

EXHIBIT “A”

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF FLORIDA

CASE NO. 11-20427-WILLIAMS/TURNOFF

DISNEY ENTERPRISES, INC.,
TWENTIETH CENTURY FOX FILM CORPORATION,
UNIVERSAL CITY STUDIOS PRODUCTIONS LLLP,
COLUMBIA PICTURES INDUSTRIES, INC., and
WARNER BROS. ENTERTAINMENT INC.,

Plaintiffs,

v.

HOTFILE CORP., ANTON TITOV, and
DOES 1-10.

Defendants.

**DECLARATION OF ANDREW LEIBNITZ IN SUPPORT OF HOTFILE
CORPORATION'S OPPOSITION TO PLANTIFFS' MOTION TO
DEPOSE ANTON TITOV INDIVIDUALLY AND AS HOTFILE'S RULE
30(b)(6) WITNESS FOR OVER FOUR DAYS**

I, Andrew Leibnitz, declare as follows:

1. I am an attorney at Farella Braun + Martel LLP and counsel for defendant Hotfile Corporation and Anton Titov. I have personal knowledge of the matters stated herein and, if called and sworn as a witness, I could and would competently testify to the fact set forth herein.
2. Hotfile began asking Plaintiffs for their proposed notice of deposition of Hotfile pursuant to Rule 30(b)(6) at least as early as October 13, 2011.
3. On Friday, November 4, 2011, Hotfile requested (again) Plaintiffs' notice of deposition of Hotfile pursuant to Rule 30(b)(6).

4. On November 14, 2011, Hotfile asked Plaintiffs for any support for the proposition that a Plaintiff defending a compulsory counterclaim (e.g., Warner) has the right to depose its adversary for a separate, additional day. Plaintiffs never responded to this e-mail request with any such authority.

5. In its initial disclosures of May 2, 2011, Hotfile informed Plaintiffs that it relied upon four contractors to perform tasks of server administration, e-mail support, software development, and data center support.

6. Attached hereto as Exhibit 1 is a true and correct copy of an excerpt of an e-mail from Steve Fabrizio to Rod Thompson of 10/21/11. The initial portion has been redacted to protect an attorney-client communication between Rod Thompson and Anton Titov.

7. Attached hereto as Exhibit 2 is a true and correct copy of an e-mail from Rod Thompson to Steve Fabrizio of 10/26/11.

8. Attached hereto as Exhibit 3 is a true and correct copy of Plaintiffs' Rule 30(b)(6) Notice Of Deposition Of Defendant Hotfile Corporation on electronically-stored information issues only, served November 2, 2011.

9. Attached hereto as Exhibit 4 is a true and correct copy of an e-mail from Steve Fabrizio to Andrew Leibnitz of 11/4/11.

10. Attached hereto as Exhibit 5 is a true and correct copy of an e-mail from Rod Thompson to Steve Fabrizio of 11/16/11.

11. Attached hereto as Exhibit 6 is a true and correct copy of an excerpt from the deposition of Anton Titov pursuant to Rule 30(b)(6) of November 17, 2011 in this litigation. This passage contains no "highly confidential" information.

12. Attached hereto as Exhibit 7 is a true and correct copy of an e-mail of Andrew Leibnitz to Steve Fabrizio of 11/18/11. This also includes an e-mail of Steve Fabrizio to Andrew Leibnitz of 11/18/11.

13. Attached hereto as Exhibit 8 is a true and correct copy of a press release issued by the Motion Picture Association of America, Inc. on February 8, 2011.

14. Attached hereto as Exhibit 9 is a true and correct copy of an e-mail from Andrew Leibnitz to Duane Pozza of 9/29/11.

15. Attached hereto as Exhibit 10 is a true and correct copy of an e-mail from Andrew Leibnitz to Duane Pozza of 10/5/11 .

16. Attached hereto as Exhibit 11 is a true and correct copy of an e-mail from Steve Fabrizio to Andrew Leibnitz of 10/7/11. This also includes an e-mail from Steve Fabrizio to Andrew Leibnitz of 10/6/11.

17. Attached hereto as Exhibit 12 is a true and correct copy of an e-mail from Steve Fabrizio to Andrew Leibnitz of 11/19/11. This e-mail string also includes an e-mail from Rod Thompson to Duane Pozza of 11/19/11.

18. Attached hereto as Exhibit 13 is a true and correct copy of a visa rejection issued by U.S. Vice Consul Andrew Baker to Anton Titov on or about October 28, 2011. I received this document from Mr. Titov shortly after October 28, 2011.

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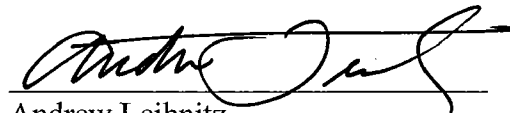
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19. Attached hereto as Exhibit 14 is a true and correct copy of an excerpt from the website of the Russian consulate in Bulgaria.

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

Executed on this 25th day of November 2011, at San Francisco, California.


Andrew Leibnitz