

Brian Bull

From: Brian Bull
Sent: Monday, February 27, 2012 3:48 PM
To: 'Joseph Perea'
Subject: AF Holdings, LLC v. John Doe
Attachments: DOC022712.pdf

Enclosed please find an affidavit from David Kozubal. This is a sworn statement. It is under oath under penalties of perjury. He swears that he did not download the porn video, has no idea who could have downloaded the porn video, and has never even heard of bittorrent until your law firm's letter. I have done my independent research of bittorrent. I have spoken to several individuals who have knowledge on how bittorrent works. I have looked at dozens of website articles on how bittorrent works and how long it takes to download a video. All of the sites and all of the individuals agree that the time to download a full length HD movie over a cable internet connection is measured in hours not days. Mr. Kozubal was in NJ four days prior to the download.

I am still authorized to accept service of process of a subpoena but I do not understand why a deposition is needed to discover the identity of an alleged infringer. What other statement/information not contained in the affidavit do you want? I will do my best to provide it so he does not need to sit for a deposition. Please be advised that I intend to attach this email and any response or lack thereof to a motion for protective order.

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