

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA – CIVIL DIVISION**

Imagos Films, LLC
d/b/a Imagos Softworks,
and Don Thacker, individually
Plaintiffs,

v.

Alex Thomas Mauer,
Defendant.

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No.: 2:17-cv-02964-BMS

**CIVIL ACTION
COMPLAINT FOR PROPERTY
RIGHTS INFRINGEMENT**

DECLARATION OF DON THACKER

I, Don Thacker, declare as follows:

1. I am a Plaintiff in the present case and co-owner of Imagos Films (d/b/a Imagos Softworks).
2. Our videogame project “Starr Mazer: DSP” has received at least three DMCA takedown notices from Defendant.
3. I’ve received reports from customers that their videos of our game have also received DMCA takedown notices from defendant.
4. Because of Defendant’s DMCA takedown notices, “Starr Mazer: DSP” was removed from the Steam game store during the annual summer sale.
5. The annual Steam Summer Sale is one of if not the largest videogame sale of the year in the world.
6. Defendant continues to issue DMCA takedown notices to customers who have made content about Plaintiffs’ Works.
7. Defendant has told me that she's pursuing DMCA takedown notices because she believes that we did not pay her in full under the terms of her contract.

8. Defendant sent a message to me on July 8, 2017, claiming that her sole source of income is Social Security Disability and that "there is no way you could possibly expect me to pay you anything . . . ". This message is attached as Exhibit C.
9. Defendant's false copyright claims and takedown notices are the only reason our game is not under development at this time.
10. Defendant was paid \$36,500 of the \$40,000 due under her contract.
11. Defendant did not fully perform her obligations under her contract and was therefore only compensated for her completed contributions.
12. Defendant has persistently sent messages and copies of messages regarding this dispute to Plaintiff's business associates, customers, and other interested parties, damaging our relationships and putting development and financing on hold.
13. Defendant has also revealed key story elements and plot points in violation of the confidentiality clause in her contract.
14. I have had to engage in major public relations damage control due to Defendant's false claims.
15. Defendant has also sent threats of bodily injury and death directly to me and my family.
16. These threats have caused severe stress, anxiety, and depression and have caused me to make offers in settlement to Defendant that I now realize were unreasonable.
17. Our sales expectations for the Steam Summer Sale were in the thousands of units and tends to hundreds of thousands of dollars.
18. I expected that income from the Steam Summer Sale would allow us to resume development.

19. I have personal knowledge of the facts and allegations set forth in the foregoing

Application for a Temporary Restraining and, if called to testify, I would competently testify as to the matters stated herein.

20. I have personal knowledge of myself, my activities, and my intentions, as well as those of

Imagos, in the foregoing matter, and, if called to testify, I would competently testify as to the matters stated herein.

21. I verify, under penalty of perjury, that the foregoing is true and correct, under 28 U.S.

Code § 1746.

Executed on:

07/11/2017

Don Thacker:

Don Thacker

Signature: Don Thacker
Don Thacker (Jul 11, 2017)

Email: don@imagossoftworks.com

Declaration of Don Thacker

Adobe Sign Document History






07/11/2017

IN THE COUNTY OF LOS ANGELES COUNTY FOR THE
FOR THE EASTERN DISTRICT OF LOS ANGELES COUNTY
Case No. 17-00000000-00000000-00000000-00000000
Case Name: [REDACTED]
Case Number: [REDACTED]

DECLARATION OF DON THACKER
1. Don Thacker declares that he is the owner of the property described in the Declaration.
2. Don Thacker is the person named in the Declaration as the declarant.
3. Don Thacker is the person named in the Declaration as the declarant.
4. Don Thacker is the person named in the Declaration as the declarant.
5. Don Thacker is the person named in the Declaration as the declarant.
6. Don Thacker is the person named in the Declaration as the declarant.
7. Don Thacker is the person named in the Declaration as the declarant.
8. Don Thacker is the person named in the Declaration as the declarant.
9. Don Thacker is the person named in the Declaration as the declarant.
10. Don Thacker is the person named in the Declaration as the declarant.

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Transaction ID:	CBJCHBCAABAA2aMuxEvx2xM73W4ORyiQVS5H0HqlbeiG

"Declaration of Don Thacker" History

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