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*Attorney for Defendant Ryan Lamberson*

**UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF WASHINGTON**

ELF-MAN, LLC,

Plaintiff,

vs.

RYAN LAMBERSON,

Defendant.

No. 2:13-CV-00395-TOR

DECLARATION OF J.  
CHRISTOPHER LYNCH  
REGARDING MEMORANDUM IN  
OPPOSITION TO ECF NOS. 121 &  
122

J. CHRISTOPHER LYNCH declares under penalty of perjury as follows:

1. I am over the age of 18, competent to be a witness herein, and make this declaration on personal knowledge.

2. I am an attorney for Defendant, Ryan Lamberson. My law firm is the assignee of Mr. Lamberson's judgment against Elf-Man LLC. I submit this Declaration regarding Mr. Lamberson's Memorandum in Opposition to ECF Nos. 121 & 122.

1           3.     Elf-Man LLC (“Elf-Man”) was formed November 17, 2011. It is  
2 currently listed as “active” and “in good standing” with the Maryland Secretary of  
3 State, ID # W14390330. The registered agent is Richard Jefferies, one of the writers  
4 of the movie. The LLC address and the agent address are both the same: 7802B  
5 Wormans Mill Road, Suite 222 Frederick MD 21701.

6           4.     Mr. Jefferies has an IMDb page:  
7 <http://www.imdb.com/name/nm0420135/>

8           5.     Mr. Jefferies has a LinkedIn page:  
9 <https://www.linkedin.com/in/richardjefferies/>

10          6.     Mr. Jefferies is apparently on Cultural Preservation Fund in Maryland:  
11 <http://l-cpf.org/about/who-we-are/board-of-directors/>

12          7.     Unlike many of the investigators in BitTorrent matters, Mr. Jefferies  
13 does not appear to be trying to hide his identity or whereabouts, or the identity or  
14 whereabouts of Elf-Man LLC.

15          8.     Vision Films filed Case No. 3:13-cv-128 in ED TN on March 8, 2013  
16 claiming rights to enforce the copyright in *Elf-Man*. Vision Films filed a  
17 Declaration of “Darren M. Griffin” claiming to be the witness. ECF No. 2-1.

18          9.     Elf-Man filed Case No. 1:13-cv-686 in D CO on March 14, 2013. Elf-  
19 Man filed a Declaration of “Darren M. Griffin” claiming to be the witness. ECF No.  
20 3-1. The alleged “observation” times are from December 1, 2012 at 03:52:30 through  
21 March 1, 2013 at 04:24:40.

1           10.   Elf-Man filed Case No. 4:13-cv-576 in ED MO on March 27, 2013.  
2 Elf-Man filed a Declaration of “Darren M. Griffin” claiming to be the witness. ECF  
3 No. 4. The alleged “observation” times are from December 1, 2012 at 06:04:30 to  
4 February 28, 2013 at 07:19:27.

5           11.   Elf-Man filed Case No. 1:13-cv-2362 in ND IL on March 29, 2013. Elf-  
6 Man filed a Declaration of “Darren M. Griffin” claiming to be the witness. ECF No.  
7 9-1.

8           12.   Elf-Man filed Case No. 1:13-cv-727 in ND OH on April 3, 2013. Elf-  
9 Man filed a Declaration of “Darren M. Griffin” claiming to be the witness. ECF No.  
10 4-2.

11           13.   Elf-Man filed Case No. 2:13-cv-308 in SD OH on April 3, 2013. Elf-  
12 Man filed a Declaration of “Darren M. Griffin” claiming to be the witness. ECF No.  
13 3-2.

14           14.   Elf-Man filed Case No. 1:13-cv-3884 in ND IL on May 24, 2013. Elf-  
15 Man filed a Declaration of “Darren M. Griffin” claiming to be the witness. ECF No.  
16 9-1.

17           15.   Elf-Man filed Case No. 1:13-cv-4293 in ND IL on June 10, 2013. Elf-  
18 Man filed a Declaration of “Darren M. Griffin” claiming to be the witness. ECF No.  
19 7-1.

20           16.   Elf-Man’s Amended Complaint against Mr. Lamberson alleges that Mr.  
21 Lamberson “was observed infringing Plaintiff’s motion picture at 04:39:20 p.m. on  
22 12/02/2012.” ECF No. 3 at ¶83. This accused time for Mr. Lamberson is between

1 other December 2, 2012 “observations” allegedly made for Elf-Man by “Darren M.  
2 Griffin.” For example, (i) Case No. 4:13-cv-576 in ED MO has a claimed observation  
3 by “Darren M. Griffin” at 02:01:38 p.m. (ECF No 1-1 at #15), and (ii) Case No. 1:13-  
4 cv-686 in D CO has a claimed observation by Darren M. Griffin at 05:07:08 p.m.  
5 (ECF No 1-1 at #82). These two observations, claimed to have been made by “Darren  
6 M. Griffin,” surround the 04:39:20 p.m. time ascribed to Mr. Lamberson (where the  
7 observation was claimed to have been made by Daniel Macek, ECF No. 88).

8 17. Although over 500 Declarations of “Darren M. Griffin” were filed in  
9 the U. S. District Courts for a variety of plaintiffs, none appears to have been filed  
10 after December 2, 2013. December 2, 2013 was the date of the Fed. R. Civ. P. 26(f)  
11 Conference wherein I again requested to be informed whether “Darren M. Griffin”  
12 was the “witness” in the Lamberson case.

13 18. After December 2, 2013, Elf-Man and numerous other plaintiffs moved  
14 from Declarations of “Darren M. Griffin” at “Crystal Bay Corporation” to  
15 Declarations of Daniel Macek at “Crystal Bay Corporation” (e.g. ECF No. 88 in this  
16 case). The Declarations (nationwide) then moved to Daniel Macek at “Maverickeye,”  
17 then to Daniel Arheidt at “Maverickeye.” For example, in the Western District of  
18 Washington, Mr. Lowe filed several Declarations of Daniel Macek at Crystal Bay  
19 Corporation (e.g. WD WA Case No. 14-cv-1648, Dkt. # 6); then several Declarations  
20 of Daniel Macek at Maverickeye (e.g. WD WA Case No. 2:15-cv-1404, Dkt. #6);  
21 and then several Declarations of Daniel Arheidt at Maverickeye (e.g. WD WA Case  
22 No. 2:16-cv-1180, Dkt. # 6.) Other than the names of the declarants, the declarations

1 filed by Mr. Lowe of Daniel Macek at Crystal Bay Corporation are equivalent to the  
2 declarations of Daniel Macek at Maverickeye, and are equivalent to the declarations  
3 of Daniel Arheidt at Maverickeye. All those post-Lamberson declarations filed by  
4 Mr. Lowe (over 100 of them) are essentially equivalent to Mr. Macek’s declaration  
5 in this case, ECF No. 88. In ECF No. 88, Mr. Macek claims he made the Elf-Man  
6 observations, yet Mr. Macek’s declaration is silent about “Darren M. Griffin,” despite  
7 the numerous Declarations of “Darren M. Griffin,” filed in different U.S. District  
8 Courts and covering the same timeframe.

9       19. I am confident that Elf-Man witness “Darren M. Griffin” is fictitious.  
10 Elf-Man has unclean hands and deserves no equity from this Court. In the interest of  
11 judicial economy, Mr. Lamberson requests that this Court deny ECF Nos. 121 and  
12 122 and order the records unsealed.

13  
14 EXECUTED this 21st day of November, 2017 at Spokane, Washington.

15  
16 By: s/ J. Christopher Lynch

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*Attorney for Defendant Ryan Lamberson*

**CERTIFICATE OF SERVICE**

1  
2 I hereby certify that on the 21st day of November, 2017, I caused to be filed  
3 the foregoing with the Clerk of the Court using the CM/ECF system, which in turn  
4 automatically generated a Notice of Electronic Filing (NEF) to all parties in the case  
5 who are registered users of the CM/ECF system. The NEF for the foregoing  
6 specifically identifies recipients of electronic notice.

7  
8 By: s/ J. Christopher Lynch  
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