

EXHIBIT A

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF FLORIDA
MIAMI DIVISION

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.

Case No. 1:11-cv-20427-AJ

PLAINTIFFS' FIRST SET OF REQUESTS FOR PRODUCTION

Pursuant to Rule 34 of the Federal Rules of Civil Procedure, Disney Enterprises, Inc., Twentieth Century Fox Film Corporation, Universal City Studios Productions LLLP, Columbia Pictures Industries, Inc., and Warner Bros. Entertainment Inc. (collectively, "Plaintiffs") request that Hotfile Corp. and Anton Titov (collectively, "Defendants") produce for inspection and copying, or cause to be copied, the documents described below. Defendants shall make such production within thirty (30) days after the service of these requests, at the offices of Gray-Robinson, P.A., 1221 Brickell Avenue, Suite 1600, Miami, FL 33131, c/o Karen L. Stetson, in accordance with the Federal Rules of Civil Procedure, and in compliance with the Definitions and Instructions set forth below.

DEFINITIONS AND INSTRUCTIONS

1. The words "you," "yours," "yourselves," and "Defendants" means Anton Titov and Hotfile Corp., and includes (i) any directors, officers, accountants, investigators, attorneys,

employees, agents, representatives or other persons acting, authorized to act, or purporting to act, on behalf of Hotfile Corp. or Anton Titov; (ii) all of Hotfile Corp.'s affiliates, divisions, units, predecessors-in-interest, successors-in-interest, subsidiaries, parent corporations, and assigns; (iii) any other person or entity otherwise subject to Hotfile Corp.'s or Anton Titov's control, who controls Hotfile Corp., or is under common control with Hotfile Corp.

2. The terms "Hotfile" and "Hotfile Website" mean the website accessible at www.hotfile.com and hotfile.com and encompasses all servers, software, and databases operated as part of the website.

3. The term "Hotfile Entity" means Hotfile Corp., Hotfile, S.A., and Hotfile, Ltd., as well as any entity involved with or that you claim is involved with the operation of the Hotfile Website, as well as any entity controlled, operated, affiliated with, or owned by any Defendant, in whole or in part, that performs or has performed any services related to the Hotfile Website, and shall further include principals, executives, officers, directors, employees, agents, representatives, or shareholders of such entity.

4. The term "Lemuria" means Lemuria Communications Inc. ("Lemuria"), including any principals, executives, officers, directors, employees, agents, representatives, or shareholders of Lemuria, all of Lemuria's affiliates, divisions, units, predecessors-in-interest, successors-in-interest, subsidiaries, parent corporations, and assigns, and any other person otherwise understood by you to be subject to Lemuria's control, who controls Lemuria, or is under common control with Lemuria.

5. The singular shall include the plural and vice versa; the terms "and" or "or" shall be both conjunctive and disjunctive; and the term "including" shall mean "including without limitation."

6. “Date” shall mean the exact date, month and year, if ascertainable or, if not, the best approximation of the date (based upon relationship with other events).

7. The word “document” shall have the meaning of the term “documents or electronically stored information” in Federal Rule of Civil Procedure 24(a)(1)(A).

8. “Agent” shall mean any agent, employee, officer, director, attorney, independent contractor or any other person acting at the direction of or on behalf of another.

9. “Person” shall mean any individual, corporation, proprietorship, partnership, trust, association or any other entity.

10. The words “pertain to” or “pertaining to” mean relates to, refers to, regarding, contains, concerns, describes, embodies, mentions, constitutes, constituting, supports, corroborates, demonstrates, proves, evidences, shows, refutes, disputes, rebuts, controverts or contradicts.

11. The term “third party” or “third parties” refers to individuals or entities that are not a party to this action.

12. The word “identify,” when used in reference to a document (including electronically stored information), means and includes the name and address of the custodian of the document, the location of the document, and a general description of the document, including (1) the type of document (e.g., letter or memorandum) and, if electronically stored information, the software application used to create it (e.g., MS Word or MS Excel Spreadsheet); (2) the general subject matter of the document or electronically stored information; (3) the date of the document or electronically stored information; (4) the author of the document or electronically stored information; (5) the addressee of the document or electronically stored information; and (6) the relationship of the author and addressee to each other.

13. The word “identify,” when used in reference to a natural person, means and includes the person’s full name, position and/or title, and present contact information. Stating that a person can be contacted through counsel is not sufficient. If the person is a Hotfile user, also state the person’s account name and user ID.

14. The term “Hotfile user” means any person who has directed his or her Internet browser to the Hotfile Website or otherwise accessed the Hotfile Website, including any person who has registered with the Hotfile website, any person who has at any time opened a “Premium” account with the Hotfile website, and any person who has at any time been a participant in any of the Hotfile Website’s “Affiliate” programs.

15. The term “Content File” means any electronic file uploaded to, stored on and/or downloaded from the Hotfile Website by any Hotfile user at any time.

16. The term “Affiliate programs” means all offers, programs or practices whereby Hotfile users receive compensation from any Defendant or Hotfile Entity, including the “Affiliate” program for uploading users and the “Referral” programs “for site owners” and “Refer a friend” as described at <http://www.hotfile.com/affiliate.html>.

17. The term “Content Reference Data” means any electronic data pertaining to the Content Files (apart from the Content Files themselves) received by Hotfile servers or otherwise created, maintained, or used by Hotfile or Defendants. “Content Reference Data” shall include:

- a. the Hotfile URL associated with each such file;
- b. any unique Hotfile-assigned identifier associated such each such file;
- c. any identifiers of the uploading Hotfile user associated with each such file including IP address, username, and Hotfile user identification number;
- d. the Hotfile user supplied filename of each such file;
- e. the size in bytes of each such file;

- f. the date and time each such file was uploaded to Hotfile;
- g. the location and/or IP address from which each such file was uploaded to Hotfile;
- h. the number of times each such file has been downloaded from Hotfile;
- i. the number of times each such file has been downloaded from Hotfile;
- j. the location and/or IP address from which each such file was downloaded from Hotfile;
- k. the dates and time of each download of each such file from Hotfile;
- l. whether each such file was copied using Hotfile's feature by which an uploading user may create additional copies within their account, and if so, the Hotfile URL and any unique identifier associated with each resulting copy;
- m. the "status" of each such file on the Hotfile Website, including:
 - i. whether the file remains active;
 - ii. whether the file has been blocked from user access, or from Hotfile's servers;
 - iii. for files that do not remain active, the reason why the file no longer remains active, including
 - 1. whether the file was the subject of a copyright owner claim or notice;
 - 2. whether the Hotfile user deleted the file; or
 - 3. whether the file was blocked, removed, or deleted for inactivity; or
 - 4. whether the file is no longer active for some other reason.

18. The term "User Data" means all electronic data received by Hotfile servers or otherwise created, maintained, or used by Hotfile or Defendants reflecting information about Hotfile users, whether registered or unregistered, including any user account or activity records, any records of uploads to or downloads from Hotfile by users (including log files), and all records concerning payments made or owed to users under any of Hotfile's "Affiliate" programs.

19. The term “Affiliate Data” means all electronic data reflecting information about the persons or entities to which Hotfile makes payments, directly or indirectly, as part of any of its “Affiliate” programs, including amounts and dates of payments; the URLs of websites registered by Hotfile users under Hotfile’s referral program for site owners; the amounts of traffic from such websites; the number of downloads by users arriving from such websites; the numbers of Hotfile Premium subscriptions resulting from traffic from such websites; formulas, algorithms, or other methods used to calculate those payments; and any data used to calculate the amounts of such payments or determine their proper recipients

20. Documents maintained in electronic format shall be produced in accordance with any ESI agreement in this Action.

21. If any document is not produced on the basis of a claim of privilege or for any other reason, identify the document with particularity, including without limitation the author(s), any recipient(s), any other individual or entity to whom the document has been shown or transmitted, any other individual or entity with whom the document has been discussed, the number of pages, attachments, and appendices, the date of the document, a description of the subject matter sufficient to form the basis of a claimed privilege and to uniquely identify the document, and a short statement of the nature of the claimed privilege or reason for withholding production.

22. Plaintiffs do not believe that Defendants may lawfully withhold documents on the basis that they contain identifying information regarding specific Hotfile users. Without prejudice to Plaintiffs’ right to seek the identity and additional information pertaining to such users, Defendants may, in the first instance, limit their initial production of documents in response to these Requests for Production containing individually identifying information of

users as described herein. With respect to the top 500 users and/or websites that have received the greatest amounts of payments from Defendants related to Hotfile, and with respect to data requested in Request for Production No. 28 *infra*, Defendants may redact information such as credit card statement or bank account information. Plaintiffs will meet and confer in good faith regarding whether this information should be provided for a greater number of users or websites. For all other database records, if Defendants intend to redact such records, redactions will be done in a way that preserves the ability to identify the geographic location of the Hotfile user (such as by providing city and state information or sufficient unredacted IP address information), and that allows for the unique identification of the user such that an individual user's activities may be identified even when examining different sets of data. Plaintiffs invite Defendants to meet and confer regarding appropriate protocols for implementing these limitations.

23. You are reminded to supplement your responses to these requests and your documents produced in response to these requests in accordance with Rule 26 of the Federal Rules of Civil Procedure.

REQUESTS FOR PRODUCTION

DOCUMENT REQUEST NO. 1:

Subject to Instruction 22 *supra*, all Content Reference Data.

DOCUMENT REQUEST NO. 2:

Subject to Instruction 22 *supra*, all User Data.

DOCUMENT REQUEST NO. 3:

Subject to Instruction 22 *supra*, all Affiliate Data.

DOCUMENT REQUEST NO. 4:

All Content files. Production of such files to Plaintiffs shall be deferred until an appropriate sample or subset can be identified based on other documents produced in response to these requests.

DOCUMENT REQUEST NO. 5:

All documents pertaining to:

- a) Any takedown, cease and desist letter, or other notice received by you or any Hotfile Entity regarding any file or activity hosted on the Hotfile Website;
- b) Any actions taken by any Defendant or Hotfile Entity to effectuate the removal of any material from Hotfile's Website;
- c) Any technical assistance provided by any Defendant or Hotfile Entity to any Hotfile user, including with respect to uploading files to Hotfile, downloading files from Hotfile, or performing any other operation on the Hotfile Website;
- d) The features and functionality of the Hotfile Website;
- e) The nature and types of Content Files available on or through the Hotfile Website;
- f) The geolocation of Hotfile users;
- g) The reasons Hotfile users are attracted to the Hotfile Website;
- h) Any online document hosting or "locker" websites, including Rapidshare, Megaupload, and Google Docs;
- i) Any investors or potential investors in any Hotfile Entity;
- j) Hotfile's "Affiliate" program;
- k) Hotfile's "Reseller" program;
- l) Defendants' or any Hotfile Entity's termination, suspension, or limitation of any Hotfile user's access to Hotfile (or to particular features of Hotfile), for any reason other than the Hotfile user's voluntary cancelation of their subscription or nonpayment of the user's subscription fees;
- m) Defendants' or any Hotfile Entity's removal, deletion, or disabling of access (in whole or in part) to any Content Files;

- n) Copyrighted content, copyright laws, copyright infringement, or infringing activity on or through the Hotfile Website;
- o) This Action, the action in *Liberty Media Holdings, LLC v. Hotfile Corp. et al.*, No. 1:11-cv-20056-AJ (S.D. Fla.), the action in *Liberty Media Holdings, LLC v. Hotfile.com, et al.*, No. 3:09-CV-2396-D (N.D. Tex.), and the action in *Perfect 10, Inc. v. Hotfile Corp. et al.*, No. 2:10-cv-02031 (S.D. Cal.), excluding privileged communications with counsel and counsel's protected work product; and
- p) Any marketing, business plan or strategy for the Hotfile Website.

DOCUMENT REQUEST NO. 6:

All documents pertaining to communications between you or Hotfile Entity and any Hotfile user, including any communications pertaining to the topics in Request No. 5 *supra*.

DOCUMENT REQUEST NO. 7:

All documents pertaining to communications with or among any employee, owner, shareholder, principal, officer, director, agent, business partner, or contractor of any Defendant or Hotfile Entity pertaining to the topics in Request No. 5 *supra*.

DOCUMENT REQUEST NO. 8:

All documents pertaining to communications between you or any Hotfile Entity and any third party pertaining to the topics in Request No. 5 *supra*.

DOCUMENT REQUEST NO. 9:

All documents pertaining to communications between you or any Hotfile Entity and any participant in Hotfile's "Affiliate" programs.

DOCUMENT REQUEST NO. 10:

All documents pertaining to communications between you or any Hotfile Entity and any participant in Hotfile's "Reseller" programs.

DOCUMENT REQUEST NO. 11:

All documents pertaining to communications between you or any Hotfile Entity and any copyright owner(s) or their representatives pertaining to:

- a) The presence of any copyrighted material on the Hotfile Website, whether with or without authorization;
- b) Any means or mechanism for addressing, limiting, or preventing the presence of copyrighted material on the Hotfile Website without authorization, and
- c) Any action taken by any Defendant or Hotfile Entity in response to or as a result of such communications.

DOCUMENT REQUEST NO. 12:

All documents pertaining to the promotion, advertising, or marketing of the Hotfile website, including any advertisements or promotional materials considered or used to promote Hotfile and any communications (whether internal or with third parties) concerning the same.

DOCUMENT REQUEST NO. 13:

All documents pertaining to any sites that host links to files hosted on the Hotfile Website (“Link Sites”), including pertaining to any ownership or control of any Link Sites by you, any Hotfile Entity, or Lemuria, and communications with operators of any Link Sites.

DOCUMENT REQUEST NO. 14:

All documents pertaining websites offering the ability to search for files on the Hotfile Website (“Search Sites”), including hotfilesearch.com; hotfile123.com, and hotfileserve.com, including pertaining to any ownership or control of any Search Sites by you, any Hotfile Entity, or Lemuria, and communications with operators of any Search Sites.

DOCUMENT REQUEST NO. 15:

All documents pertaining to each Defendant’s and Hotfile Entity’s financial condition, including:

- a) Nature and value of assets;
- b) Income for each month from the launch of the Hotfile Website through the present;
- c) Each source of income from the launch of the Hotfile Website through the present;
- d) Monthly expenses; and
- e) Any transfers of funds to, from, or among each Defendant or Hotfile entity, including the amount and date of each such transfer and identity of all parties to the transaction.

DOCUMENT REQUEST NO. 16:

All versions of the source code for the Hotfile Website as it now exists or has ever existed.

DOCUMENT REQUEST NO. 17:

Schema for all databases used in operation of all versions of the Hotfile Website.

DOCUMENT REQUEST NO. 18:

All documents pertaining to the design or functionality of the Hotfile Website, as it currently exists or has ever existed, including any feature specification, feature requirements definition, system architecture, or other technical documents.

DOCUMENT REQUEST NO. 19:

All documents pertaining to tracking or monitoring the utilization of or traffic to the Hotfile Website, including any reports or data generated from Google Analytics.

DOCUMENT REQUEST NO. 20:

All documents pertaining to the any steps taken to prevent automated downloading from the Hotfile Website, including use of Google's "Captcha" service.

DOCUMENT REQUEST NO. 21:

All documents pertaining to any actions of, efforts by, or the ability of, Defendants or any Hotfile Entity to terminate, block, or limit the access of any subscriber or user from the Hotfile Website, for any reason, including any consideration of such actions, efforts, or ability.

DOCUMENT REQUEST NO. 22:

All documents pertaining to any policy or practices any Defendant or Hotfile Entity has ever formulated, considered, and/or adopted regarding adverse action against Hotfile users who have infringed copyrights, who you believe may have infringed copyrights, or who have been directly or indirectly accused of infringing copyrights, including any repeat infringer policies implemented, adopted, or considered, and including any action taken to identify the Hotfile users who have uploaded works identified in notices from copyright holders.

DOCUMENT REQUEST NO. 23:

All documents pertaining to any policy, methods, or practices any Defendant or Hotfile Entity has ever adopted or considered regarding the removal, blocking, or restriction of unauthorized or potentially unauthorized content from the Hotfile Website, including:

- a) Any hash-based (MD5, SHA1 or otherwise) technology;
- b) Any technology or service based on audio, audiovisual, or video fingerprinting (e.g. Vobile, Audible Magic, etc.); and
- c) Any technology based on filename, filename extension, file type, file size, internal file metadata, or any combination thereof.

DOCUMENT REQUEST NO. 24:

All documents pertaining to any policy, methods, or practices you or any Hotfile Entity has ever adopted or considered regarding the removal or blocking of any content from Hotfile for any reason, including unwanted commercial content (“spam”), duplicate or redundant content, content harmful or potentially harmful to Hotfile’s systems or the systems of Hotfile users (e.g.

viruses), and content deemed to be unlawful or potentially unlawful (e.g. in violation of patent, trademark, copyright, or obscenity or child pornography laws).

DOCUMENT REQUEST NO. 25:

All documents pertaining to any policy, methods, or practices any Defendant or Hotfile Entity has ever adopted or considered pertaining to preventing abuse of its system, including any measures to prevent improper downloads, to prevent the creation of false download traffic, and to detect and/or impede bots.

DOCUMENT REQUEST NO. 26:

All documents pertaining to the “Link Checker” accessible at <http://hotfile.com/checkfiles.html>, including any documents pertaining to the purpose and consumer appeal of the feature.

DOCUMENT REQUEST NO. 27:

All documents pertaining to the effect or potential effect of the Hotfile service or similar services on the plaintiffs, the motion picture industry, the television industry, or any other industry based on the creation and lawful exploitation of copyrighted works.

DOCUMENT REQUEST NO. 28:

All documents reflecting the use of the Hotfile service by any employee, owner, shareholder, principal, officer, director, agent, business partner, or contractor of any Defendant or Hotfile Entity, including:

- a) the Hotfile usernames or other Hotfile account information maintained by any such individual or entity;
- b) The files uploaded by any such individual or entity;
- c) The files downloaded by any such individual or entity; and
- d) Any payments made or received by any such individual or entity through the Hotfile “Affiliate” programs.

DOCUMENT REQUEST NO. 29:

All documents or communications pertaining to ownership or operation of each Hotfile Entity by individuals or entities other than Defendants, and all corporate documents for each Hotfile Entity.

DOCUMENT REQUEST NO. 30:

All documents pertaining to meetings of each Hotfile Entity's board of directors or other governing body, including but not limited to documents sufficient to show:

- a) Name and title of every individual attending each meeting;
- b) Agenda for each meeting;
- c) Date and time of each meeting;
- d) Place of each meeting; and
- e) Minutes of each meeting.

DOCUMENT REQUEST NO. 31:

All documents pertaining to the relationship between or among each Hotfile Entity, including:

- a) Any officers, directors, employees, or other persons acting or purporting to act on the behalf of, or under the direction or control of, any Hotfile Entity who
 - i. Also serve as an officer, director, or employee of another Hotfile Entity, or
 - ii. have performed any work for another Hotfile Entity.
- b) Any common ownership, including documents reflecting whether any shareholder or other owner of one Hotfile Entity is also a shareholder of another Hotfile Entity; and
- c) Any property (including real property, bank accounts, office equipment, or computer equipment) owned or otherwise held, controlled, or used by more than one Hotfile Entity, whether in whole or in part, and whether directly or indirectly;
- d) Any agreements, contracts, undertakings, or understandings among or between any Hotfile Entities, and all amendments thereto;

- e) Any financial arrangements, revenue sharing, and accountings between any Hotfile Entities, including any revenue, income or other valuable consideration, or sources thereof, exchanged between any Hotfile Entities;
- f) The provision of any services by any Hotfile Entity to any other Hotfile Entity; and
- g) Each Hotfile Entity's role in operating the Hotfile website.

DOCUMENT REQUEST NO. 32:

All documents pertaining to the relationship between Lemuria and any Hotfile Entity, including:

- a) Any common officers, directors, employees, or agents, or officers, directors, or agents who have performed work for Lemuria and any Hotfile entity;
- b) Any common ownership, including shareholders;
- c) Any commonly owned, held, or used property, including real property, bank accounts, office equipment, and computer equipment;
- d) Any agreements, contracts, undertakings, or understandings; and
- e) Any financial arrangements, revenue sharing, and accountings.

DOCUMENT REQUEST NO. 33:

All documents or communications pertaining to any Defendant's travels to and from Florida and presence in Florida, including:

- a) All documents pertaining to any Defendant's use of a Florida driver's license, a Florida automobile insurance policy, a motor vehicle registered in Florida, as well as any other application or submission mentioning any defendant to the government of Florida or any political subdivision thereof;
- b) All other documents pertaining to any Defendant's interaction with the government of Florida or any political subdivision thereof;
- c) All documents pertaining to any Defendant's activities in or concerning Florida, including any Defendant's maintenance of any apartment or other residence in Miami Beach or elsewhere in Florida;
- d) All contracts for utilities or services related to any Florida property.

DOCUMENT REQUEST NO. 34:

All documents or communications pertaining to any bank account, safe deposit box, real property, leasehold, personal property, or other property or proprietary interest maintained by any Defendant or Hotfile Entity.

DOCUMENT REQUEST NO. 35:

All documents pertaining to any relationship or communications between you or any Hotfile Entity and any of the following entities:

- a) InCorporate Now Inc.,
- b) Webazilla, LLC,
- c) Webzilla, Inc.,
- d) Webazilla Ltd.,
- e) Webazilla B.V.,
- f) IP Transit, Inc.,
- g) International Solution Group, Inc.,
- h) LinkShop, Inc.,
- i) WZ Communications, Inc.,
- j) Dedicated Servers LLC,
- k) Ecorporate, Inc.,
- l) Neocren, Inc.,
- m) Any person or entity that operates the website at filesonic.com,
- n) Any person or entity that operates the website at depositfiles.com,
- o) Any person or entity that operates the website at bitshare.com, and
- p) Any person or entity that operates the website at 4shared.com.

DOCUMENT REQUEST NO. 36:

All documents referenced in your responses to any Interrogatories served by Plaintiffs in this Action.

Dated: April 1, 2011

By: s/ Luke C. Platzer
Luke C. Platzer

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