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4 Attorney for Defendant  
 5 GEORGE HOTZ

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 8 **UNITED STATES DISTRICT COURT**  
 9 **FOR THE NORTHERN DISTRICT OF CALIFORNIA**  
 10 **SAN FRANCISCO DIVISION**

11 SONY COMPUTER ENTERTAINMENT  
 12 AMERICA LLC, a Delaware limited  
 liability company,

13 Plaintiff,

14 v.

15 GEORGE HOTZ; HECTOR MARTIN  
 16 CANTERO; SVEN PETER; and DOES 1  
 through 100,

17 Defendants.  
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**CASE No.: 3:11-cv-00167 SI**

**AFFIDAVIT OF GEORGE HOTZ**

Date:

Time:

Courtroom: 10, 19<sup>th</sup> Floor

Judge: Hon. Susan Illston

1 Personally appeared before me, an officer duly authorized by law to administer oaths,  
2 George Hotz, who after first being duly sworn, states:

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- 4 1. My name is George Hotz, and I am of required age and competent in all respects to testify  
5 regarding the matter set forth herein. I have personal knowledge of the facts stated herein  
6 and know them to be true.
- 7 2. I am a resident of the State of New Jersey. I have been a resident of the State of New  
8 Jersey since approximately 1995.
- 9 3. I was born in the year 1989.
- 10 4. I am not a resident of Rhode Island. I have never been a resident of Rhode Island.
- 11 5. I do not live at 111 NYB St., Providence, Rhode Island 02909. I have never lived at,  
12 visited, or appeared at 111 NYB St., Providence, Rhode Island 02909.
- 13 6. I have never created, used, or accessed the Playstation Network ("PSN") Online ID  
14 "Geo1Hotz".
- 15 7. I have never created, used, or accessed the PSN Online ID "koma1tose",  
16 "freedomapocalyse", "snapple18", "elijapi", "uKinfuriator", "gamecaveman", or  
17 "nyricansoldier".
- 18 8. I have never created, used, or accessed an e-mail address for "pbrdiablo@yahoo.com",  
19 "lacobra99e@aol.com", "mjt1704@yahoo.com", "babooski28@yahoo.com",  
20 "pookie87@yahoo.com", "Jonesjack33@rocketmail.com", or  
21 "nyricansoldier@yahoo.com"
- 22 9. A Playstation 3 Computer Entertainment System ("Playstation Computer") may be  
23 updated through a firmware update, which may be performed by placing a Playstation  
24 Computer firmware update on the Playstation Computer.
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- 10. Updating a Playstation Computer via a firmware update does not require access to the PSN, nor does it require accepting the PSN's Terms of Service User Agreement or any other PSN agreement to install such firmware update.
- 11. I have never obtained a Playstation Computer firmware update through the PSN. I have only obtained Playstation Computer firmware updates via direct download links available on the internet.
- 12. I have never been prompted with an option or opportunity to accept or agree to the PSN's Terms of Service and User Agreement or any other PSN agreement when installing a Playstation Computer firmware update.
- 13. Accordingly, I have never accepted or agreed to, nor even been afforded the opportunity to accept or agree to, the PSN's Terms of Service and User Agreement or any other PSN agreement when updating my Playstation Computer via a Playstation Computer firmware update.
- 14. I have not worked with anyone using the internet handle "Bushing" and have no association or connection with any conduct allegedly performed by any individual using the internet handle "Bushing".
- 15. I have never attempted to obtain employment from Plaintiff, nor am I interested in obtaining employment from Plaintiff, nor would I accept employment from Plaintiff if offered such.

1 FURTHER AFFIANT SAYETH NOT.

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*George Hotz*

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George Hotz

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Subscribed and sworn to before me

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this 21<sup>ST</sup> day of January, 2011.

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*Diane Kozuha*

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Notary Public

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**DIANE KOZUHA**  
**NOTARY PUBLIC**  
**STATE OF NEW JERSEY**  
**MY COMMISSION EXPIRES OCTOBER 17, 2015**  
**I.D.# 2335983**

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[SEAL]

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