <p><a href="mailto:akvandenhemel@wefightpiracy.com">akvandenhemel@wefightpiracy.com</a></p> <p><b>Via E-mail and Federal Express</b></p>	