

1 STOEL RIVES LLP
2 Brian C. Park
3 bcpark@stoel.com
4 600 University Street, Suite 3600
5 Seattle, Washington 98101
6 Telephone: 206-624-0900
7 Facsimile: 206-386-7500

8 BARON & BUDD, P.C.
9 Roland Tellis (SBN 186269)
10 rtellis@baronbudd.com
11 15910 Ventura Boulevard, Suite 1600
12 Encino, California 91436
13 Telephone: 818-839-2333
14 Facsimile: 818-986-9698

15 Attorneys for Plaintiffs
16 Atigeo LLC and Michael Sandoval

17 UNITED STATES DISTRICT COURT
18 FOR THE WESTERN DISTRICT OF WASHINGTON

19 ATIGEO LLC, a Washington limited liability
20 company; and MICHAEL SANDOVAL, an
21 individual,

22 Plaintiffs,

23 vs.

24 OFFSHORE LIMITED D, a California
25 business organization, form unknown;
26 OFFSHORE LIMITED D, a California
27 partnership; DENNIS MONTGOMERY,
28 individually and as a partner of Offshore
Limited D; ISTVAN BURGYN,
individually and as a partner of Offshore
Limited D; DEMARATECH, LLC, a
California limited liability company; and
DOES 1-10, inclusive,

Defendants.

Case No.: 2:13-cv-01694

**ATIGEO LLC'S RESPONSES AND
OBJECTIONS TO DEFENDANT ISTVAN
BURGYAN'S FIRST INTERROGATORIES
AND REQUESTS FOR PRODUCTION TO
PLAINTIFF ATIGEO LLC**

ATIGEO'S RESPONSES TO BURGYN'S
FIRST DISCOVERY REQUESTS

1 information, Atigeo responds as follows: *See* the Response to Interrogatory No. 1 above. *See also* the
2 Network Solutions documents previously produced at PLTFS 0001-0212 and the documents produced
3 herewith at PLTF024134-024139.

4 Discovery is continuing. Atigeo will supplement this response with additional information, if
5 any, based upon additional factual investigation.

6
7 **INTERROGATORY NO. 3:**

8 With regard to defendant Istvan Burgyan, please describe in detail any information or facts that
9 support the assertion in Atigeo's complaint, paragraph 30, that "Defendants have a pattern of registering
10 domain names containing the names of individuals or entities who have refused Montgomery's demands,
11 then using those domain names to host web sites that falsely disparage and discredit those individuals
12 and entities, including members of the federal judiciary, U.S. bankruptcy personnel, and private parties."

13 **RESPONSE TO INTERROGATORY NO. 3:**

14 Atigeo objects to this interrogatory as calling for information in Defendants' possession,
15 custody, or control and to the extent that it constitutes a premature contention Interrogatory, because
16 discovery has not yet concluded and Plaintiffs still await information and documents from Defendants.

17 Subject to and without waiving the foregoing objections, and based on presently known
18 information, Atigeo responds as follows: *See* the Response to Interrogatory No. 1 above. *See also* the
19 Network Solutions documents previously produced at PLTFS 0001-0212, which list other domain
20 names registered under the same account used to register <atigeo.co>. The content of websites using
21 the domain names listed therein speaks for itself. *See also* the documents produced herewith at
22 PLTF023789-024139.

23 Discovery is continuing. Atigeo will supplement this response with additional information, if
24 any, based upon additional factual investigation.

25
26 **INTERROGATORY NO. 4:**

27 **Do plaintiffs allege defendant Istvan Burgyan played a role in Dennis Montgomery's alleged**
28

1 extortion scheme? If so, please describe all facts, information and documents which support this
2 allegation.

3 **RESPONSE TO INTERROGATORY NO. 4:**

4 Atigeo objects to this interrogatory as calling for information in Defendants' possession,
5 custody, or control and to the extent that it constitutes a premature contention Interrogatory, because
6 discovery has not yet concluded and Plaintiffs still await information and documents from Defendants.

7 Subject to and without waiving the foregoing objections, and based on presently known
8 information, Atigeo responds as follows: Yes.

9 In early to mid-2012, Dennis Montgomery contacted Atigeo's CEO, Michael Sandoval, in
10 Bellevue, Washington. Mr. Sandoval understood that Mr. Montgomery resided in California at the
11 time. Mr. Montgomery said that he wanted to reconnect with Mr. Sandoval and, eventually, requested
12 that Mr. Sandoval invest in certain of Mr. Montgomery's new business ventures, including one called
13 Lumivision. Mr. Burgyan (whom Mr. Sandoval also understood to reside in California at the time)
14 then called Mr. Sandoval to follow-up on Mr. Montgomery's investment solicitations and to encourage
15 Mr. Sandoval to invest in the new venture. Mr. Burgyan stated that he was developing some of the
16 computer applications for one of the new ventures, which he described as a computer graphics imagery
17 program for changing images on gift bags.

18 After back and forth communications with Mr. Montgomery, Mr. Sandoval indicated that he
19 was not interested in making an investment in Mr. Montgomery's new company. In response, Mr.
20 Montgomery said, "If you're not with me, you're against me" and that Mr. Sandoval did not want to
21 wind up like others who had not cooperated with Mr. Montgomery and had "learned the hard way."

22 Following these communications, false and disparaging statements about Atigeo and Mr.
23 Sandoval began appearing on the Websites.

24 Business records obtained from Network Solutions LLC, the registrar for the domain names
25 used for the Websites, list Mr. Burgyan as the primary user of the account under which these domain
26 names were registered. The Websites and the domain names they use are integral to the attempt to
27 extort payment from Plaintiffs. See the Network Solutions documents previously produced at PLTFS

1 0001-0212, and the documents produced herewith at PLTF023789-024139.

2 Discovery is continuing. Atigeo will supplement this response with additional information, if

3 any, based upon additional factual investigation.

4

5

6

7

8

9

10

11

12

13

14

15

16

17

18

19

20

21

22

23

24

25

26

27

28

ATIGEO'S RESPONSES TO BURGYAN'S
FIRST DISCOVERY REQUESTS - 7

Dated this 30th day of June, 2014.

STOEL RIVES LLP

/s/ Brian C. Park

Brian C. Park, WSBA No. 25,584
Maren R. Norton, WSBA No. 35,435
Hunter Ferguson, WSBA No. 41,485
600 University Street, Suite 3600
Seattle, WA 98101
Telephone: (206) 386-7542
Facsimile: (206) 386-7500
BCPark@stoel.com
MRNorton@stoel.com
HOFerguson@stoel.com

Counsel for Plaintiff
Atigeo LLC

BARON & BUDD, P.C.

/s/ Roland K. Tellis

Roland K. Tellis (*Pro Hac Vice*)
15910 Ventura Boulevard, Suite 1600
Encino, CA 91436
Telephone: (818) 839-2333
Facsimile: (818) 986-9698
RTellis@baronbudd.com

Counsel for Plaintiffs
Atigeo LLC and Michael Sandoval

CERTIFICATE OF SERVICE

I, Melissa Wood, certify that at all times mentioned herein, I was and am a resident of the State of Washington, over the age of eighteen years, not a party to the proceeding or interested therein, and competent to be a witness therein. My business address is that of Stoel Rives LLP, 3600 One Union Square, 600 University Street, Seattle, Washington 98101.

On this day, I caused a copy of the foregoing document to be served upon the following individual(s) in the manner indicated below:

Via E-mail and U.S. Mail

Paul E. Brain
Brain Law Firm, PLLC
1119 Pacific Avenue, Suite 1200
Tacoma, WA 98402

pbrain@paulbrainlaw.com
kmiddleton@paulbrainlaw.com

Shellie McGaughey
McGaughey Bridges & Dunlap
3131 Western Avenue, Suite 410
Seattle, WA 98121

shellie@mcbdlaw.com,
katie@mcbdlaw.com,
peter@mcbdlaw.com

Counsel for Defendants

DATED: June 30, 2014.



Melissa Wood, Practice Assistant