

UNITED STATES DISTRICT COURT  
DISTRICT OF MASSACHUSETTS

DMITRIY SHIROKOV, on behalf of himself  
and all others similarly situated,

Plaintiff

v.

DUNLAP, GRUBB & WEAVER, PLLC; US  
COPYRIGHT GROUP; THOMAS DUNLAP;  
NICHOLAS KURTZ; GUARDALEY,  
LIMITED; and ACHTE/NEUNTE Boll Kino  
Beteiligungs Gmbh & Co KG,

Defendants.

CIVIL ACTION NO. 1:10-CV-12043-GAO

**OPPOSITION OF THE DEFENDANT, ACHTE/NEUNTE BOLL KINO  
BETEILIGUNGS GMBH & CO KG TO PLAINTIFF'S MOTION FOR CLASS  
CERTIFICATION AND APPOINTMENT OF CLASS COUNSEL**

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Defendant, Achte/Neunte Boll Kno Beteiligungs Gmbh & Co. KG (Achte/Neunte) hereby opposes the plaintiff's motion for class certification and appointment of class counsel. As grounds therefore Achte/Neunte incorporates as if fully set forth herein the legal arguments contained in the opposition memorandum filed by the co-defendants, Dulap, Grubb & Weaver, PLLC, US Copyright Group, Thomas Dunlap, and Nicholas Kurtz. (*Document Number 96*).

Wherefore, Achte/Neunte respectfully requests that the Court deny plaintiff's motion with prejudice.

ACHTE/NEUNTE Boll Kino Beteiligungs  
GmbH & Co KG,

By its Attorneys,

/s/ Kevin C. Cain

Kevin C. Cain

BBO # 550055

Harvey Weiner

BBO # 519840

PEABODY & ARNOLD LLP

Federal Reserve Plaza

600 Atlantic Avenue

Boston, MA 02210-2261

(617) 951-2100

Dated: April 30, 2012

**CERTIFICATE OF SERVICE**

I, Kevin C. Cain, hereby certify that on this 30th day of April, 2012, I served the within Opposition of the Defendant, Achte/Neunte Boll Kino Beteiligungs GMBH & Co. KG to Plaintiff's Motion for Class Certification and Appointment of Class Counsel by causing a copy thereof to be sent electronically to the registered participants in this case, as identified on the Notice of Electronic Filing.

/s/ Kevin C. Cain \_\_\_\_\_

Dated: April 30, 2012

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