

# EXHIBIT 11

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF FLORIDA

DISNEY ENTERPRISES, INC., )  
TWENTIETH CENTURY FOX FILM )  
CORPORATION, UNIVERSAL CITY )  
STUDIOS PRODUCTIONS LLP, )  
COLUMBIA PICTURES INDUSTRIES, )  
INC., AND WARNER BROS. )  
ENTERTAINMENT, INC., )  
 )  
Plaintiffs, )  
 )  
vs. ) No. 11-20427-Jordan  
 )  
HOTFILE CORP., ANTON TITOV, )  
AND DOES 1-10, )  
 )  
Defendants. )  
 )

HIGHLY CONFIDENTIAL

30(b)(6) Deposition of Warner Bros.

Entertainment, Inc.

by and through DAVID KAPLAN

WEDNESDAY, OCTOBER 12, 2011

LOS ANGELES, CALIFORNIA

ATKINSON-BAKER, INC.  
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REPORTED BY: JEANINE CURCIONE  
CSR NO. 10223, RPR

FILE NO.: A505CAB

1                   Deposition of DAVID KAPLAN, taken on  
2                   behalf of Defendant, at 9:37 A.M., Wednesday,  
3                   October 12, 2011, at 633 West Fifth Street, Suite  
4                   3500, Los Angeles, California, before Jeanine  
5                   Curcione, C.S.R. No. 10223, RPR, pursuant to  
6                   notice.

7

8                   APPEARANCES OF COUNSEL:

9                   FOR THE PLAINTIFFS:

10                   JENNER & BLOCK, LLP  
11                   BY: STEVEN FABRIZIO, ESQ.  
12                   633 West Fifth Street  
13                   Suite 3500  
14                   Los Angeles, California 90071

15                   AND

16                   MOTION PICTURE ASSOCIATION OF AMERICA, INC.  
17                   BY: KRISTA S. COONS, ESQ.  
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21                   FOR THE DEFENDANTS:

22                   FARELLA BRAUN & MARTEL, LLP  
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26                   San Francisco, California 94104

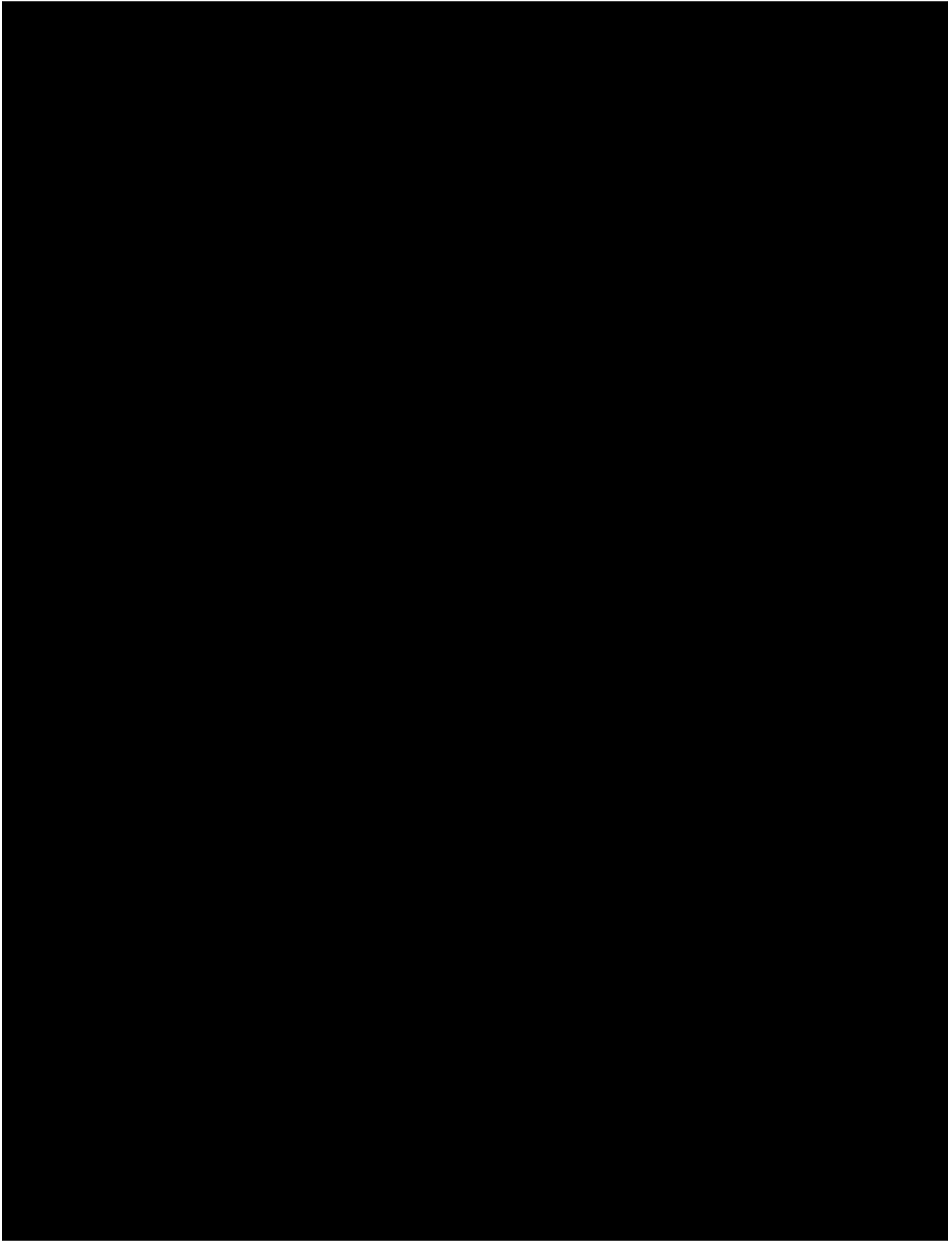
27                   ALSO PRESENT:

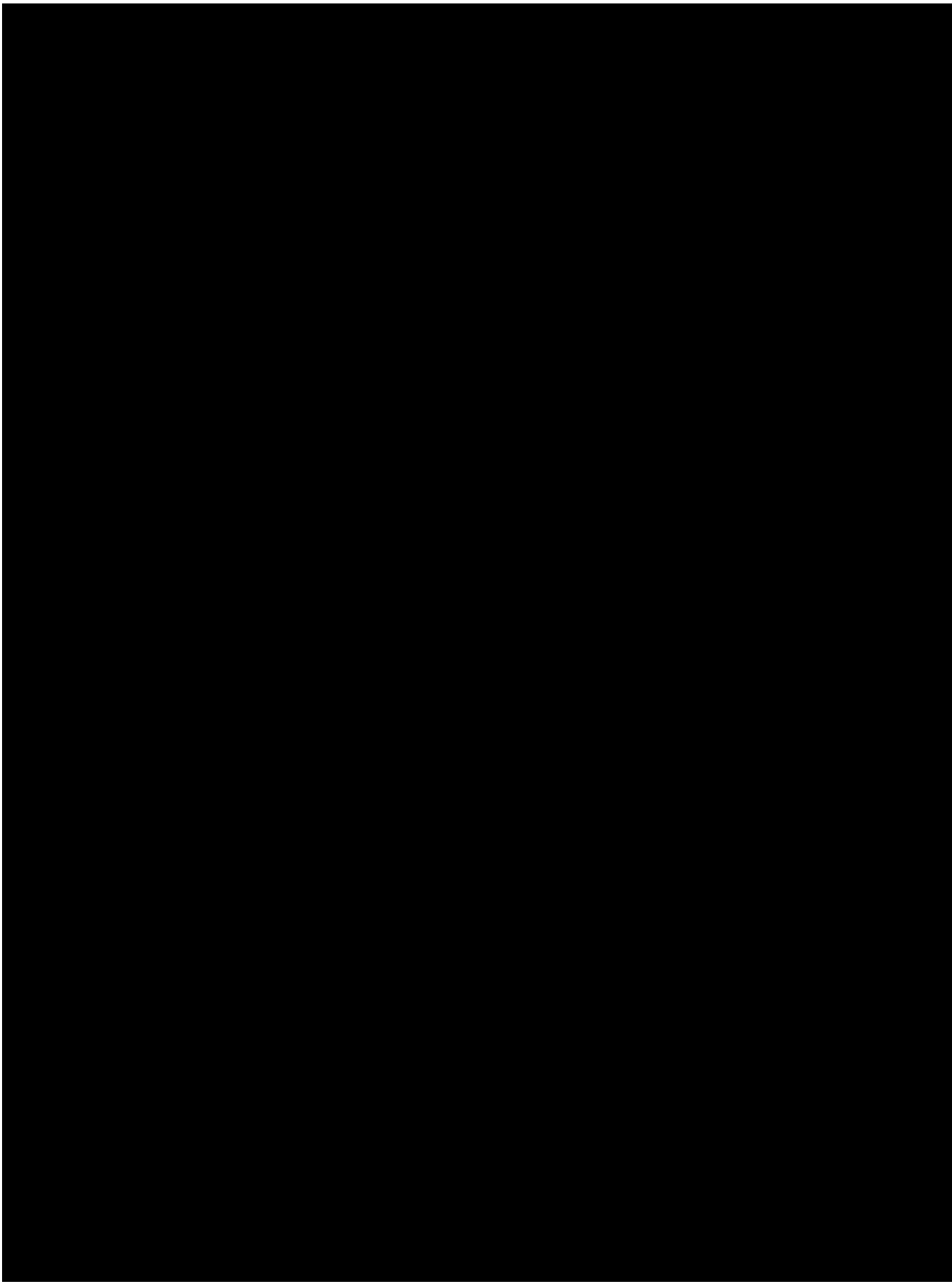
28                   EVAN M. ENGSTROM, ESQ.

29                   DAN ACKLEY, VIDEOGRAPHER

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REPORTER'S CERTIFICATE

I, JEANINE CURCIONE, C.S.R. NO. 10223, RPR, in and for the State of California, do hereby certify:

That prior to being examined, the witness named in the foregoing deposition was by me duly sworn to testify the truth, the whole truth and nothing but the truth.

That said deposition was taken down by me in shorthand at the time and place therein named, and thereafter reduced to typewriting under my direction, and the same is a true, correct and complete transcript of said proceedings.

That the witness, before examination, was by me duly sworn to testify the truth, the whole truth, and nothing but the truth, and that the witness reserved the right of signature;

I further certify that I am not interested in the event of the action.

Witness my hand this 26th day of October, 2011.



*Jeanine Curcione*

Certified Shorthand  
Reporter for the  
State of California

UNITED STATES DISTRICT COURT

SOUTHERN DISTRICT OF FLORIDA

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

Plaintiffs,

vs.

CASE NO.

11-20427-WILLIAMS-TURNOFF

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

Defendants.

---

AND RELATED CROSS-ACTION.

---

CONFIDENTIAL - PURSUANT TO PROTECTIVE ORDER  
VIDEOTAPED DEPOSITION OF DAVID P. KAPLAN, ESQUIRE  
PURSUANT TO FEDERAL RULE 30(b)(6)

Los Angeles, California

Tuesday, December 13, 2011

Volume 1

Reported by:  
LORI SCINTA, RPR  
CSR No. 4811

Job No. 177476B

1 UNITED STATES DISTRICT COURT

2 SOUTHERN DISTRICT OF FLORIDA

3  
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.

CASE NO.  
11-20427-WILLIAMS-TURNOFF

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

15 Defendants.

16  
17 AND RELATED CROSS-ACTION.  
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CONFIDENTIAL - PURSUANT TO PROTECTIVE ORDER

Videotaped deposition of DAVID P. KAPLAN,  
ESQUIRE, Volume 1, pursuant to Federal Rule 30(b)(6),  
taken on behalf of Defendants and Counterclaimant,  
at 633 West Fifth Street, Los Angeles, California,  
beginning at 2:18 P.M. and ending at 4:58 P.M. on  
Tuesday, December 13, 2011, before LORI SCINTA, RPR,  
Certified Shorthand Reporter No. 4811.



1 APPEARANCES:

2  
3 For Plaintiffs:

4 JENNER & BLOCK LLP  
5 BY: STEVEN B. FABRIZIO  
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7 202.639.6000  
Email: sfabrizio@jenner.com

8  
9 For Defendants and Counterclaimant:

10  
11 FARELLA BRAUN + MARTEL LLP  
12 BY: EVAN M. ENGSTROM  
Attorney at Law  
13 235 Montgomery Street  
San Francisco, California 94104  
415.954.4400  
14 Email: eengstrom@fbm.com

15  
16 Videographer:

17  
18 VONYARN MASON  
SARNOFF COURT REPORTERS  
19 20 Corporate Park, Suite 350  
Irvine, California 92606  
20 877.955.3855

1 know, looks at the Internet. We receive reports from  
2 other -- from vendors. I presume something along those  
3 lines it -- it popped out.

4 Q Who works in your antipiracy group?

5 MR. FABRIZIO: Objection. Overbroad.

6 THE WITNESS: There's me.

7 Ethan Applen. A-p-p-l-e-n.

8 Michael Bentkover.

9 Jaclyn Knag. J-a-c-l-y-n K-n-a-g.

10 Lucia Rangel. R-a-n-g-e-l.

11 Fernando Fronda. Fronda is F-r-o-n-d-a.

12 Asad Kazi. A-s-a-d. Last name Kazi, K-a-z-i.

13 Janice Pearson, J-a-n-i-c-e P-e-a-r-s-o-n.

14 Ben Karakunnel. K-a-r-a-k-u-n-n-e-l.

15 Trevor Albery. A-l-b-e-r-y.

16 Victoria Furniss. F-u-r-n-i-s-s.

17 Christian Sommer. S-o-m-m-e-r.

18 Bret Boivin. B-o-i-v-a-n [sic].

19 THE REPORTER: -- "v-a-n"?

20 THE WITNESS: B-o-i-v-a-n.

21 Michael Blaut. B-l-a-u-t.

22 Didier Wang. D-i-d-i-e-r W-a-n-g.

23 Bas Vissers. Bas is B-a-s. Vissers is

24 V-i-s-s-e-r-s.

25 Yoshi Nishida. Y-o-s-h-i. Nishida is

1 N-i-s-h-i-d-a.

2 Han Shin. H-a-n S-h-i-n.

3 Leslie Dobbins.

4 BY MR. ENGSTROM:

5 Q Are you sure that's everybody?

6 I'm just kidding. That's an impressible --  
7 remarkable memory. That would have taken me  
8 three-and-a-half hours of preparation just to do.

9 Let me ask you specifically about one person.

10 What is Christian Sommer's role?

11 A Christian is based in Germany. He is a  
12 director, and he supports the -- taking piracy-related  
13 information, basically, and presenting it to the  
14 European business executives.

15 Q Does he report to any --

16 A He does report to someone, yes.

17 Q Who is that?

18 A He reports to Trevor Albery.

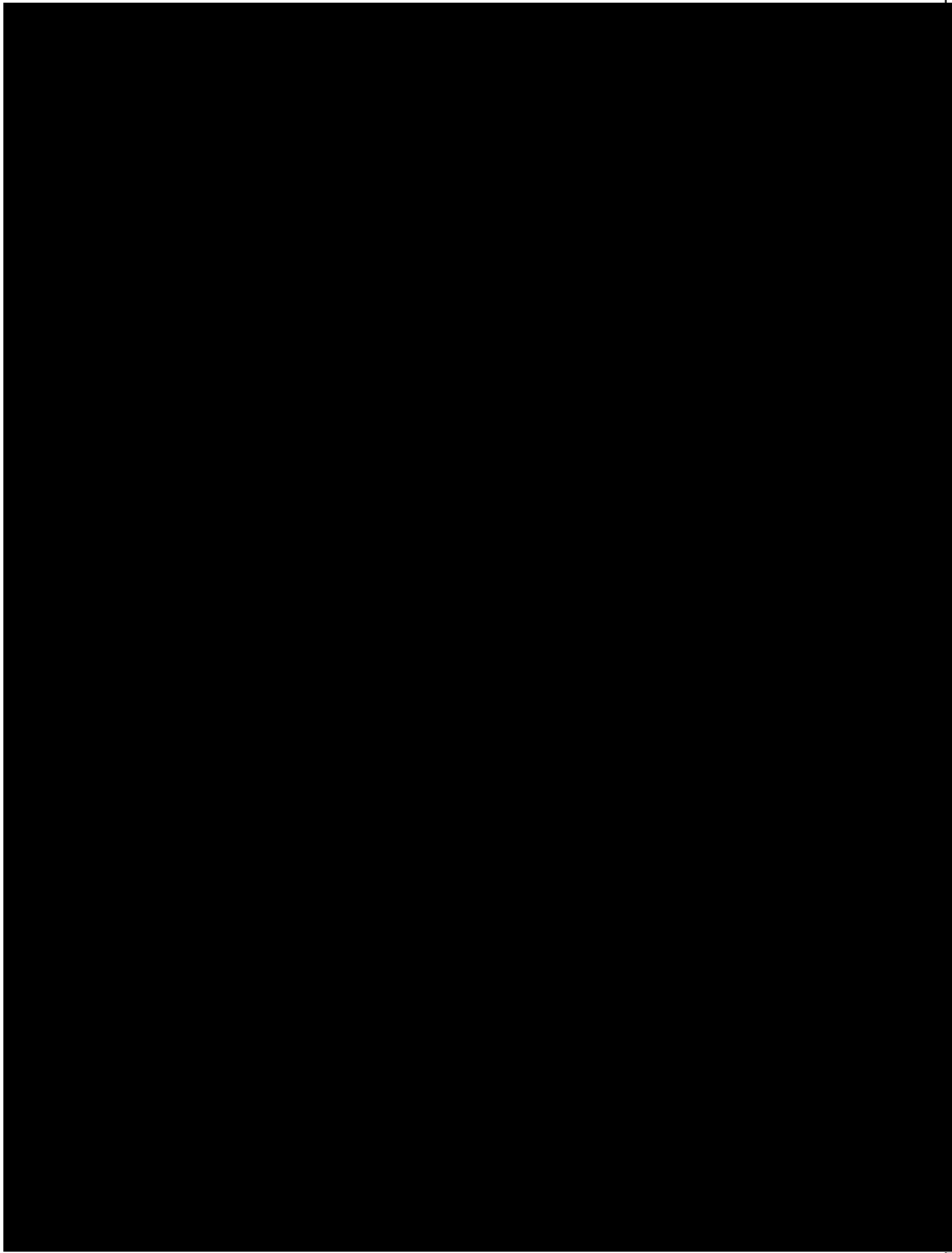
19 Q What is Trevor Albery's role?

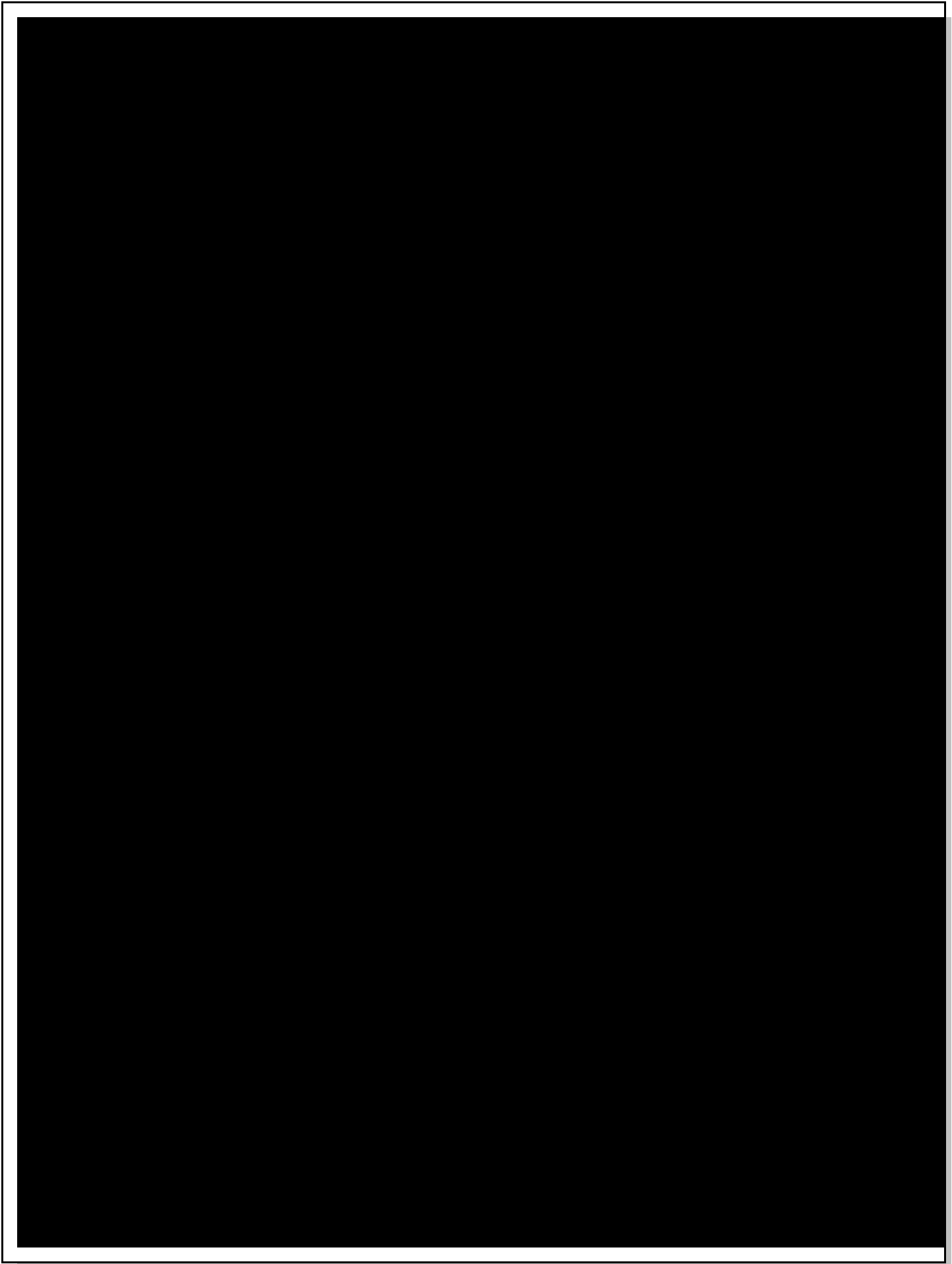
20 A Trevor is the vice president in charge of  
21 antipiracy operations for -- we say E-M-E-A, which  
22 stands for Europe, Middle East and Africa.

23 Q Do you report to anyone?

24 A Yes.

25 Q Who do you report to?






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I, DAVID P. KAPLAN, ESQUIRE, 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 13<sup>th</sup> day of January,  
20 12, at Burbank, California.  
(City) (State)

  
\_\_\_\_\_  
DAVID P. KAPLAN, ESQUIRE  
Volume 1

ERRATA SHEET

Pg/Ln

Corrections

13 / 2 Change from: delete 'No'

Change to: \_\_\_\_\_

15 / 7 Change from: "I don't"

Change to: "I'd"

72 / 18 Change from: add 'on' before 'a'

Change to: \_\_\_\_\_

\_\_\_ / \_\_\_ Change from: \_\_\_\_\_

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Signature: \_\_\_\_\_

Date: 12/13/2012

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: 12-15-11

23  
24  
25 \_\_\_\_\_  
LORI SCINTA, RPR  
CSR No. 4811