

March 28, 2017

David A. Lowe
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Re: LHF Productions, Inc. v. Krisanda, WD WA Case No. 2:16-cv-1648

Dear Mr. Lowe:

This law firm represents William Krisanda with respect to the federal lawsuit your law firm has filed against him and personally served on him.

We reference our earlier letters regarding innocent defendants James Collins, Patricia Alexander, Larry Lewis, Jamie Alacorn, Jasmine Teodoro, Osamu Motoda, Deanna Robinson, Pauline Conley, and Ms. Doe #19. All the defenses we raised in those letters apply equally to Mr. Krisanda.

Mr. Krisanda is wholly innocent. He is 25 years old and works for Symetra. Mr. Krisanda moved to the Seattle area from Pittsburgh where he worked for the University of Pittsburgh Medical Center. Mr. Krisanda did not download *London Has Fallen*. He has not seen it and he has no interest in it. If he did have an interest in it, he could have watched it through his Amazon Prime account for no marginal cost.

Mr. Krisanda lives in an apartment in a multi-building apartment complex in the Totem Lake neighborhood of Kirkland. His apartment complex is across the street from the Evergreen Hospital Medical Center. Mr. Krisanda has a password protected wifi, but the password is the original password assigned to the router and it is printed on the router. As of today, Mr. Krisanda can see thirty-three wifi networks from his apartment.

Mr. Krisanda was not at home on Saturday October 15, 2016 during the hours between 11am and 12:45pm when your client's investigator entrapped their blip. Mr. Krisanda was running errands that Saturday, including to the Trader Joe's which you can see is within walking distance of his home.

Mr. Krisanda currently lives alone. He did have a roommate from approximately October 2, 2015 through November 15, 2016. Mr. Krisanda has no knowledge of his roommate using Bittorrent or downloading or watching your client's movie. Mr. Krisanda had no relationship with his roommate that could somehow lead to secondary liability under *Perfect Ten*. He does not recall if she was at home on October 15, 2016. In the USPS copy of this letter, we enclose the name of this person for your records. Mr. Krisanda does not know her current address.

Mr. Krisanda was personally served on March 8, 2017. His Answer is due tomorrow March 29, 2017. My firm has just been engaged otherwise we would have written earlier.

We respectfully request that LFH Productions voluntarily dismiss Mr. Krisanda from the case. If he is dismissed by Noon on Wednesday April 5, 2017, we will not Answer the Amended Complaint, and we will not seek defense attorneys' fees or costs. If the case is not dismissed by Noon Wednesday April 5, 2017, we will Answer during the afternoon of April 5, 2017 and we will seek defense attorneys' fees when Mr. Krisanda wins, which is a certainty given his innocence.

In response to our last letter regarding Doe #19 from a ME2 Productions case, you responded by email to inform me that your Motion's "reference to 'IP Squared' was an unintentional clerical error that has no relevance to the present case, which makes your decision to focus an obviously significant amount of wasteful time and energy particularly curious."

We see that same reference to "IP Squared" in this case, Dkt. #5, so we will not repeat our investigation on "William Gorfein" of "IP Squared" or "Crystal Bay Corporation." To answer your curiosity, the reason we included it in our letter was to point out that your law firm filed Declarations of William Gorfein using two drastically different signatures – at the same time as the "Darren M. Griffin" at Crystal Bay Corporation declarations were being filed in WD WA and other districts. In other words, we used it to tie your cases to that ME2 case and to the 600+ cases using the fictitious declarant.

We do not agree this has "no relevance to the present case" – indeed, it shows a pattern of deception of our federal court system by your client's foreign representatives.

For example, in this case, the FRCP 7.1 Statement (Dkt. # 4) identifies "A & T IP, Inc." as the parent company of LHF Productions, Inc. When we wrote you in December on behalf of innocent defendant Patricia Alexander, we pointed out that the Nevada Secretary of State showed A & T IP, Inc. as being in "Default" with an "Expired Business License." Now, the Nevada Secretary of State shows no listing for A & T IP, Inc., although its listed principals and registered agent Messrs.



Lerner and Short are listed as such in numerous other companies. It may be that A & T IP, Inc. is now known as Millennium IP, Inc. with the same company number E0609522012-5.

These FRCP 7.1 issues are important. The point of FRCP 7.1 is to allow the Court to know who the “real parties in interest” are so the assigned Judge can recuse himself or herself if appropriate. But the Court cannot do that if the real parties in interest are not known.

Some districts require more information about the real parties in interest in addition to the information required by FRCP 7.1. Recall the Court in Nevada issuing an Order to Show Cause in the Righthaven cases (e.g. 2:10-cv-1356, ECF No. 116) calling that copyright plaintiff’s obfuscation of that rule “factually brazen.”

We looked at the LHF cases in D NV (e.g. 2:16-cv-2028, ECF No. 2). In that pleading, LHF identifies six different parties with an interest in the outcome of the LHF case: (i) Millennium Films of California, (ii) Gerard Butler Alan Siegel Entertainment of California, (iii) Nu Boyana Film Studios of Bulgaria, (iv) Nu Image of California, (v) Focus Features of California, and (vi) Babak Najafi of California. Surprisingly, A & T IP Inc. and Millennium IP, Inc. of Nevada are not listed.

Nu Image, of course, was the plaintiff in the Districts of DC and MD where the “original” and “identical” Arheidt and Achache declarations were filed before the Gorfein/Griffin declarations became the norm. Indeed, the same Mr. Arheidt is the declarant in this case.

And what about “Anti-Piracy Management Company”? Why isn’t it listed in D NV? We have explained that we have concluded that AMPC is a real party in interest, perhaps the actual “client” making decisions. We have seen your law firm refer to needing to clear settlement authority from its “client” and we have seen references to conversations with its “client” in the default judgment time sheet summaries presented to our WD WA. Is this “client” LHF Productions, Inc. or is it AMPC? And if the latter, why is AMPC not listed in FRCP 7.1 or in the D NV Certificates of Interested Parties?

This past week we became aware of ECF No. 34-1 in ED LA in Case No. 3:16-cv-112 where the plaintiff’s attorney moving for default judgment did not provide a summary of his law firm’s time sheets like your law firm submits. On March 21, 2017, that plaintiff’s firm submitted its actual bills. These bills are to “Anti-Piracy Management Company” c/o Carl Crowell.

These bills include references to conversations with Ma. Aurora Faye Tanga-an, who, according to LinkedIn is the “Legal Operations Manager” of New Alchemy Limited, responsible for “overseeing case filings of all law firms,” “assisting lawyers with needed documents and paperwork,” and “monitoring funds, recoveries and accounting reports.” New Alchemy Limited appears to be a dba for AMPC and advertises itself as “a European owned Philippine-based BPO company.” Sounds like the APMC Prezi presentation I found in 2014 was entirely accurate about Cebu.

If we go forward on Mr. Krisanda’s case, we will expect full discovery about AMPC including the correspondence between your law firm and that entity. Unless we misunderstand the law, your law firm does not have attorney client privilege with APMC as to Mr. Krisanda’s case, regardless whether APMC is characterized as a witness, or an expert, or a “BPO,” or just a company with a financial interest in LHF’s lawsuits.

Hopefully, this helps resolve your curiosity as to why we raised your firm’s filing of “William Gorfein” declarations executed by different people overlapping with the filing of declarations of a fictitious person. We raised it because it all points to the dark underbelly of these Bittorrent cases, systematically using “factually brazen” filings in our revered WD WA. We read the D MN criminal guilty plea of John Steele with interest as he confirmed that his Prenda organization used similarly brazen techniques in those cases, including the use of fictitious witnesses.

We could go on, but you get the point. If we go forward, we will conduct full discovery. We will patiently await trial and call our sole witness, Mr. William Krisanda, to the stand to explain that he did not violate the law.

Mr. Krisanda will prevail. We will present our claim for fees and costs under *Fogerty* and *Perfect Ten*. We are confident Chief Judge Martinez will award full defense attorneys’ fees.

Please consider our offer to not Answer, nor pursue defense attorneys’ fees, if the case against Mr. Krisanda is dismissed by Noon, Wednesday April 5, 2017. Otherwise, we will submit our Answer that afternoon and patiently work towards Mr. Krisanda’s full exoneration and the ruling on our request for defense attorneys’ fees.



Thank you for your consideration of our position.

Very truly yours,

LEE & HAYES, PLLC

A handwritten signature in blue ink, appearing to read "J. Christopher Lynch".

J. Christopher Lynch
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c: Mr. Krisanda
Kyle D. Nelson, Esq.