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February 8th, 2017

SUSAN Y. SOONG
CLERK, U.S. DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
OAKLAND *FS*

Dear Judge Rogers,

My name is Steven Matarazzo from the state of New Jersey and I own a Sony PlayStation 3 console. I wanted to write you to say that I was very satisfied to read your response (filed on 1/31/2017) related to the "Sony PS3 Other OS Litigation" in which you noted that the methods of providing proof of using the Other OS functionality was flawed. ***I wholeheartedly agree!***

I would like to voice two points in this letter to you...

- 1. How I believe the type of proof required to file a claim is unfair, and
- 2. I would like to present how even a tech savvy individual, such as myself, would have a difficult time providing such proof. *(Please see page 2)*

I was quite frustrated by the requirement in this settlement to provide such an absurd form of proof to show that I used the Other OS function on my PS3 console to install Linux. Because I could not provide this adequate proof, I could not put in a claim, even though I was eligible to be part of this settlement.

Sadly, I believe Sony was hoping that this inconvenience would deter individuals, like myself, from making a claim equaling to \$55 USD. Instead Sony hoped that they would instead settle for the lower claim of \$9 USD, or simply become frustrated in the process and give up like I did.

Now, I'm a tech savvy shutterbug and I love taking photos. I'm positive I snapped a photo of my PlayStation 3 running Linux on my TV to share with a fellow tech savvy friend years ago. But even I can't fathom how to try to track down this stray photo, which was taken on a random date, likely using a digital camera I no longer own.

However, as luck would have it, after the claims deadline had passed I found something I believe would constitute as proof of having the Other OS installed on my PS3. The social media website Facebook has a "On this day" feature that showcases previous posts and photos you've made on that exact date years ago. This past January 24th my Facebook feed showed a post I made on January 24th, 2010. In that post I commented on how I was removing the Linux partition from my PS3 console. A printout of this Facebook screenshot from my iPhone is printed on page 2 of this letter.

I consider it extremely lucky to have made a post about my PS3 running Linux back in 2010, and that I would actually come across this post is even more rare. Unfortunately I did not find this until after the claim deadline. If the deadline is extended I would be pleased to participate in this settlement.

Thank you very much for your time, I greatly appreciate your dedication in looking for us with your participation in this case. I eagerly await to see what happens next.

With gratitude,
-Steven Matarazzo



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My thoughts on the forms of proof required for this settlement:

I personally believe the methods of proof for this case are unfair to the consumer of the PS3 console. Besides the method of taking a photo of your system's screen, the other methods of proof, listed below with my comments, are equally as frustrating:

- a) Proof that you purchased a version of Linux...

Most Linux distributions are made available online to download for free. A group or individual purchasing a Linux disc would be quite uncommon. Purchasing a Linux disc is usually only done by corporations which require support contracts or who have other special requirements.

- b) Proof that you downloaded a version of Linux...

Do you know anyone who has not cleaned out their "downloads" folder since 2010? Or who perhaps hasn't changed computers or lost a hard drive since then? A Linux install file is usually quite large in size, since would be freely available online its hard to see why someone would realistically keep this file on their machine. Especially when Linux distributions are updated so frequently.

- c) A screenshot showing the portion of your PS3 hard drive formatted for the Other OS...

It is well known by the video game community (or at least the more tech savvy of the bunch) that the file system of the hard drive for the PS3 is encrypted/protected, to a degree. This prevents access to any PS3 system files, game data or game saves. One would have very little to gain by connecting their PS3 hard drive into their home computer, especially if they feared something going wrong and losing any saved video game data.

It would seem to be by simply providing the serial number of my PlayStation 3 console, along with my PlayStation Network ID / Username, Sony should be able to make a determination if I had used the Other OS function on my console or not.

A screenshot of my Facebook post from January 24, 2010:

