

GAUNTLETT & ASSOCIATES

David A. Gauntlett (SBN 96399)
James A. Lowe (SBN 214383)
Brian S. Edwards (SBN 166258)
18400 Von Karman, Suite 300
Irvine, California 92612
Telephone: (949) 553-1010
Facsimile: (949) 553-2050
jal@gauntlettlaw.com
bse@gauntlettlaw.com

Attorneys for Defendants
Akanoc Solutions, Inc.,
Managed Solutions Group, Inc.
and Steven Chen

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA, SAN JOSE DIVISION

LOUIS VUITTON MALLETIER, S.A.,

Plaintiff,

vs.

AKANOC SOLUTIONS, INC., et al.,

Defendants.

) Case No.: C 07-3952 JW

) Hon. Magistrate Judge Howard R. Lloyd

) **DECLARATION OF STEVEN CHEN IN**
) **OPPOSITION TO MOTION TO COMPEL**
) **PRODUCTION OF ELECTRONIC**
) **COMMUNICATIONS ON INTERNET**
) **SERVERS**

) Date: April 29, 2008

) Time: 10:00 a.m.

) Dept.: Courtroom 2, 5th Floor

1 I, STEVEN CHEN, declare as follows:

2 I am the President and founder of Managed Solutions Group, Inc. ("MSG") and Akanoc
3 Solutions, Inc. ("Akanoc") I am also a named defendant in this action. The facts set forth in this
4 declaration are of my own personal knowledge, and I could competently testify to them if called as a
5 witness.

6 1. MSG and Akanoc are Internet Service Providers (ISPs) that provide transmission,
7 routing, and connection for digital online communication for their customers but have no role in
8 choosing, authorizing, modifying or monitoring the information stored or transmitted by their
9 servers.

10 2. A single IP address can be used by a single Website or it can be used by tens or
11 hundreds or even thousands of Websites. The Defendants do not control or know what specific use is
12 made of each IP address rented to others because they provide unmanaged IP addresses and servers.

13 3. MSG and Akanoc only authorize a client, normally a web hosting reseller, to use
14 using one or more of its Internet servers, one or more IP addresses on a monthly basis. MSG and
15 Akanoc provide servers with standard hosting application software installed and give password
16 control of the server to their customers for a minimal monthly charge.

17 4. Because MSG's and Akanoc's Internet servers are physically located in San Jose,
18 California at the main U.S. west coast gateway to the Internet, their services are sought after by
19 many companies needing Internet access for telephone services, for downloading large digital files
20 on demand, for reselling Web hosting services to end users, etc.

21 I declare under penalty of perjury under the laws of the United States of America that the
22 foregoing is true and correct.

23 Executed in Glendale, California on this 2nd day of April, 2008.

24
25
26 
27 STEVEN CHEN
28

1 I, STEVEN CHEN, declare as follows:

2 I am the President and founder of Managed Solutions Group, Inc. ("MSG") and Akanoc
3 Solutions, Inc. ("Akanoc") I am also a named defendant in this action. The facts set forth in this
4 declaration are of my own personal knowledge, and I could competently testify to them if called as a
5 witness.

6 1. MSG and Akanoc are Internet Service Providers (ISPs) that provide transmission,
7 routing, and connection for digital online communication for their customers but have no role in
8 choosing, authorizing, modifying or monitoring the information stored or transmitted by their
9 servers.

10 2. A single IP address can be used by a single Website or it can be used by tens or
11 hundreds or even thousands of Websites. The Defendants do not control or know what specific use is
12 made of each IP address rented to others because they provide unmanaged IP addresses and servers.

13 3. MSG and Akanoc only authorize a client, normally a web hosting reseller, to use
14 using one or more of its Internet servers, one or more IP addresses on a monthly basis. MSG and
15 Akanoc provide servers with standard hosting application software installed and give password
16 control of the server to their customers for a minimal monthly charge.

17 4. Because MSG's and Akanoc's Internet servers are physically located in San Jose,
18 California at the main U.S. west coast gateway to the Internet, their services are sought after by
19 many companies needing Internet access for telephone services, for downloading large digital files
20 on demand, for reselling Web hosting services to end users, etc.

21 I declare under penalty of perjury under the laws of the United States of America that the
22 foregoing is true and correct.

23 Executed in _____, California on this ____ day of April, 2008.

24
25
26 _____
27 STEVEN CHEN
28