

**UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS**

WILLIAM V. AGUIAR, III,

Plaintiff,

v.

FLOYD WEBB, BARRON SHEPPARD,
WENDY SHEPPARD and ASHIDO KIM
a/k/a CHRISTOPHER HUNTER and
a/k/a BRADFORD DAVIS,

Defendants.

Civil Action No. 07-CA-11673-MLW

**DECLARATION OF BRANDY KARL IN OPPOSITION TO PLAINTIFF'S MOTION
FOR PRELIMINARY INJUNCTION**

I, Brandy Karl, declare as follows:

1. I am an attorney licensed to practice law in the Commonwealth of Massachusetts and before the United States District Court for the District of Massachusetts. I am one of the attorneys representing Defendant Floyd Webb in the above-captioned matter. I have personal knowledge of the following facts, and if called upon as a witness, I could and would testify competently to the truth of the matters asserted herein.
2. Attached as Exhibit A is a true and correct copy of the newspaper article from the July 14, 2006 edition of the *Chicago Reader*, which I accessed online at <http://www.chicagoreader.com/features/stories/countdante/>.
3. Attached as Exhibit B is a true and accurate copy of the Copyright application for the book "World's Deadliest Fighting Secrets," registration number HA86679, which I caused to be obtained from the Copyright Office on October 11, 2007. The Copyright

Office has informed Mr. Webb's counsel that it has no record of an assignment of this copyright to any other entity, including Mr. Aguiar.

4. Attached as Exhibit C is a true and accurate copy of a printout from the Patent and Trademark Office's web-based Trademark Applications and Registrations Retrieval ("TARR") system, pertaining to the canceled "Black Dragon Fighting Society" trademark, serial number 75562925.
5. Attached as Exhibit D is a true and accurate copy of a TARR printout pertaining to the canceled "Count Dante Fighting System" trademark, serial number 2328425.
6. Attached as Exhibit E is a true and accurate copy of a TARR printout pertaining to a 2007 application to register the trademark "Black Dragon Fighting Society."
7. Attached as Exhibit F is a true and accurate copy of a TARR printout pertaining to a 2007 application to register the trademark "Count Dante Fighting System DAN-TE."
8. Attached as Exhibit G is a true and accurate copy of a printout from Mr. Webb's website, available through the web address <http://thesearchforcountdante.com/>.
9. On September 13, 2007, I sent a letter to Mr. Aguiar by email and Federal Express to notify him that I would accept service on behalf of Mr. Webb. In a telephone message left for me on September 14, 2007, 5:16 p.m., John Creeden indicated that he was an employee of the Plaintiff.

I declare under penalty of perjury under the laws of the United States of America that the above statement is true and correct. Executed this 12th day of October, 2007 at Stanford, California.

Dated: October 12, 2007

By: /s/ Brandy A. Karl
Brandy A. Karl