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Nathan E. Palmer,
 8 *and David J. Della Terza*

9 **UNITED STATES DISTRICT COURT**

10 **DISTRICT OF NEVADA**

11 RIGHTHAVEN, LLC, a Nevada limited-
 12 liability company

13 Plaintiff,

14 vs.

15 VOTE FOR THE WORST, LLC, an Utah
 limited-liability company; NATHAN E.
 PALMER, an individual; and DAVID J.
 16 DELLA TERZA, an individual

17 Defendants.

Case No.: 2:10-CV-01045-KJD-RJJ

**DEFENDANTS' REPLY IN SUPPORT OF
 DEFENDANTS' MOTION TO DISMISS**

18 Defendants Vote for the Worst, LLC, Nathan E. Palmer, and David J. Della Terza, by and
 19 through their counsel, hereby submit their reply in support of their motion to dismiss.

20 **I. Righthaven Lacks Standing to Maintain Its Copyright Infringement Claim Against**
 21 **Defendants.**

22 Righthaven fails to demonstrate that it has the requisite standing to prosecute the instant
 23 lawsuit. Although Righthaven produced a copy of the assignment (“Assignment”) from Stephens
 24 Media LLC (“Stephens Media”) that purports to grant it all of the rights necessary to sue
 25 Defendants as an exhibit to its Opposition, the Assignment is invalid for a number of reasons. (*See*
 26 *Doc. 15-1 Ex. 1.*) On its face, the Assignment appears to be a valid transfer from Stephens Media
 27 to Righthaven of “all copyrights requisite” for Righthaven to have the right to seek redress for
 28 infringement of the work. (*Id.*) However, what “requisite” rights are transferred is never specified

1 within the agreement. (*Id.*) Moreover, Stephens Media retains unknown reversion rights in those rights,
2 making it impossible to determine just what right Righthaven has to pursue Defendants for
3 copyright infringement. As explained below, the Assignment is ambiguous and, therefore, invalid.
4 Moreover, the wording of the Assignment itself implies nothing less than a champertous
5 agreement, which is invalid under Nevada law.

6 Section 204(a) of the Copyright sets forth the requirements for transferring copyrights,
7 stating “[a] transfer of copyright ownership ... is not valid unless an instrument of conveyance, or
8 a note or memorandum of the transfer, is in writing and signed by the owner of the rights
9 conveyed or such owner’s duly authorized agent.” 17 U.S.C. § 204(a). Section 204(a) does not
10 mandate a particular form of transfer document. A writing memorializing the assignment of
11 copyright interests “doesn’t have to be the Magna Carta; a one-line pro forma statement will do.”
12 *Effects Assocs., Inc. v. Cohen*, 908 F.2d 555, 557 (9th Cir. 1990). However, even though there is
13 no prescribed form, the terms of any writing purporting to transfer copyright interests, even a one-
14 line pro forma statement, must be clear and unambiguous to be valid. *See Playboy Enterprises,*
15 *Inc. v. Dumas*, 831 F. Supp. 295, 308 (S.D.N.Y.1993), *aff’d in part and rev’d in part on other*
16 *grounds*, 53 F.3d 549 (2d Cir.1995). Ambiguity in a copyright assignment is resolved in favor of
17 the copyright owner retaining the rights at issue. *See Beig v. Hovanian Enters., Inc.*, 157 F. Supp.
18 2d 475, 480 (E.D. Pa. 2001) (“any ambiguity concerning the alleged transfer must be interpreted
19 in favor of the original copyright holder in order to satisfy the purpose of Section 204(a).”) In
20 other words, ambiguous copyright assignments do not result in the transfer of copyrights--they
21 remain vested in the original owner. As a leading authority on copyright law has stated:

22 While a transfer document need not use the magic word “copyright,” the statute
23 nevertheless requires that the transfer document be identified as one which involves
24 some form of “transfer of copyright ownership.” This is a defined term and cannot
25 be ignored with a wink and a nudge that we all know what was meant. The essence
26 of that definition for our purposes is that there must be an assignment or license of
27 one of the *exclusive* rights. **Section 204(a) adds the additional requirement that**
28 **the assignment or license document must specify which rights are being**
transferred.

2 William F. Patry, *Patry on Copyrights* § 5:108 (2010) (emphasis added); *see also Apparel Bus.*
Sys., LLC v. Tom James Co., No. 06-1092, 2008 WL 858754, at *14 (E.D. Pa. Mar. 28, 2008)

1 (assignment of “all Intellectual Property rights necessary for or required for the conduct of []
2 business ...” held invalid).

3 Thus, because there are no less than six exclusive copyrights that may be assigned,
4 assignments that do not mention which exclusive rights are being assigned have been held
5 ambiguous and invalid under 17 U.S.C. § 204(a).¹ For example, in *Playboy Enterprises v. Dumas*,
6 53 F.3d 549 (2d Cir.1995), the Second Circuit upheld a district court opinion, in which the
7 following legend on the back of a check was held ambiguous and, therefore, not a valid
8 assignment: “Payee acknowledges payment in full for the assignment to Playboy Enterprises, Inc.
9 of all right, title and interest in and to the following items.” *Id.* at 564. *See also Pamfiloff v. Giant*
10 *Records*, 794 F. Supp. 933, 936 (N.D. Cal. 1992) (holding agreement that made no reference to
11 “publishing rights or rights to musical compositions” was not a sufficient writing under Section
12 204(a)); *Home Design Servs., Inc. v. Park Square Enters., Inc.*, No. 6:02-CV-637-ORL28JGG,
13 2005 WL 1027370, at *3 (M.D. Fla. May 2, 2005) (“the [transfer] should, at a minimum, make
14 mention of the copyright which is being transferred”). Here, the Assignment fails to specify
15 which exclusive rights it purports to transfer, is ambiguous, and therefore, invalid.

16 More importantly, Stephens Media’s reversion rights within the Assignment raise serious
17 questions as to what rights Righthaven actually has in the copyrighted work, and how meaningful
18 those rights are. All of the rights Stephens Media assigns to Righthaven are “subject to the
19 Assignor’s rights of reversion,” which are not specified anywhere in the Assignment. (*Id.*) This
20 raises serious questions about what rights Righthaven actually has to sue Defendants and those
21 similarly situated, as it could be paying Stephens Media for the bare right to sue for copyright

22 ¹ Section 106 of the Copyright Act of 1976 identifies six exclusive rights:

- 23 • The right to reproduce the copyrighted work in copies or phonorecords;
- 24 • The right to prepare derivative works based upon the copyrighted work;
- 25 • The right to distribute copies or phonorecords of the copyrighted work to the public by sale or other
transfer of ownership, or by rental, lease, or lending;
- 26 • In the case of literary, musical, dramatic, and choreographic works, pantomimes, and motion
pictures and other audiovisual works, to perform the copyrighted work publicly;
- 27 • In the case of literary, musical, dramatic, and choreographic works, pantomimes, and pictorial,
graphic, or sculptural works, including the individual images of a motion picture or other
audiovisual work, to display the copyrighted work publicly; and
- 28 • In the case of sound recordings, to perform the copyrighted work publicly by means of a digital
audio transmission.

See 17 U.S.C. § 106.

1 infringement, with those rights reverting back to Stephens Media once Righthaven has recovered a
2 settlement or judgment from the affected defendants. In fact, the wording of the purported transfer
3 seems to indicate that the sole purpose of assigning the copyrights is to give Righthaven technical
4 legal standing to pursue infringements on rights that, in all actuality, still belong to Stephens
5 Media. Such arrangements are prohibited as champertous under Nevada law. *See Lum v. Stinnett*,
6 488 P.2d 347, 350 (1971) (citing *Gruber v. Baker*, 23 P. 858, 862 (1890)); *Prosky v. Clark*, 32
7 Nev. 441 (Nev. 1910)).

8 The timing and language of the Assignment raises a strong inference that the Assignment
9 is champertous. “Champerty is maintenance with the additional feature of an agreement for the
10 payment of compensation or personal profit from the subject matter of the suit.” *Lum v. Stinnett*,
11 488 P.2d 347, 350 (1971). “Maintenance exists when a person without interest in a suit
12 officiously intermeddles therein by assisting either party with money or otherwise to prosecute or
13 defend it.” *Id.* The original article at issue here was first published on April 11, 2010.
14 Righthaven alleges that the infringing article was posted to Defendants’ website on April 12,
15 2010. On May 25, 2010, after learning of the alleged infringement, Stephens Media assigned “all
16 copyright requisite to have Righthaven recognized as the copyright owner of the Work **for**
17 **purposes of Righthaven being able to claim ownership as well as to seek redress for past,**
18 **present and future infringements....**” (Doc. 15-1 Ex. 1 (emphasis added).) As consideration for
19 this assignment, the Assignment lists “**monetary commitments and commitments to services to**
20 **be provided** and/or already provided by Righthaven LLC....” (*Id.*) The wording of the
21 Assignment itself implies nothing less than a champertous agreement. Stephens Media agrees to
22 let Righthaven enforce Stephens Media’s rights, but without an acceptable attorney-client
23 relationship, and Righthaven agrees to provide services and money in return for prosecuting a
24 lawsuit. Under Nevada law, the Assignment is champertous and is, therefore, invalid.

25 Finally, the presumption of copyright ownership from a copyright registration does not
26 save Righthaven. Although copyright ownership is presumed where there is a certificate of
27 registration, this presumption of ownership is rebuttable. “To rebut the presumption, an
28 infringement defendant must simply offer some evidence or proof to dispute or deny the plaintiff’s

1 prima facie case of infringement.” *Lamps Plus, Inc. v. Seattle Lighting Fixture Co.*, 345 F.3d
2 1140, 1144 (9th Cir. 2003). Here, the Assignment is in question, particularly given its ambiguous
3 terms. As a consequence, it is not afforded the presumption of ownership.

4 The Court should find Righthaven does not have sufficient standing to pursue its claim,
5 and, thus, that there is not subject matter jurisdiction in this case. Righthaven has not established
6 – and cannot establish – that it is the proper assignee of the relevant copyright and fully and
7 properly entitled to sue Defendants for alleged infringement. Accordingly, the Court should grant
8 Defendants’ Motion to Dismiss for lack of subject matter jurisdiction.

9 **II. Righthaven Has Not Established That This Court Has Specific Personal Jurisdiction**
10 **Over Defendants.**²

11 Once a defendant has raised a challenge to personal jurisdiction under Rule 12(b)(2), the
12 Court must satisfy itself that jurisdiction is proper before proceeding to the merits of the case.
13 *Boschetto v. Hansing*, 539 F.3d 1011, 1016 (9th Cir. 2008). Under the “effects test,” a plaintiff
14 must show 1) an intentional act 2) expressly aimed at the forum that 3) causes injury the defendant
15 knew would be felt in the forum. *See Brayton Purcell LLP v. Recordon & Recordon*, 606 F.3d
16 1124, 1128 (9th Cir. 2010). Although Righthaven accuses Defendants of willful behavior and
17 express aiming allegedly giving rise to specific personal jurisdiction in the District of Nevada,
18 Righthaven is unable to demonstrate that the exercise of jurisdiction would be proper before this
19 Court.

20 **A. Defendants’ Conduct Is Insufficient to Form the Basis for Personal**
21 **Jurisdiction.**

22 The main thrust of Righthaven’s argument is that Defendants willfully infringed and,
23 therefore, they are subject to personal jurisdiction in Nevada. Righthaven ignores the fact that the
24 allegedly infringing article was not posted by Defendants; it was posted by a third-party from an
25 IP address in India. (Doc. 14.1 ¶ 9.) Nevertheless, Righthaven argues that the Ninth Circuit’s
26 decision in *Columbia Pictures Television v. Krypton Broadcasting of Birmingham, Inc.*, 106 F.3d
27 284 (9th Cir. 1997) is controlling. According to Plaintiff, the Court need not apply any “elemental

28 ² Righthaven did not argue for general personal jurisdiction in its Opposition and has, therefore, conceded that the Court lacks general personal jurisdiction over Defendants.

1 or factored” analysis to determine the existence of specific personal jurisdiction. Plaintiff would
2 apparently have the Court disregard the Ninth Circuit’s three part test for determining the
3 existence of specific personal jurisdiction. As Plaintiff’s argument goes, if willful copyright
4 infringement and the defendant’s knowledge of the plaintiff’s location in the forum state are
5 alleged, that is all that is required. (See Doc. 15 at 19.)

6 Plaintiff, however, misreads *Columbia Pictures*. What the Ninth Circuit actually held in
7 *Columbia Pictures* was that a finding of willful copyright infringement would satisfy one element
8 -- the purposeful availment/direction element -- of the Ninth Circuit’s broader, three part, test for
9 the exercise of specific personal jurisdiction. Thus, even under *Columbia Pictures*, a plaintiff
10 must still allege facts demonstrating the remaining two elements (i.e., that the plaintiff’s cause of
11 action arises out of the defendant’s forum contacts and that the exercise of personal jurisdiction
12 would be reasonable). See *Columbia Pictures*, 106 F.3d at 289 (“We use a three part test for
13 analyzing whether the exercise of specific jurisdiction satisfies the requirements of due process:
14 (1) the defendant must purposefully avail himself of the privilege of conducting activities in the
15 forum, thereby invoking the benefits and protections of its laws; (2) the claim must arise out of or
16 result from the defendant's forum-related activities; and (3) the exercise of jurisdiction must be
17 reasonable”).

18 **1. Defendants’ Conduct Was Not Willful.**

19 The alleged infringement in this case took place in the comments section of a message
20 board. (Doc. 1-1 Ex. 3). The alleged infringement was posted by an individual forum user, with
21 an IP address emanating from India, and buried deep inside a comment thread on one of many
22 discussion boards at <VoteForTheWorst.com> (herein “VFTW”). (Doc. 14-1 ¶ 9.) There was no
23 voluntary act by the defendants at all, let alone one sufficient to confer jurisdiction. Because the
24 Defendants did not post the infringing article to VFTW, their conduct is inimical to Righthaven’s
25 claim that they acted willfully. (Doc. 14-1 ¶ 10, Doc. 14-2 ¶ 4.)

26 Furthermore, Defendants were not players in a scheme to facilitate copyright infringement
27 either. Once the alleged infringement was brought to the Defendants’ attention, the offending
28 content – one-third of a Las Vegas Review-Journal article, posted for commentary purposes – was

1 taken down almost immediately (despite the strong indications that its posting was fair use),
2 before this lawsuit was filed. (Doc. 14-1 ¶ 11.) This conduct belies Righthaven’s allegations of
3 willful copyright infringement, and is inconsistent with a desire to pirate another’s content. *See*
4 *N.A.S. Import Corp. v. Chenson Enters., Inc.*, 968 F.2d 250, 252 (2d Cir. 1992) (holding that the
5 willfulness – or lack thereof – of a defendant’s infringement can be inferred from the defendant’s
6 overall conduct). Righthaven has not introduced any additional evidence indicating that VFTW
7 was an *actual* infringer of its content or any other source’s, but only the allegation that infringing
8 content was posted on the forum without allowance for protected fair use. Consequently, VFTW’s
9 conduct did not constitute willful infringement and thus willful harm inflicted upon the forum
10 state.

11 **2. Defendants’ Conduct Was Not Willfully Blind to Copyright**
12 **Infringement.**

13 As an alternative argument to willful conduct, Righthaven argues that the Defendants acted
14 with “willful blindness” to the alleged copyright infringement occurring on their website. Though
15 Righthaven did not supply any precedent to define what constitutes “willful blindness,” this
16 conduct has been addressed before on the national stage. In *Microsoft Corp. v. Rechanik*, 249 Fed.
17 Appx. 476, 479 (7th Cir. 2007), “willful blindness” was described as “ostrich-like,” involving the
18 intentional avoidance of knowledge regarding shipments from unauthorized suppliers of Microsoft
19 products, refusing to inquire as to the products’ authenticity, and refusing to examine the products
20 to determine whether they were counterfeit. The court in *Jalbert v. Grautski* addressed the
21 physical equivalent of this very case, finding that the defendant was not liable for infringement on
22 a willful blindness theory when his conduct amounted to failing to notice an employee was using
23 his workplace for piracy and copyright infringement by misappropriating content. 554 F. Supp. 2d
24 57, 72 (D. Mass. 2008). Liability fell onto the employee – not the employer. *Id.*

25 This case resembles *Jalbert* and should lead to the same conclusion against finding
26 infringement. Deep into one of VFTW’s many forums, an unknown user with an overseas IP
27 address posted the allegedly infringing article. Once Defendants became aware of the excerpts
28 and link back to the original article, they removed them, before this lawsuit was even filed. This

1 was not done on a playground of infringement provided by VFTW, but like the workplace in
2 *Jalbert*, a forum that did not actively or negligently promote copyright infringement. (See
3 Supplemental Declaration of Nathan E. Palmer, ¶¶ 2-5.) Plaintiff’s numerous, unsupported
4 allegations that Defendants do not proactively handle copyright infringement is wholly belied by
5 the fact that Defendants removed the allegedly infringing content before Plaintiff filed its lawsuit.
6 As such, there is no basis on which Righthaven’s willful blindness theory of infringement can be
7 supported, and personal jurisdiction on this premise would be improper.

8 **3. Defendants Did Not Expressly Aim any Conduct at Nevada.**

9 The Ninth Circuit has made it clear that “something more than mere foreseeability [is
10 required] in order to justify the assertion of personal jurisdiction.” *Brayton*, 606 F.3d at 1129.
11 Rather, to satisfy the express aiming prong of the effects test, a plaintiff must show that the
12 intentional act committed by the defendants was explicitly targeted at the forum. *See generally*
13 *Brayton*, 606 F.3d at 1129; *Schwarzenegger v. Fred Martin Motor Co.*, 374 F.3d 797, 806 (9th
14 Cir. 2004; and *Pebble Beach Co. v. Caddy*, 453 F.3d 1151 (9th Cir. 2006).

15 Righthaven argues, circularly, that the Defendants knew the infringing content
16 originated from Nevada and that the harm from infringement would be felt there because the
17 material originated from the Las Vegas Review-Journal. As noted, this is impossible because the
18 Defendants did not post the allegedly infringing content, (Doc. 14-1 ¶ 9) and did not know *a priori*
19 it was excerpted from the Las Vegas Review-Journal. Similarly, the absence of this knowledge
20 makes it impossible for the Defendants to know that any harm from infringement would be felt in
21 Nevada.

22 There is no specific direction of VFTW’s content generally to Nevada nor any way to
23 direct its effects to the state. VTFW has no physical contact with Nevada, does not direct its site
24 to the state, and appears identical when accessed anywhere in the world. (Doc. 14-1 ¶ 5-7.) In
25 fact, zero viewers of the page containing the allegedly infringing content hailed from Nevada.
26 (Doc.14 ¶ 9.) Not only was there no direction of VFTW’s content or the harm of infringement
27 into Nevada, **not a single Nevada resident viewed it.**

28 ///

1 **B. The Exercise of Personal Jurisdiction Would Be Unreasonable.**

2 Even if this Court could exercise personal jurisdiction over Defendants, doing would be
3 reasonable. Where there is a compelling case that other considerations makes exercising
4 jurisdiction unreasonable, courts in this Circuit will decline to exercise personal jurisdiction over a
5 defendant. *Core-Vent Corp. v. Nobel Indust.*, 11 F.3d 1482, 1487-88 (9th Cir. 1993). The factors
6 governing this inquiry are set forth in *Burger King Corp. v. Rudzewicz*, 471 U.S. 462, 476-77
7 (1985):

- 8 1) the burden on the defendant of defending in the forum;
9 2) the forum state’s interest in adjudicating the dispute;
10 3) the plaintiff’s interest in obtaining convenient, effective relief;
11 4) the court’s interest in obtaining the most efficient resolution of the
12 controversy; and
13 5) the states’ shared interest of furthering fundamental substantive social
14 policies.

15 Contrary to Righthaven’s arguments, these factors support the Court declining to exercise
16 jurisdiction over the Defendants in the aggregate; individually, they are all favorable, or at least
17 neutral, to the Defendants. No individual factor weighs in Righthaven’s favor, nor does the
18 weight of the aggregate factors.

19 Defendants’ burdens in litigating the claims in this case, as residents of Illinois and Utah,
20 with the majority of their operations in Illinois, are significantly higher than Plaintiff’s, a Nevada
21 limited liability company operating in Nevada. Although Plaintiff’s entire business centers around
22 litigation in the District of Nevada to enforce copyrights, Defendants run a website as a side
23 interest, lack Plaintiff’s level of sophistication, and, having already incurred significant financial
24 burden in this case, would continue to pay substantial costs related to this litigation if it were to
25 continue before this Court.

26 Righthaven may claim an interest in litigating this matter in Nevada, but it is clear that
27 Righthaven is merely an arm of an Arkansas-based company, and a champertous enterprise
28 between that Arkansas company and its “grubstaked” copyright-trolling operation. *See Sherman
Frederick, Copyright Theft: We’re Not Taking It Anymore*, Las Vegas Review Journal (May 28,

1 2010)³. Furthermore, Righthaven is desperately (albeit unsuccessfully) attempting to find other
2 newspapers that are willing to join in its bizarre campaign. *See* David Kravets, *Second Newspaper*
3 *Chain Joins Copyright Trolling Operation*.⁴ Righthaven fancies itself a potentially national
4 corporation, yet seems to become provincial when it comes to inconveniencing and bullying
5 smaller and less-funded defendants, who have engaged in *de minimis* offenses, if they are offenses
6 at all.

7 This Court's interest in resolving the dispute is not as significant as Righthaven claims: none
8 of the Defendants reside in Nevada, none of the complained of activity occurred there, and there is
9 no evidence that the injury, if any, was felt within the forum state. Thus, Nevada's courts have
10 minimal interest in hearing this case.

11 Plaintiff could just as easily obtain relief from the Federal Courts in Illinois. The relief
12 rendered by those courts would be just as effective as that which could be granted by this Court.
13 As Plaintiff does not have a constitutional right to a convenient or speedy trial in a civil matter,
14 there is no reason why this dispute must be heard in the District of Nevada, as opposed to another
15 federal court – especially when this dispute resolves around federal copyright laws, which will be
16 enforced identically across all forums.

17 This Court lacks personal jurisdiction over Defendants for the reasons stated above, and thus
18 could most efficiently resolve this controversy by dismissing the case. Assuming *arguendo* that
19 the Court does have personal jurisdiction over the Defendants, the most efficient resolution of this
20 case would still be realized in the federal courts in Illinois, where the Defendants can be found.
21 As Plaintiff is better-capitalized and more familiar with legal proceedings than Defendants, it
22 would be less of a burden for Plaintiff to pursue its claims in foreign courts than for Defendants to
23 litigate in the District of Nevada, where they have no contacts. Whether this is achieved by
24 dismissal for lack of personal jurisdiction or transferring the case, there is no outcome prioritizing
25 this Court's interest in efficiently resolving this litigation that involves allowing the case to
26 proceed to trial.

27 ³ available at http://www.lvrj.com/blogs/sherm/Copyright_theft_Were_not_taking_it_anymore.html?ref=164 (last
28 accessed Sept. 9, 2010)

⁴ <http://www.wired.com/threatlevel/2010/08/copyright-troll-expanding/> (Aug. 30, 2010).

1 The shared interests of the states involved in this case – Nevada and Illinois – and all states,
2 more broadly, are undermined by this case and will be further damaged if it continues. The
3 primary purpose of this suit, and effect, to date, has been to silence Defendants, limit their
4 participation in speech the Plaintiff finds harmful, and ensnare them in protracted, costly litigation.

5 **III. CONCLUSION**

6 Righthaven has failed to show why its suit should be maintained before this Court and in the
7 District of Nevada. There are serious doubts as to Righthaven’s standing to pursue its claim.
8 Even if the issue of Righthaven’s standing is not resolved, it has failed to demonstrate that this
9 Court has personal jurisdiction over Defendants, or that exercising such jurisdiction would be
10 reasonable. For the reasons specified above, the Court should grant Defendants’ Motion to
11 Dismiss

12 DATED this 13th day of September, 2010.

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14
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CERTIFICATE OF SERVICE

Pursuant to Federal Rule of Civil Procedure 5(b), I hereby certify that I am an employee of Lewis and Roca LLP and that on this 13th day of September, 2010, I caused the document entitled: **DEFENDANTS’ REPLY IN SUPPORT OF DEFENDANTS’ MOTION TO DISMISS** to be served as follows:

- by depositing same for mailing in the United States Mail, in a sealed envelope addressed to Steven A. Gibson, Esq., Righthaven, LLC, 9960 West Cheyenne Avenue, Suite 210, Las Vegas, Nevada, 89129-7701, upon which first class postage was fully prepaid; and/or
- Pursuant to Fed. R. Civ. P. 5(b)(2)(D), to be sent via facsimile as indicated; and/or
- to be hand-delivered;
- by the Court’s CM/ECF system.

/s/ Nikkya G. Williams
Nikkya G. Williams