

EXHIBIT 22

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 v.

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

16 _____
17 HOTFILE CORP.,
18 Counterclaimant,

19 v.

20 WARNER BROS. ENTERTAINMENT
21 INC.,

22 Counterdefendant.

23 _____
24 Thursday, December 15, 2011
25 9:15 a.m. - 2:39 p.m.
1221 Brickell Avenue
Miami, Florida

26 DEPOSITION OF CONSTANTIN LUCHIAN
27 Taken on behalf of the PLAINTIFFS before
28 Michael J. D'Amato, RMR, Notary Public in and for the
29 State of Florida at Large, pursuant to Notice of Taking
30 Deposition in the above cause.

31 Job No. 44703

1
2 APPEARANCES
3

4 For the Plaintiffs:
5

6 JENNER & BLOCK
7 BY: JENNIFER V. YEH, ESQ.
8 1099 New York Avenue
9 Washington, DC 20001

10 For the Defendant Hotfile and Titov:
11

12 RASCO, KLOCK, REININGER PEREZ ESQUENAZI
13 VIGIL & NIETO
14 BY: JANET MUNN, ESQ.
15 283 Catalonia Avenue
16 Coral Gables, FL 33134

17 -AND-
18 BOSTON LAW GROUP
19 BY: VAL GURVITZ, ESQ.
20 20 Park Plaza
21 Boston, MA 02116
22
23
24
25

1 Q. What are you mean not at this time? Does that
2 mean at some future point you may be reimbursed?

3 A. Probably by Incorporate Now. Yeah, probably
4 will be reimbursed by Incorporate Now but that's
5 speculation.

6 Q. You are registered as a DMCA agent for
7 Hotfile. What address is used for the notices?

8 A. The general address for Incorporate Now.

9 Q. And that is the PO -- the UPS address, is that
10 correct?

11 A. A physical address, yes.

12 Q. So when people send DMCA notices to Hotfile it
13 gets mailed to the UPS Store?

14 A. It gets mailed to Incorporate Now at the
15 address 1007 North Federal Highway.

16 Q. What is the DMCA address for Lemuria?

17 A. The address is the same.

18 Q. Is it the same box number?

19 A. The address for Lemuria is the general address
20 for Incorporate Now.

21 MS. MUNN: Objection.

22 Q. Is it the same address as -- is it the same
23 UPS address?

24 A. We use the same physical address for all of
25 our clients.

1 Q. So for all of the clients for which you are a
2 DMCA agent all the notices get sent to the same
3 addresses, correct?

4 A. Correct.

5 Q. And that address is a UPS address, correct?

6 A. No. It's Incorporate Now address.

7 Q. It is an Incorporate Now address and where is
8 that address, at a UPS store?

9 A. UPS Store facilitates their receiving the mail
10 and processing.

11 Q. I just want to be clear that there's no
12 physical office that is receiving these notices?

13 A. UPS Store is a physical office that's
14 receiving notices.

15 Q. I mean a physical office of Incorporate Now.

16 A. As you mentioned before, Incorporate Now
17 doesn't have a chair or desk at the location.

18 Q. Do you have any interactions with
19 Constantin -- starts with B, the one also involved in
20 XBT Holdings?

21 A. Bezrunchenko, yes, I do.

22 Q. What type of interactions?

23 A. General Webazilla business and activities.

24 Q. Can you be more specific?

25 A. If I have any questions pertaining to the

1 copy.

2 (Deposition concluded at 2:39 p.m.)

3 (Reading and signing not waived)

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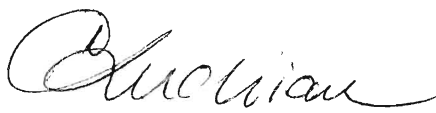
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Constantin Luchian

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CERTIFICATE OF OATH

STATE OF FLORIDA)

SS

COUNTY OF MIAMI-DADE)

I, Michael J. D'Amato, Notary Public for the State of Florida, certify that on the 15th day of December 2011, CONSTANTIN LUCHIAN personally appeared before me on and was duly sworn or affirmed.

WITNESS my hand and official seal this 28th day of December 2011.

Michael J. D'Amato
Notary Public - State of Florida
My Commission #DD 778385
Expires: June 13, 2012

CERTIFICATE OF COURT REPORTER

1
2 I, MICHAEL J. D'AMATO, a Registered Merit Reporter
3 and Notary Public in and for the State of Florida at
4 Large, do HEREBY CERTIFY that I was authorized to and
5 did stenographically report the deposition of CONSTANTIN
6 LUCHIAN; that a review of the transcript was; and that
7 the foregoing transcript, pages from 1 to 135, is a true
8 and accurate record of my stenographic notes.

9 I FURTHER CERTIFY that I am not a relative,
10 employee, attorney, or counsel of any of the parties, nor
11 am I a relative or employee of any of the parties'
12 attorney or counsel connected with the action, nor am I
13 financially interested in the action.

14 Dated this 28th day of December 2011.

15 _____
16 MICHAEL J. D'AMATO,
17 Registered Merit Reporter

E R R A T A S H E E T

(Do not write on transcript - Enter any changes here)

IN RE:DISNEY v HOTFILE

Date taken:12/15/11

PAGE/LINE

Change

Reason for Change

132/20

"Anton Titov" should be replaced with "I did"

Reason for change: I misunderstood the question. I thought I was being

asked "Whose name is filed in". The answer to

"Who filed in" is "I did".

7/3 "web posting" has to be "web hosting"

Reason for change: transcriber error

8/14 "web posting" has to be "web hosting"

Reason for change: transcriber error

12/13 "DMC" has to be "DMCA"

Reason for change: transcriber error

36/21 "CL@incorporate.com" has to be "CL@incorporatenow.com"

Reason for change: transcriber error

39/19 "DMC" has to be "DMCA"

Reason for change: transcriber error

50/4 "CL@incorporate.com" has to be "CL@incorporatenow.com"

Reason for change: transcriber error

50/19 "DMC" has to be "DMCA"

Reason for change: transcriber error

Page 1 of 2 Continued on page 2

Under penalties of perjury, I declare that I have read
my deposition and that the facts stated herein are true.



1/31/2012

CONSTANTIN LUCHIAN

DATE

1 ERRATA SHEET

(Do not write on transcript - Enter any changes here)

2 IN RE:DISNEY v HOTFILE Date taken:12/15/11

PAGE/LINE Change Reason for Change

3 60/17 "DMC" has to be "DMCA"

4 Reason for change: transcriber error

5 90/1 "Lemuriaco" has to be "Lemuria"

6 Reason for change: transcriber error

7 90/14 "Lemuriaco" has to be "Lemuria"

8 Reason for change: transcriber error

9 92/24 "open" has to be "owned"

10 Reason for change: transcriber error

11 100/21 "DMC" has to be "DMCA"

12 Reason for change: transcriber error

13 101/22 "DMC" has to be "DMCA"

14 Reason for change: transcriber error

15 109/8 "Depositfile.com" has to be "Depositfiles.com"

16 Reason for change: transcriber error

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21 Page 2 of 2. End

22 Under penalties of perjury, I declare that I have read
my deposition and that the facts stated herein are true.

23

24



1/31/2012

25

CONSTANTIN LUCHIAN

DATE