

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.* _____/*Counterclaimant,*

v.

WARNER BROS. ENTERTAINMENT INC.,

Counterdefendant. _____/**NOTICE OF DEFENDANTS HOTFILE CORPORATION AND ANTON TITOV OF
THE WITHDRAWAL OF EXHIBIT “D” FILED IN SUPPORT OF DEFENDANTS’
MEMORANDUM OF LAW IN OPPOSITION TO PLAINTIFFS’ MOTION TO
COMPEL THE DEPOSITION OF ANDREI IANAKOV [D.E. # 190] AND NOTICE
OF THE SUBSTITUTION AND FILING OF THE CORRECT EXHIBIT “D”
TO DEFENDANTS’ MEMORANDUM OF LAW**

Defendants, Hotfile Corporation and Anton Titov (collectively “Defendants”), hereby give notice of the withdrawal of the originally filed Exhibit “D” filed in support of Defendants’ Memorandum of Law In Opposition to Plaintiffs’ Motion to Compel the Deposition of Andrei Ianakov [D.E. # 190] and of the substitution and filing of the correct Exhibit “D,” filed in support

of Defendants' Memorandum of Law [D.E. # 190].¹ A copy of the substituted Exhibit "D" filed in support of Defendants' Memorandum of Law, is attached hereto. Defendants respectfully request that the Court refer to the corrected Exhibit "D" that is attached here, rather than the Exhibit "D" that was originally filed on December 19, 2011, that has now been withdrawn.

DATED: January 4, 2012

By: /s/ Roderick M. Thompson
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¹ Exhibit "D" is an exhibit to the Declaration of Roderick M. Thompson, Esq., which was attached to Defendants' Memorandum of Law [D.E. # 190], as Exhibit "1."

And

/s/Valentin Gurvits

Valentin Gurvits (*Admitted pro hac vice*)

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*Counsel for Defendants Hotfile Corporation
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CERTIFICATE OF SERVICE

I hereby certify that on January 4, 2012, the foregoing document was served on all counsel of record or pro se parties identified below either via transmission of Notices of Electronic Filing generated by CM/ECF or in some other authorized manner for those counsel or parties who are not authorized to receive electronically Notices of Electronic Filing.

By: /s/Janet T. Munn
Janet T. Munn

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EXHIBIT “D” to Docket Entry 190

From: HotFile Corp <andrew@hotfile.com>
Date: 2011/12/13
Subject: Re: Важно - Andrei Ianakov Deposition Notice
To: Nasko **REDACTED**

Здравей Наско,

Прочетох писмото ти и съм много притеснен, че трябва да бъда разпитван от чужди адвокати, при условие, че съм служител в БлуАнт ООД и съм отговарял на имейли, свързани със съпорт на сайта хотфайл.ком.
Притеснявам се, че трябва да давам показания, свързани с дейността на компанията Hotfile Corp, нямам нужното юридическо образование или познания и се притеснявам да бъда разпитван от чужди адвокати.
Събитията свързани с делото срещу хотфайл за които научавам ми причиняват силно психо-емоционално безпокойство, принасящо се в личен, здравословен и семеен план.
Обмисляйки тези неща реших да напусна фирмата БлуАнт.
Настоящото писмо нека да се счита за решението ми да напусна фирмата, считано от 15.12.2012.
Моля да получа обратно трудовата си книжка и свързаните с трудовия ми стаж документи.

13.12.2012
Андрей Янъков

[English Translation]

Hello Nasko,
I read your letter and I am so worried that I have to be deposed by foreign attorneys, taking into consideration the fact that I am only an employee of BlueAnt, and my involvement with Hotfile.com was only to the extent of web support and answering emails/ customer service. I am concerned that I will have to testify regarding Hotfile's business activities; I do not have a formal legal education or respectively any legal knowledge and I am so anxious that I have to be deposed by foreign attorneys.
All the facts I've learnt pertaining to Hotfile's law suit have impacted seriously my psychological and emotional state of mind, with repercussions to my personal and family life and my health conditions.
Rationalizing on all the above, I decided to leave the company BlueAnt.
The present letter should be considered as my official resignation notice beginning of December 15th, 2011.
I would politely request that you send my severance package.

13.12.2012
Andrew Ianakov