IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION

BE2, LLC, et al.,	)	
	)	
Plaintiffs,	)	
	)	
v.	)	No. 10 C 1650
	)	
BE2.NET, et al.,	)	
	)	
Defendants.	)	

MEMORANDUM

After the entry of a May 27, 2010 order of default in this action, judgment was entered on June 28, 2010 in accordance with the prove-up of damages submitted by plaintiffs be2, LLC and be2 Holding AG. Nikolay Ivanov ("Ivanov"), the individual defendant in the case (the other named defendant is be2.net), has for the second time communicated with the court by letter rather than by an appropriate filing. Because Ivanov does not show a copy was transmitted to plaintiffs' counsel, it is unclear whether the latter was an impermissible ex parte communication--but to cure any flaw in that respect, a copy of the June 30 letter is attached to this memorandum.

Nothing said in the Ivanov letter supports the alteration, let alone the vacatur, of the June 28 judgment (among other things, the court record reflects that Ivanov was given proper notice of all proceedings in the case). Accordingly this Court leaves the judgment order intact and will continue to await plaintiffs' submission of their claim for an award of attorneys'

fees and expenses, an item that was left open by the judgment order.

Milton I. Shadur
Senior United States District Judge

Date: July 12, 2010

Nikolay V. Ivanov

1454 York Street
Mahwah, NJ 07430

June 30, 2010

Honorable Milton I. Shadur
Office of Courtroom Deputy
Room 2308-A
Dirksen Federal Building
219 South Dearborn Street
Chicago, Illinois 60604

Re: *be2, LLC, et al. v. be2.net, et al.;* Civil Action No. 10-cv-1650

Dear Judge Shadur:

I would like to apologize for not appearing for the May 3rd hearing, since I did not have the money for legal representation nor for travel to Chicago. As I have already explained, I also was not properly notified about it. The court minutes were never attached to the original summons and there was no way for me to know about this date. I am attaching Exhibit 1 (Document 7 (Court Minutes)), which was forwarded to me via email by Kevin Guynn on May 25th, 2010. This document was not part of the order that was served to me in April.

Your Honor, I am not the owner of a company called be2.net and I am not the chief executive officer or co-founder. My only role, which probably should have never happened, was as a moderator where I was approving profiles before they become visible to members, thus monitoring for inappropriate content. Even the approval process was happening through a web form, without actual access to server code. I understand where the confusion is coming from and have talked and written to the attorneys and their client trying to clear it. I have never held possession of the domain, never had access to files, designs, databases or anything related to be2.net. I have explained to the plaintiff that if they look at the design and structure, they will see that it mimics 100% the design and structure of www.sladur.com. Sladur.com is the Bulgarian version of be2.net and be2.net was operating as an affiliate. I am not a programmer and I have not contributed to the creation of the site. I have been employed in the insurance industry for over 15 years now. I have held steady 9 to 5 jobs with various companies such as AON, Willis, and presently with Risk Sciences Group.

be2.net was purchased and still owned in Bulgaria. I am not involved and I have severed any connections with site and the owner. I have worked with the plaintiff's attorneys helping them build a communication bridge and as I have previously told them, I am willing to assist them with whatever they need. What I can not understand is why is it that any of the parties in Bulgaria were never named as defendants? Every single document, order, injunction, or motion were being sent in copies of two (2) to my apartment address. Why is it that I have not seen a single communication attempt from the plaintiff's attorneys with the owners of the domain? Only when the injunction order was issued, then they contacted the owner, which made them terminate the site operation. Had this been done earlier, any of the attorney fees incurred would have been saved. This leads me to believe that I am being targeted, because I can not defend myself and in an attempt to achieve all necessary court orders, without the actual defendant being involved. The plaintiff's attorneys have taken advantage of my pro-se representation, by filing paperwork in the last minute, not giving me enough time to read and research the allegations. I can not afford attorney fees, I can not afford to travel to Chicago, IL to appear in court and I feel completely helpless.

I would still like to resolve this matter and please, have my name dropped from any further proceedings. All this is exerting pressure on my family, taxing my personal life, and negatively

impacting my day to day duties as a father, husband, and provider for my family. The thought of paying excess of $1Million in damages has not allowed me to rest in the past 5 months. How were these figures derived? Why a break-down was never provided? From my limited involvement as a moderator, I have seen at most 15 registrations per day with at about 30 people on-line at any time. How can such a small site generate this type of income? I took the liberty of researching the traffic on the be2.net domain and on average it is showing 5,000 to 10,000 page views per day. Even with $1.00 rate per thousand impressions from Google, which is the only advertising I have seen on the site, this would generate $10.00 a day. Since I have never been paid or collected from the site, these are only speculations, but they are probably close.

I still think that this matter could have been resolved economically as a domain name dispute with ICANN against the actual owner of the be2.net domain. I am attaching a recent NetworkSolutions.com who-is search on the be2.net domain where the name of the owner, contact, and address information are clearly stated.

If you have any questions, please do not hesitate to contact me.

Best Regards,

Nikolay V. Ivanov

Order Form (01/2005)

United States District Court, Northern District of Illinois

Name of Assigned Judge or Magistrate Judge	Milton I. Shadur	Sitting Judge if Other than Assigned Judge	
CASE NUMBER	10 C 1650	DATE	3/19/2010
CASE TITLE	BE2, LLC vs. BE2.Net, et al		

DOCKET ENTRY TEXT

A status hearing is set for May 3, 2010 at 9:00 a.m.

[For further details see text below.] Notices mailed by Judicial staff.

STATEMENT

(Reserved for use by the Court)

ORDER

This order is being entered shortly after the filing of the Complaint. Counsel for plaintiff(s) are ordered to cause a copy of this order to be delivered forthwith to each defendant in the same manner that process has been or is being served on such defendant.

There will be a status hearing--a "scheduling conference", as that term is used in attached Fed. R. Civ. P. ("Rule") 16(b), at 9:00 a.m. on May 3, 2010 (the "Status Hearing Date"). Counsel for plaintiff(s) and for each defendant that has been served with process or has appeared at least 28 days before that Status Hearing Date are ordered to meet not later than 14 days before the Status Hearing Date to comply with the provisions of attached Rules 26(f) and 26(a)(c) and this District Court's LR 26.1 (also attached). Counsel for the parties are urged to undertake serious settlement efforts before the scheduled Status Hearing when no major investment in counsel's time (and clients' money) has yet taken place. If such efforts are unsuccessful, counsel should be prepared to attend the scheduled Status Hearing prepared to discuss briefly their proposed discovery plan and other subjects appropriate for inclusion in the scheduling order as referred to in Rule 16(b).

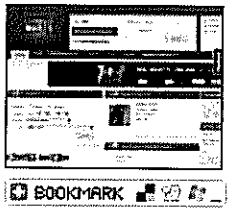
Although this Court will not set a close-of-discovery scheduling order until both sides have a good sense of the time needed for that purpose, the parties are urged to join in setting their own target dates in that respect at their initial Rule 26(f) conference and to review those target dates regularly during the discovery process. Special attention must be given to the December 1, 2006 amendments to Rules 26(f), 26(a)(1), 34 and 45 that deal with electronically stored information (ESI) and that establish obligations for both lawyers and clients, and to the impact of the Rule 26 amendments on the scope of discovery under other provisions of Rule 26 (see Rules 26(a)(1), (b)(2) and (b)(5)). Counsel should also become familiar with the helpful Committee Notes dealing with the 2006 amendments.

If any party is unrepresented by counsel, that party must comply with this order personally. Counsel's attention is specifically called to this Court's directive attached to LR 26.1.

STATEMENT

be2.net

Is this your domain name? Renew it now.



Current Registrar:	TUCOWS INC.
IP Address:	64.20.61.250 (ARIN & RIPE IP search)
Record Type:	Domain Name
Server Type:	Apache 2
Lock Status:	clientTransferProhibited
WebSite Status:	Active

```
Registrant:
 Sladur LTD
 ul. Chernogor 3
 Troyan, Troyan 5600
 BG

 Domain name: BE2.NET


 Administrative Contact:
    Bosev, Vladimir  vlado@sladur.com
    ul. Chernogor 3
    Troyan, Troyan 5600
    BG
    +359.888650022
 Technical Contact:
    Bosev, Vladimir  vlado@sladur.com
    ul. Chernogor 3
    Troyan, Troyan 5600
    BG
    +359.888650022


 Registration Service Provider:
    dom.BG - .COM .INFO .BIZ - $13.90 - $8.90
    http://www.dom.bg



Registrar of Record: TUCOWS, INC.
Record last updated on 31-May-2010.
Record expires on 19-Sep-2010.
Record created on 19-Sep-1999.

Registrar Domain Name Help Center:
   http://tucowsdomains.com

Domain servers in listed order:
   NS2.FREE.DOM.BG
   NS1.FREE.DOM.BG


Domain status: clientTransferProhibited
               clientUpdateProhibited
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Search Again

Search again here...

Search by either

Domain Name e.g. networksolutions.com

IP Address e.g. 205.178.187.13

Search