

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.*

\_\_\_\_\_ /

HOTFILE CORP.,

*Counterclaimant,*

v.

WARNER BROS. ENTERTAINMENT INC.,

*Counterdefendant.*

\_\_\_\_\_ /

**REPLY DECLARATION OF DR. IAN FOSTER IN SUPPORT OF WARNER'S  
MOTION FOR SUMMARY JUDGMENT**

**PUBLIC REDACTED VERSION**

I, Ian Foster, hereby declare as follows:

1. My name is Ian Foster and I currently hold the position of Director of the Computation Institute at Argonne National Laboratory and the University of Chicago. My expert qualifications and background, as well as the materials I have reviewed in performing my analysis in this case, have previously been summarized in the declaration I submitted in support of Warner's Motion for Summary Judgment. In the interests of avoiding repetition, I refer the Court to my February 10, 2011 declaration for a discussion of my qualifications and a description of the Hotfile data sets I consulted for purposes of my analysis in this matter.

2. I have been asked by Plaintiffs to explain what Hotfile's produced data shows regarding certain specific claims made by Hotfile and Anton Titov regarding specific users that they claim Hotfile suspended due to Warner's takedown notices listed in the counterclaim, in particular with respect to three users, namely those with userids [REDACTED] (the owner of the JDownloader software), [REDACTED], and [REDACTED]. My analysis and conclusions are explained below.

3. According to Hotfile's "actiondat" data set (which logs user suspensions and other events), user number [REDACTED]. However, Hotfile's data also shows that any interruption in access to files uploaded by that user was very short. Hotfile's "dailydownloads" data set shows that the user's files were being downloaded from Hotfile again by [REDACTED]. Hotfile's "affpay" data set (which logs payments to affiliates) also shows that user [REDACTED] continued to receive uninterrupted payments through [REDACTED].

4. As for user number [REDACTED], Hotfile's actiondat data set shows that Hotfile suspended this user [REDACTED].

5. With respect to user [REDACTED], I previously supplied to Plaintiffs' expert Scott Zebrak information extracted from Hotfile's data sets showing any days on which Hotfile received notices for the user's files, which I understand is represented in his Exhibit B.

I declare under penalty of perjury that the foregoing is true and correct.  
Executed in the State of Illinois this 11th day of March, 2012.



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Ian Foster, PhD