

# **EXHIBIT B**

DECLARATION OF RYAN BRICKER IN SUPPORT OF  
PLAINTIFF SONY COMPUTER ENTERTAINMENT AMERICA  
LLC'S OPPOSITION TO DEFENDANT GEORGE HOTZ'S  
MOTION TO DISMISS FOR LACK OF PERSONAL  
JURISDICTION AND IMPROPER VENUE

**Bricker, Ryan**

---

**From:** Gaudreau, Holly  
**Sent:** Saturday, February 26, 2011 11:20 AM  
**To:** 'Stewart Kellar'  
**Cc:** Boroumand Smith, Mehrnaz  
**Subject:** RE: Sony v. Hotz, Gaudreau correspondence

Dear Stewart,

We disagree with your statements below as already set forth in my letter of February 24, 2011. With respect to the inspection demand, we are prepared to arrange for inspection of your client's PS3 System consoles to take place in New Jersey or New York. Please advise how many consoles are in your client's possession, custody or control so appropriate arrangements can be made. We need to conduct the inspection by March 7, 2011.

With respect to the interrogatories and requests for production, if Mr. Hotz is unable to respond by March 7, 2011, SCEA is willing to enter into a stipulation to extend the response deadline, but only if the parties can agree on a revised briefing schedule and hearing date on Mr. Hotz's motion to dismiss, and the Court enters that stipulation. As with our prior stipulation, any new stipulation must take into account that SCEA will need sufficient time to review the discovery provided by Mr. Hotz and evaluate whether his deposition should be taken.

Toward that end, please prepare a draft stipulation and proposed order for our consideration.

Thanks.  
Holly

**Holly Gaudreau****Kilpatrick Townsend & Stockton LLP**

Eighth Floor | Two Embarcadero Center | San Francisco, CA 94111  
office 415 273 4324 | fax 415 354 3443  
[hgaudreau@kilpatricktownsend.com](mailto:hgaudreau@kilpatricktownsend.com) | [My Profile](#) | [VCard](#)

---

**From:** Stewart Kellar [<mailto:stewart@etrny.com>]  
**Sent:** Thursday, February 24, 2011 5:53 PM  
**To:** Gaudreau, Holly  
**Subject:** Re: Sony v. Hotz, Gaudreau correspondence

Hello Ms. Gaudreau,

In response to your PDF letter, I have received your incorrectly characterized "courtesy copies" of the new discovery requests, which represents the first time I have received these updated discovery documents. My claims that you were to serve me with updated discovery papers, which you had not done until today (February 24, 2011), have merit.

In our phone conversation, you stated that the newly stipulated discovery points contained in the letter to Judge Spero, plus the invalidated discovery requests that were delivered in early February, serves as valid new discovery requests that I am to answer by March 7, leaving just over one week from the date of my phone call to respond. You then sent me inappropriately named "courtesy copies" of the new

3/17/2011

discovery. This indicates that you did in fact have updated discovery requests available to deliver to me yet you did not do so until today, February 24, 2011.

It is not proper nor feasible that you expected the responding party to create new discovery documents using the previously invalidated original discovery requests and the bullet points of alterations to that discovery. The invalidated discovery was delivered to me in PDF form which is not possible to alter.

Therefore, until late this morning, I was not in possession of the new discovery documents. In fact, your new demand for inspection does not reflect our agreement as it states that the inspected items are to be received and inspected at your office in San Francisco which is contrary to our agreement that the items would be received and inspected in New Jersey or New York and arrangements to pick up the items for inspection from Mr. Hotz's residence would be made.

I regret we have to write these letters and emails to "preserve a record" and would have liked to settle this matter in a direct good faith dialog to reach a reasonable agreement. However, because I have not received the discovery documents until almost two weeks after we agreed on their contents, and because you will not agree to push back the time for discovery responses in kind, I can no longer agree that all discovery requests will be completed by March 7.

Stewart Kellar  
E-ttorney at Law™  
148 Townsend St. Ste. 2  
San Francisco, CA 94107  
(415) 742-2303  
[stewart@etrny.com](mailto:stewart@etrny.com)  
[www.ettorneyatlaw.com](http://www.ettorneyatlaw.com)

The information contained in this email message may be privileged, confidential and protected from disclosure. If you are not the intended recipient, any dissemination, distribution or copying is strictly prohibited. If you think that you have received this email message in error, please notify the sender by reply email and delete the message and any attachments.

On Thu, Feb 24, 2011 at 11:10 AM, Casillas, Esther <[ecasillas@kilpatricktownsend.com](mailto:ecasillas@kilpatricktownsend.com)> wrote:

Dear Mr. Kellar,

Attached find Ms. Gaudreau's letter dated February 24, 2011 with attachments.

If you have any questions, please contact Ms. Gaudreau directly at 415-273-4324.

Thank you.



Kilpatrick Townsend  
LLP

**Esther Casillas**  
Legal Secretary

**Kilpatrick Townsend & Stockton LLP**

Eighth Floor | Two Embarcadero Center | San Francisco, CA 94111  
office 415 273 7570 | fax 415 576 0300  
[ecasillas@kilpatricktownsend.com](mailto:ecasillas@kilpatricktownsend.com) | [www.kilpatricktownsend.com](http://www.kilpatricktownsend.com)

---

**Confidentiality Notice:**

This communication constitutes an electronic communication within the meaning of the Electronic Communications Privacy Act, 18 U.S.C. Section 2510, and its disclosure is strictly limited to the recipient intended by the sender of this message. This transmission, and any attachments, may contain confidential attorney-client privileged information and attorney work product. If you are not the intended recipient, any disclosure, copying, distribution or use of any of the information contained in or attached to this transmission is STRICTLY PROHIBITED. Please contact us immediately by return e-mail or at 404 815 6500, and destroy the original transmission and its attachments without reading or saving in any manner.

---

\*\*\*DISCLAIMER\*\*\* Per Treasury Department Circular 230: Any U.S. federal tax advice contained in this communication (including any attachments) is not intended or written to be used, and cannot be used, for the purpose of (i) avoiding penalties under the Internal Revenue Code or (ii) promoting, marketing or recommending to another party any transaction or matter addressed herein.