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The Honorable Robert S. Lasnik

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

ELF-MAN, LLC,)	Case No.: 2:13-CV-507-RSL
Plaintiff,)	
v.)	SUPPLEMENTAL DECLARATION OF
DOES 1 - 152,)	COUNSEL IN SUPPORT OF PLAINTIFF'S
Defendants.)	RESPONSE TO ORDER TO SHOW CAUSE
)	AND QUASHING SUBPOENAS

I, Maureen C. VanderMay, submit the following declaration:

1. I am counsel of record for Plaintiff in the above-entitled matter.
2. I make this supplement declaration in support of Plaintiff's Response to Order to Show Cause and Quashing Subpoenas and, more specifically, in response to the praecipe filed by Napat Tanamthai (Dkt. # 28). My statements are true to the best of my own knowledge, except as to those matters which are therein alleged on information and belief, and as to those matters, I believe them to be true.

1 SUPPLEMENTAL DECLARATION OF	
2 COUNSEL IN SUPPORT OF	
3 PLAINTIFF'S RESPONSE TO	
4 ORDER TO SHOW CAUSE AND QUASHING	The VanderMay Law Firm PC
5 SUBPOENAS (2:13-CV-507)	2021 S. Jones Blvd.
	Las Vegas, Nevada 89146
	702-538-9300

1 3. I have reviewed the praecipe filed by Napat Tanamthai (Dkt. #. 28). This document
2 claims that this person received materials from my office on June 25, 2013. The materials
3 mailed by my office to Napat Tanamthai and Brian Mach were sent on May 6, 2013, three days
4 before the Court issued its Order to Show Cause and Quashing Subpoenas in this action. Indeed,
5 the letter filed with this praecipe is so dated. This mailing was disclosed to the Court in the
6 material we filed in response to the Court's order to show cause.

7 4. Upon reviewing the praecipe and attached materials, I confirmed with my office staff that
8 the material we sent to Napat Tanamthai and Brian Mach was sent out on May 6, 2013, and not
9 at any point thereafter. If in fact this material was delivered to the recipients on June 25, 2013,
10 this resulted from the actions of the USPS, the recipients, or some other party but not from any
11 action taken by me or my office.

12 5. Attached to the praecipe is a blank IRS form W-9. We have no record of sending this
13 form to the recipients, nor was it our intention to do so. In the unlikely event that the recipients
14 in fact received this form from us, its inclusion was inadvertent.

15 6. Upon reviewing the Court's order to show cause, we ceased communicating with the
16 prospective Defendants in this action. In an effort to ensure that we strictly comply with the
17 Court's directive, we also immediately ceased communicating with counsel for such persons. In
18 the face of repeated (and sometimes irate) communications from counsel regarding this matter,
19 we have not responded to their inquiries.

20 7. In conjunction with the filing of our response to the Court's order to show cause, we did
21 effect service on the persons who have appeared in this action, either pro se or through counsel.
22 Because of our obligation under the governing rules to serve these materials upon parties who
23 have appeared, I did not construe such service as constituting a communication subject to the
24 Court's order. After we effected service of these materials I did receive an aggressive telephone

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26 2 SUPPLEMENTAL DECLARATION OF
27 COUNSEL IN SUPPORT OF
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1 message from a pro se party. At my instruction, our staff simply took his message and we did not
2 return the call.

3 8. With the exception of the blank IRS Form W-9, the material filed with the praecipe
4 constitutes confidential settlement discussions and should have been filed under seal. Plaintiff
5 requests that the Court remedy this situation by directing that Docket No. 28 be sealed by the
6 Court Clerk.

7 **I hereby declare that the above statement is true to the best of my knowledge and**
8 **belief, and that I understand it is made for use as evidence in court and is subject to penalty**
9 **for perjury.**

10 DATED: June 28, 2013

11 Respectfully submitted,

12 The VanderMay Law Firm

13 /s/ Maureen C. VanderMay
14 Maureen C. VanderMay, WSBA No. 16742
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17 2021 S. Jones Blvd
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19 (702) 538-9300
20 Of Attorneys for Plaintiff
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26 3 SUPPLEMENTAL DECLARATION OF
27 COUNSEL IN SUPPORT OF
28 PLAINTIFF'S RESPONSE TO
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