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UNITED STATES DISTRICT COURT
DISTRICT OF OREGON
PORTLAND DIVISION

**ME2 PRODUCTIONS, INC, and
CELL FILM HOLDINGS, LLC.**

Plaintiffs

v.

WILLIAM PATRICK SHELDON,

Defendant.

Case No.: 3:17-cv-00158-SB

WILLIAM SHELDON'S DECLARATION

In support of Defendant's Opposition to
Plaintiffs' Motion to Dismiss

I, William Sheldon ("Defendant"), make this declaration:

1. I am the Defendant in this case. I reside at 3903 SW Baird Street, where I have lived since October 1, 2016. This is a home with multiple units that, at times, includes up to nine continuous residents. We all share internet that is secured by a common password and which is controlled by the property owner, Donna Violetta, who is and has been the internet subscriber.

2. At the time I moved onto the property, there were four other people living on the premises with access to the shared internet access. It is impossible to know how many guests of these people, and prior tenants, may have had access to the internet password.

3. The Complaint Mr. Crowell filed against me alleges that I have received multiple DMCA notices about infringement activity. This is not true. I have never received a single DMCA notice.

4. On or about April 4, 2017, I received a letter from Mr. Crowell that I was the suspect in a copyright infringement lawsuit that he had filed in this Court, which is attached as Exhibit 1.

5. Despite the fact that there five other people living at the property and using the internet when I moved in, Mr. Crowell's letter states that "Further investigation indicates that you are the only party that was present at all the times of the observed activity who might plausibly be responsible." Id.

6. After receiving the letter, I visited with my landlord, Donna Violette, to discuss the matter.

7. She acknowledged that she had spoken with Mr. Crowell and had informed him that, in addition to me, there were four other people who lived on the premises with access to the password.

8. I was initially upset with Ms. Violette, and asked her that she get this straightened out because the stress of Mr. Crowell's baseless accusations was exacerbating a chronic health condition. We were both distressed by the accusation. I confirmed with Ms. Violette that I had never downloaded the content alleged, and that I know nothing about BitTorrent or how it works. Ms. Violett confirmed to me that she would contact Mr. Crowell and explain to him that I was not involved in the conduct he alleged.

9. After I was served with the lawsuit, I contacted Mr. Crowell by phone and told him that I had never downloaded these films. I asked him if he might be mistaken or whether it could be malware or a virus. He told me that this was not possible, and that he had evidence that I had participated in illegal copyright infringement. He was adamant that I was guilty.

10. The lawsuit he filed against me states that I have been “observed” illegally downloading 2700 films. This is not true.

11. When I was consistent, persistent, and insistent that I did not engage in any of the activities that he alleged in the lawsuit, Mr. Crowell suggested that I give my entire computer to his investigator, and that his investigator would call me. I was concerned that Mr. Crowell’s investigator might try to plant evidence onto my computer. I phoned a forensic computer specialist to better understand what Mr. Crowell’s investigator might, or could, do to my computer. Fortunately, I never heard from Mr. Crowell’s investigator. Despite several follow up phone calls to Mr. Crowell, he never phoned me back.

12. Mr. Crowell states in his Motion to Dismiss and in emails to Mr. Perriguet that he and I had a “settlement” or a “resolution.” This is not true.

13. Mr. Crowell states in his Motion to Dismiss that I admitted illegally downloading content. This is not true.

14. During my conversations with Mr. Crowell he was adamant that I was guilty.

15. When speaking to Mr. Crowell I felt threatened, intimidated, and freaked out.

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

Executed this 2nd day of June 2017.


William Sheldon

CROWELL LAW

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Friday, March 31, 2017

William Sheldon
3903 SW Baird St
Portland, OR 97219

RE: *Infringement of: Mechanic: Resurrection*
 Civil Action No.: 3:17-cv-00158 Federal Court District of Oregon
IP Address / Defendant: Doe-24.21.195.166

Dear Mr. Sheldon:

Crowell Law has filed an infringement lawsuit in the U.S. District Court for the District of Oregon on behalf of our client ME2 Productons, for infringement, download and distribution of the motion picture, *Mechanic: Resurrection*. Comcast has traced the observed acitivity to 3903 SW Baird St. **Further investigation indicates you are the only party that was present at all the times of the observed activity who might plausibly be responsible.**

Based on the information that you are the only plausible party who might be responsible, we intend to proceed against you and name you as the defendant. We strongly encourage you to consult with an attorney to review your rights in connection with this matter. Enclosed is a copy of Standing Order 2016-7 which includes additional information about this case and information on an attorney referral service through the Oregon State Bar and how to apply for Pro Bono counsel through the District Court.

As stated in the enclosed order (Standing Order 2016-7):

C. Notwithstanding contrary information available through the Internet, if a subscriber or defendant ignores a Court Order, a subpoena seeking the subscriber's deposition, or a Summons and Complaint, then plaintiff may ask the Court for relief, including an award of attorney fees, and possibly the entry of a default judgment for money damages.

D. Accordingly, it is important that subscribers and defendants seek proper legal advice concerning their rights and obligations.

If you obtain an attorney, please have them contact me. If you have further questions, you may contact me at 503-581-1240 or carl@crowell-law.com.

If you deny the allegations, or believe that our investigation is in error, please contact me promptly. Should you wish to discuss settlement options and resolve this matter without the need for being formally named in a complaint, similarly, please contact me.

3/31/17

Pending final resolution, please take reasonable steps to preserve all data on your computer.
Deleting or destroying files may result in a claim for spoliation.

Sincerely,

A handwritten signature in black ink, appearing to read 'Carl D. Crowell', written in a cursive style.

Carl D. Crowell
carl@crowell-law.com

encl: Standing Order 2016-7