

EXHIBIT 15

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,

vs.

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

Defendants.

AND RELATED CROSS-ACTION.

HIGHLY CONFIDENTIAL - PURSUANT TO PROTECTIVE ORDER

VIDEOTAPED DEPOSITION OF BRAXTON PERKINS

PURSUANT TO FEDERAL RULE 30(b)(6)

Los Angeles, California

Friday, December 16, 2011

Reported by:
LORI SCINTA, RPR
CSR No. 4811

Job No. 178935B

1 UNITED STATES DISTRICT COURT
2 SOUTHERN DISTRICT OF FLORIDA
3 CASE NO. 11-20427-WILLIAMS-TURNOFF
4 DISNEY ENTERPRISES, INC.,
5 TWENTIETH CENTURY FOX FILM
6 CORPORATION, UNIVERSAL CITY
7 STUDIOS PRODUCTIONS LLLP,
8 COLUMBIA PICTURES INDUSTRIES,
9 INC., and WARNER BROS.
10 ENTERTAINMENT INC.,
11 Plaintiffs,
12 vs.
13 HOTFILE CORP., ANTON TITOV,
14 and DOES 1-10,
15 Defendants.
16
17 _____
18 AND RELATED CROSS-ACTION.
19 _____

20 HIGHLY CONFIDENTIAL - PURSUANT TO PROTECTIVE ORDER
21 Videotaped deposition of BRAXTON PERKINS,
22 pursuant to Federal Rule 30(b)(6), taken on behalf of
23 Defendants and Counterclaimant Hotfile Corp., at
24 633 West Fifth Street, Los Angeles, California,
25 beginning at 10:15 A.M. and ending at 7:16 P.M. on
26 Friday, December 16, 2011, before LORI SCINTA, RPR,
27 Certified Shorthand Reporter No. 4811.

1 APPEARANCES:

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3 For Plaintiffs:

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-- and --

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02:14 1 deals with other sites.

02:14 2 THE WITNESS: All of my discussions about
02:14 3 YouTube have been with in-house counsel. My opinions
02:15 4 about YouTube are always shared in privileged
02:15 5 conversations.

02:15 6 BY MR. GUPTA:

02:15 7 Q Do you know what the Hotfile special
02:15 8 rightsholder account is?

02:15 9 A Through the prep for this deposition, I recall
02:15 10 reading about it. In fact, in one of the documents I
02:15 11 believe you showed me earlier today, I think I read that
02:15 12 term.

02:15 13 MR. GUPTA: Would you please mark this as
02:15 14 Universal Exhibit 46.

02:15 15 (Universal Exhibit 46 was marked for
02:16 16 identification by the court reporter.)

02:16 17 BY MR. GUPTA:

02:16 18 Q Mr. Perkins, could you please have a look at
02:16 19 Exhibit 46 and tell me what that is.

02:16 20 A This appears to be a email from
02:16 21 hotfile.abuse@gmail.com to a list of email addresses.

02:17 22 Q Doesn't this email show that Hotfile is
02:17 23 offering a special rightsholder account to
02:17 24 NBC Universal, Mr. Perkins?

02:17 25 MR. POZZA: Object that it lacks foundation,

02:17 1 it's ambiguous.

02:17 2 THE WITNESS: I would just upon reading this
02:17 3 piece of paper not be a hundred percent sure. The fact
02:17 4 that it's from a gmail account could to me indicate that
02:17 5 it was not actually an authorized communication from
02:17 6 Hotfile.

02:17 7 I think -- so I'm not a hundred percent sure
02:17 8 based on the sending address and the inclusion of other
02:17 9 emails that I am unfamiliar with.

02:17 10 BY MR. GUPTA:

02:17 11 Q But Universal did receive this email, correct?

02:17 12 MR. POZZA: Objection. Lacks foundation.

02:17 13 THE WITNESS: I am -- I cannot personally
02:18 14 attest to knowing whether this was received or not, but
02:18 15 the antipiracy NBC Universal email does lead me to
02:18 16 believe that it's possible that this did come into our
02:18 17 antipiracy inbox.

02:18 18 BY MR. GUPTA:

02:18 19 Q And based on the Bates number, it appears that
02:18 20 this was actually produced by Universal in this
02:18 21 litigation, correct?

02:18 22 A What's a Bates number? I'm sorry.

02:18 23 Q I'm sorry. It's the number at the bottom with
02:18 24 a Universal code on it.

02:18 25 A Okay. Yeah.

02:18 1 MR. POZZA: I will stipulate that Universal
02:18 2 did, in fact, produce this document although the witness
02:18 3 may be unfamiliar with how Bates labeling works.

02:18 4 BY MR. GUPTA:

02:18 5 Q But, once again, Mr. Perkins, does Universal
02:18 6 dispute that Hotfile offered it a special rightsholder
02:19 7 account in June of 2010?

02:19 8 MR. POZZA: Object as ambiguous and lacking
02:19 9 foundation.

02:19 10 THE WITNESS: What I -- what I would be able to
02:19 11 under oath testify to, given that this did come from our
02:19 12 email records, is that the antipiracy email box received
02:19 13 this email.

02:19 14 Upon reading it for the first time, I am not
02:19 15 convinced, based on the contents of this email from a
02:19 16 gmail account, that, in fact, this was an authentic --
02:19 17 or this was a communication sent from hotfile.com.

02:19 18 BY MR. GUPTA:

02:19 19 Q Did Universal ever open a special rightsholder
02:19 20 account with Hotfile?

02:19 21 MR. POZZA: Objection. Ambiguous, lacks
02:20 22 foundation.

02:20 23 THE WITNESS: Any and all conversations or
02:20 24 decisions about special rightsholders accounts are
02:20 25 always made by in-house counsel.

02:20 1 BY MR. GUPTA:

02:20 2 Q And I'm not asking about your communications
02:20 3 with in-house counsel. I'm just asking whether an
02:20 4 account was ever opened by Universal with Hotfile.

02:20 5 MR. POZZA: Same objections.

02:20 6 THE WITNESS: I am not aware of one.

02:20 7 BY MR. GUPTA:

02:20 8 Q Do you know if other sites, other hosting
02:20 9 sites, provide systems similar to the Hotfile special
02:20 10 rightsholder account?

02:20 11 MR. POZZA: Objection. Ambiguous, lacks
02:21 12 foundation and outside the scope of the notice.

02:21 13 THE WITNESS: All discussions that I have about
02:21 14 rightsholders accounts or special accounts I discuss
02:21 15 with my in-house counsel.

02:21 16 BY MR. GUPTA:

02:21 17 Q And I'm just asking about facts that you know
02:21 18 separate and apart from discussions with in-house
02:21 19 counsel.

02:21 20 Independent of your discussions with in-house
02:21 21 counsel, are you aware of other sites that provide
02:21 22 special rightsholders accounts similar to Hotfile?

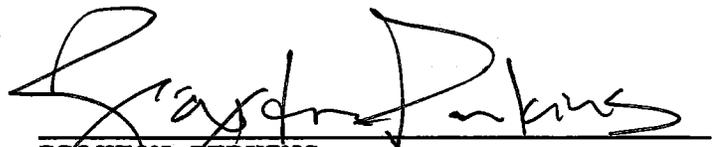
02:21 23 MR. POZZA: Same objections.

02:21 24 THE WITNESS: I'm actually not sure what the
02:21 25 special rightsholder's account actually entails, so it

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I, BRAXTON PERKINS, do hereby declare under penalty of perjury that I have read the foregoing transcript; that I have made any corrections as appear noted, in ink, initialed by me, or attached hereto; that my testimony as contained herein, as corrected, is true and correct.

EXECUTED this 17th day of January,
2010, at Universal City, CA.
(City) (State)


BRAXTON PERKINS

1

2 I, the undersigned, a Certified Shorthand
3 Reporter of the State of California, do hereby certify:

4 That the foregoing proceedings were taken
5 before me at the time and place herein set forth; that
6 any witnesses in the foregoing proceedings, prior to
7 testifying, were duly sworn; that a record of the
8 proceedings was made by me using machine shorthand
9 which was thereafter transcribed under my direction;
10 that the foregoing transcript is a true record of the
11 testimony given.

12 Further, that if the foregoing pertains to
13 the original transcript of a deposition in a Federal
14 Case, before completion of the proceedings, review of
15 the transcript [x] was [] was not requested.

16 I further certify I am neither financially
17 interested in the action nor a relative or employee
18 of any attorney or party to this action.

19 IN WITNESS WHEREOF, I have this date
20 subscribed my name.

21

22 Dated: 12-20-11

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LORI SCINTA, RPR
CSR No. 4811