

# **EXHIBIT 1**

**DECLARATION OF SHAWN A. MANGANO**

I, Shawn A. Mangano, declare, under penalty of perjury of the United States of America, that the following is true and correct:

1. I am an attorney-at-law admitted to practice before all courts of the State of Nevada. I have personal knowledge of the facts set forth below, except for those factual statements expressly made upon information and belief, and as to those facts, I believe them to be true. I am over eighteen years old and I am competent to testify to the matters set forth herein.

2. I represent Plaintiff/Counterdefendant Righthaven LLC (“Righthaven”) in the above-referenced matter.

3. On or about December 15, 2010, Righthaven received Defendant Democratic Underground, LLC (“Democratic Underground”) and Defendant David Allen’s (collectively with Democratic Underground known herein as the “Defendants”) Rule 26 Initial Disclosures.

4. On or about December 17, 2010, Righthaven received Democratic Underground’s First Set of Interrogatories.

5. On or about December 17, 2010, Righthaven received Democratic Underground’s First Set of Requests for Admission.

6. On or about December 17, 2010, Righthaven received Democratic Underground’s First Set of Requests for Production of Documents.



# **EXHIBIT 2**

## Deeplinks Archives

- January, 2011
- December, 2010
- November, 2010
- October, 2010
- September, 2010
- August, 2010
- July, 2010
- June, 2010
- [More Archives](#)

## Blog Categories

- Accessibility for the Reading Disabled
- Analog Hole
- Announcement
- Anonymity
- Anti-Counterfeiting Trade Agreement
- Bloggers' Rights
- Broadcast Flag
- Broadcasting Treaty
- CALEA
- Call To Action
- Cell Tracking
- Coders' Rights Project
- Commentary
- Copyright Trolls
- Development Agenda
- Digital Books
- Digital Radio
- Digital Rights Management
- Digital Video
- DMCA
- DMCA Rulemaking
- E-Voting Rights
- EFF Europe
- EFF15
- File Sharing
- FOIA Litigation for Accountable Government
- Free Speech
- Free Trade Agreement of the Americas
- Hollywood v. DVD
- Innovation
- Intellectual Property
- International
- International Privacy Standards
- Legal Analysis

DECEMBER 21ST, 2010



## Help EFF Defend Against Righthaven Trolls

Announcement by [Rebecca S. Reagan](#)

The copyright troll [Righthaven](#) has brought over 190 cases—and counting—against bloggers, online journalists and others since March of this year. While EFF has taken on two of these cases directly ([Democratic Underground](#) and [DiBiase](#)) we have also been attempting to help those sued to secure counsel. If the tactics of these trolls trouble you and you are a member of the bar with experience in copyright litigation, these defendants need your help.

What's Righthaven? Righthaven is a Nevada company operated by Las Vegas attorney Steven Gibson, whose "sole purpose" is "suing blogs and websites."<sup>[1]</sup> It searches the Internet for bloggers and websites that contain posts with content from certain newspapers. When it finds one, it purportedly buys the copyright from the newspaper publisher, applies for a copyright registration, and then files a lawsuit against the blogger or website. Its current partners include the *Las Vegas Review-Journal* (owned by Stephens Media LLC, who helped form the company) and the *Denver Post*.

Just as in many other copyright troll shakedowns, Righthaven relies on the threat of enormous copyright statutory damages (up to \$150,000) to scare defendants, often individual bloggers operating non-commercial websites, into a quick settlements. They also threaten to seize the domain names, a threat [without basis in law](#). Even if a blogger has meritorious defenses, the costs of defending can often be overwhelming - unless the blogger has pro bono counsel to help even the odds.

The pace at which EFF is hearing from Righthaven defendants is increasing, and we and our cooperating attorneys are presently working at capacity. We need more attorneys versed in copyright issues to whom we can refer people who need pro bono help defending themselves from Righthaven. EFF has already briefed several of these issues in the cases we're handling and those resources are available to counsel. Almost all of the cases are filed in the District of Nevada and we do have good links to possible local counsel.

If you are an attorney interested in representing Righthaven defendants, please contact Rebecca Reagan at [rsreagan@eff.org](mailto:rsreagan@eff.org).

*Related Issues:* [Bloggers' Rights](#), [Copyright Trolls](#)

[\[Permalink\]](#)

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## HEADLINES

[EFF Wins Landmark Ruling Freeing Promo CDs for Resale](#)

[EFF Calls for Court to Affirm Downsized Copyright Damages](#)

[What is Traitortware?](#)

## PROJECTS

[Bloggers' Rights](#)

[Coders' Rights](#)

[FOIA Project](#)

[Follow EFF](#)

[Patent Busting](#)

[Surveillance Self-Defense](#)

[Teaching Copyright](#)

[Takedown Hall of Shame](#)

[TOSBack](#)

[Ways To Help](#)