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Donnelly A. Dybus
State Bar Number 013819

Attorneys for Plaintiff
ECOMMERCE INNOVATIONS L.L.C.

UNITED STATES DISTRICT COURT
DISTRICT OF ARIZONA

ECOMMERCE INNOVATIONS L.L.C., a
Nevada limited liability company,

Plaintiff,

vs.

DOES 1-10,

Defendants.

Case No. 2:08-MC-00093
[Pending in the Central District of
California, Case No. CV08-04596]

**DECLARATION OF DAVID
STRAGER IN SUPPORT OF
MOTION TO COMPEL
COMPLIANCE WITH SUBPOENA
ISSUED TO XCENTRIC
VENTURES, LLC,
DBA RIPOFFREPORT.COM**

I, David Strager, declare:

1. I am the managing member of plaintiff Ecommerce Innovations L.L.C., dba
Inspired Silver ("Plaintiff" or "Inspired Silver"), and have been so since its organization in or
about 2003. I am responsible for managing Plaintiff's manufacture and purchase of inventory,
sales and accounts payable, among other things. As such, I have personal knowledge of the facts
stated herein, and if called as a witness, could and would testify competently thereto.

2. Inspired Silver is a well-known jewelry retailer that has a brick-and-mortar
storefront and a successful website on the Internet located at www.inspiredsilver.com

3. Shortly after June 9, 2008, I became aware of an Internet posting by an anonymous
person on the website of www.ripoffreport.com under the title of "Report: Inspired Silver,

Ecommerce Innovations L.L.C. v. Does 1-10

1 Inspired Baby, Ecommerce Innovations, Inspired Shades.” The post was identified as Report
2 No. 338338 and is located at <http://www.ripoffreport.com/reports/0/338/RipOff0338338.htm>, a
3 true and correct copy of which I had printed off the internet and attached hereto as **Exhibit “1.”**
4 This post makes several blatantly false and harmful accusations against Inspired Silver.

5 (a) False accusation No. 1: “Inspired Silver is an unethical online retail and
6 Jewelry catalog company who would rather knock off jewelry designs being produced by their
7 current manufacturer or wholesaler instead of paying their bills. . . . Their M.O. is [to] order
8 goods [and not pay for them]. . . .” Inspired Silver does not engage in, and has never been sued
9 for, trademark, copyright or patent infringement and does not “knock-off” proprietary designs of
10 other manufacturers or wholesalers. In addition, Inspired Silver is current on all of its bills to its
11 vendors, save any that may be subject to legitimate dispute for lack of proper tender.

12 (b) False accusation No. 2: “Currently they owe my friend close to \$25,000.00
13 (and it is over 190 days) wholesale cost to Accessories Rock but instead of honoring their
14 fiduciary and moral obligations, would rather have another company make up the goods where
15 the quality of those same goods also comes into question.” The real story as to Accessories Rock
16 is that I ordered and returned product with this company in a customary fashion. Accessories
17 Rock then attempted to make a further shipment to me C.O.D., which I rejected and returned. It
18 then claimed that my company owed it between \$6,000 and \$8,000 based on these orders, which I
19 disputed. I have been in discussion with Accessories Rock’s attorney regarding our dispute of
20 less than \$8,000. Under no circumstance does my company owe \$25,000 to Accessories Rock.

21 (c) False accusation No. 3: “They find these companies by attending various
22 jewelry trade shows, then use their company image of being a large company loving their
23 products and wanting to order from them. What the supplier doesn't know is they are about to be
24 ripped off themselves.” Inspired Silver does not “rip-off” its vendors.

25 (d) False accusation No. 4: “It has been noticed that a company called Athra
26 was making up their goods. If you go the following links, www.inspiredsilver.com, and
27 www.athra.com you will see all the same styles which are Accessories Rock styles. When my
28 friend initially got into the business, he bought a few things from Athra. The main problem he

1 indicated is the quality of the cubic zirconia stones was not nearly as clear as they should be.
2 According to my friend, Inspired Silver claimed these goods were not items that sold, and
3 returned them after many months of holding them, but instead obviously gave a copy of them to
4 Athra. Inspired Silver is a company lacking the morals and ethics that one should seek when
5 doing business.” In actuality, prior to reading the defamatory posting, I had never heard of nor
6 done any business with Athra. Upon reviewing the posting, I reviewed the Athra website
7 referenced in the post and saw that it had misappropriated some images from my company’s
8 website. I then personally contacted Athra to demand the immediate removal of those images.
9 Inspired Silver has never done any business with Athra.

10 (c) False accusation No. 5: “[A]nd just so you know, they are charging you 3
11 or 4 times more than what he sold it to them for. If you come to my friend's site
12 www.accessoriesrockjewelry.com, assuming he has it as it is still in style, he will sell it for much
13 less than what you will pay buying it through them, and most likely much better quality, after all,
14 they stuck him with excess inventory.” In actuality, while there is a price difference, the quality
15 of the jewelry is the same.

16 4. These false accusations are causing harm to Inspired Silver in that they are
17 besmirching my company’s reputation for truthfulness and ethical behavior and may be causing
18 vendors or customers to avoid doing business with us.

19 5. My mother, Ann, is involved in the daily operation of Inspired Silver. My
20 grandmother, who lives in Boca Raton, Florida, has never been involved in the daily operation of
21 Inspired Silver. I found it particularly spiteful for the anonymous poster on RipOffReport.com to
22 mention my family and identify the cities in which they purportedly reside, along with my own.

23 I declare under the penalty of perjury under the laws of these United States of America
24 that this Declaration is true and correct.

25 Executed this 13 day of October in Los Angeles, California.

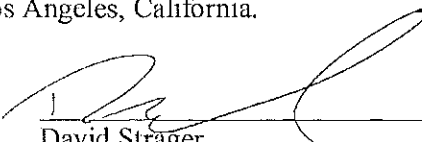
26
27 
28 David Strager

EXHIBIT 1

...by consumers, for consumers



Don't let them get away with it... let the truth be known!

Register to file a Report | Login | Help

Report: #338338

Report: Inspired Silver, Inspired Baby, Ecommerce Innovations, Inspired Shades

Category: Jewelry Stores

Inspired Silver, Inspired Baby, Ecommerce Innovations, Inspired Shades Inspired Silver Unethical Manufacturing Approach Defrauds Consumer's by Knocking off Their Previous Supplier's Designs and Producing Possible Inferior Quality. Torrance California

*Consumer Suggestion ..Request for Information

Inspired Silver, Inspired Baby, Ecommerce Innovations, Inspired Shades
2675 SkyPark Drive Suite 204 Phone: 310-539-5070
Torrance, California, 90505 Fax: 310-539-5029
U.S.A.

Alan
Los Angeles, California

Submitted: 6/9/2008 1:30:50 AM
Modified: 8/5/2008 3:37:35 PM

Inspired Silver is an unethical online retail and Jewelry catalog company who would rather knock off jewelry designs being produced by their current manufacturer or wholesaler instead of paying their bills. David Strager who resides in Hermosa Beach and Ann Strager who resides in Rancho Palos Verdes are extremely unethical individuals who are absolutely guilty of Intent to Defraud. (I've seen all the Emails and financial documentation to support this claim).

Being in the industry for years, I have come across several manufacturers and resellers who have previously sold their goods to David, and Ann. Their M.O. is order goods, (some are custom orders), and as they promise thirty day payment, will tell you a check has been cut, or that a check gets cut for invoices every two weeks, but instead, when the money is due, they will offer a series of similar excuses, such as the book-keeper quit, or is sick, and before you know it you are looking more at 90 - 120 days. Currently they owe my friend close to \$25,000.00 (and it is over 190 days) wholesale cost to Accessories Rock, but instead of honoring their fiduciary and moral obligations, would rather have another company make up the goods where the quality of those same goods also comes into question. They find these companies by attending various jewelry trade shows, then use their company image of being a large company loving their products and wanting to order from them. What the supplier doesn't know is they are about to be ripped off themselves.

It has been noticed that a company called Athra was making up their goods. If you go the following links, www.inspiredsilver.com, and www.athra.com you will see all the same styles which are Accessories Rock styles. When my friend initially got into the business, he bought a few things from Athra. The main problem he indicated is the quality of the cubic zirconia stones was not nearly as clear as they should be. According to my friend, Inspired Silver claimed these goods were not items that sold, and returned them after many months of holding them, but instead obviously gave a copy of them to Athra. Inspired Silver is a company lacking the morals and ethics that one should seek when doing business. This is not something you would realize when you go to their website as they boast images from media endorsement from the 'Today Show' or 'The View.' I wonder how those fine organization's would feel if they really knew how this company operates? Ann Strager's mother out of Century Village in Boca Raton Florida should be commended on a job well done on how she raised her children!

I felt it was my duty not to let unscrupulous individuals as such get away with this kind of behavior, and just so you know, they are charging you 3 or 4 times more than what he sold it to them for. If you come to my friend's site www.accessoriesrockjewelry.com, assuming he has it as it is still in style, he will sell it for much less than what you will pay buying it through them, and most likely much better quality, after all, they stuck him with excess inventory.

Richard

Mortgage Update

July 30: New Housing Bill Passed!
Find out how it can benefit you!

Think you pay too much for your mortgage? The sad news is, you probably do. Find out what your lowest monthly payment could be.

Calculate New House Payment

Select Your State:



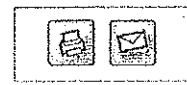
Read how Ripoff Report saves consumers millions.

Rebuttal Box
Respond to this report!

Are you an owner, employee or ex-employee with either negative or positive information about the company or individual, or can you provide "insider information" on this company?

Victim of this person/company?

Are you also a victim of the same company or individual? Want Justice? File a Rip-off Report, help other consumers to be educated and don't let them get away with it!



Los Angeles, California
U.S.A.

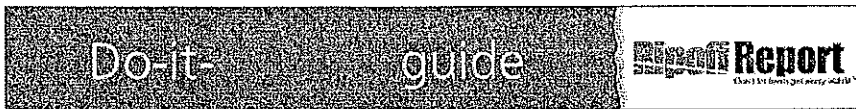
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Search for additional reports

If you would like to see more Rip-off Reports on this company/individual, please use the search box below:

Inspired Silver, Inspired Baby, Ecommerce Inn...

In order to assure the best results in your search:

- Keep the name short & simple, and try different variations of the name.
- Do not include ".com", "S", "Inc.", "Corp", or "LLC" at the end of the Company name.
- Use only the first/main part of a name to get best results.
- Only search one name at a time if Company has many AKA's.



Read how Ripoff Report saves consumers millions.

<p>Rebuttal Box Respond to this report!</p> <p>Are you an owner, employee or ex-employee with either negative or positive information about the company or individual, or can you provide "insider information" on this company?</p>	<p>Victim of this person/company?</p> <p>Are you also a victim of the same company or individual? Want Justice? File a Rip-off Report, help other consumers to be educated and don't let them get away with it!</p>	<p>Repair Your Reputation</p> <p>Got Reports filed against you? Resolve the issues and rebuild trust through our Corporate Advocacy Program.</p>	
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Updates & Rebuttals:

Request for Information
Jason H. Fisher, Esq. [8/5/2008 2:34:28 PM]

UPDATES & REBUTTALS

Tap into the power of Monster.

POST A JOB

monster

Replay

Jason H. Fisher, Esq.
Los Angeles, California
U.S.A.

Submitted: 8/5/2008 2:34:28 PM
Modified: 8/5/2008 3:37:35 PM

Consumer Suggestion

Request for Information

Please take notice that Ecommerce Innovations, LLC ("ECI") has initiated an action in the United States District Court, CDCA, Case No. 08-cv-04596 due to allegedly false statements made by you (the "Action"). In the Action, ECI seeks to subpoena the records of Xcentric Ventures LLC for your contact information and any other messages that you have posted on the website Rip Off Report, www.ripoffreport.com, under the pseudonym 'Alan' or any other pseudonym, about ECI, to the Phoenix / Scottsdale Office of Buchalter Nemer at: 16435 North Scottsdale Road Suite 440, Scottsdale, Arizona 85254 in compliance with FRCP Rule 45.

If you do not respond within 3 business days with your true and correct contact information to: Jason H. Fisher, Esq. via email (jfisher@buchalter.com) or facsimile (213-896-0400), we will subpoena the records as outline above.

You may have a right to file and serve a response to the subpoena anonymously. If you intend to file and serve a response, please do so, or notify us of your intent to do so, on or before August 22, 2008.

Jason



Read how Ripoff Report saves consumers millions.

<p>Rebuttal Box Respond to this report!</p> <p>Are you an owner, employee or ex-employee with either negative or positive information about the company or individual, or can you provide "insider information" on this company?</p> <p>File a Rebuttal</p>	<p>Victim of this person/company?</p> <p>Are you also a victim of the same company or individual? Want Justice? File a Rip-off Report, help other consumers to be educated and don't let them get away with it!</p> <p>File a Report</p>	<p>Repair Your Reputation</p> <p>Got Reports filed against you? Resolve the issues and rebuild trust through our Corporate Advocacy Program.</p> <p>Get Started</p>	
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