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UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF WASHINGTON AT SEATTLE

SOARING HELMET CORPORATION, a  
Washington Corporation,

Plaintiff,

v.

NANAL, INC., a Nevada corporation, d/b/a  
LEATHERUP.COM,

Defendant.

NO. C 09-0789 JLR

DECLARATION OF HEATHER M.  
MORADO IN SUPPORT OF  
PLAINTIFF'S RESPONSE TO  
DEFENDANT'S MOTION FOR  
SUMMARY JUDGMENT

My name is Heather Morado. I am over the age of 21, have personal knowledge of the facts stated herein, and am otherwise competent to make this declaration. I declare as follows:

1. I am an attorney at Invicta Law Group, PLLC, counsel to Plaintiff in this matter.
2. Attached hereto as Exhibit A is a true and correct copy of page 19 of Declaration of Albert Bootesaz 30(b)(6).

1           3.       Attached hereto as Exhibit B is a true and correct copy of page 37 of  
2 Declaration of Albert Bootesaz 30(b)(6).

3           4.       Attached hereto as Exhibit C are true and correct copies of pages 27-28 of  
4 Declaration of Albert Bootesaz.

5           5.       Attached hereto as Exhibit D are true and correct copies of pages 27 and 18-  
6 19 of Declaration of Albert Bootesaz.

7           6.       Attached hereto as Exhibit E are true and correct copies of pages 2-3 of  
8 Defendant's Corrected Responses to Plaintiff's Interrogatories Nos. 1-4, 6-11, 13 and 15-18.

9           7.       Attached hereto as Exhibit F is a true and correct copy of Defendant's  
10 discovery bates-stamped number D000001.

11           8.       Attached hereto as Exhibit G is a true and correct copy of the terms and  
12 conditions of the Leatherup.com website on July 6, 2009, which state that "Bill Me, Inc."  
13 owns Leatherup.com. After this corporation was served with the summons and complaint, I  
14 was contacted by counsel for Bill Me, Inc. He claimed that his client was not affiliated with  
15 Leatherup.com. After significant research, I finally discovered that Leatherup.com was  
16 owned by Nanal, Inc., through a corporate disclosure statement filed by Nanal in a copyright  
17 infringement lawsuit. Accordingly, I arranged for the complaint to be served on the  
18 registered agent for Nanal, Inc.

19           9.       Attached hereto as Exhibit H are true and correct copies of pages 2-3 of  
20 Defendant's Supplemental Responses to Plaintiff's Interrogatories Nos. 3, 8, 9, 10, and 11.

21           10.      Attached hereto as Exhibit I are true and correct copies of pages 53-55 of the  
22 Deposition of Albert Bootesaz 30(b)(6).  
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1            11.     Attached hereto as Exhibit J is a true and correct copy of page 56 of the  
2 Deposition of Albert Bootesaz 30(b)(6).

3            12.     Attached hereto as Exhibit K is a true and correct copy of page 45-46 of the  
4 Deposition of Albert Bootesaz 30(b)(6).

5            13.     Attached hereto as Exhibit L are true and correct copies of pages 53-54 and 73  
6 of the Deposition of Albert Bootesaz 30(b)(6).

7            14.     Attached hereto as Exhibit M is a true and correct copy of page 54 of the  
8 Deposition of Albert Bootesaz 30(b)(6).

9            15.     In late August, 2010, counsel for defendant expressed an interest in deposing  
10 Jeanne DeMund, Lou Xu, Claudia Mallard, and Wayne Layman. However, counsel never  
11 followed up with notices of depositions, phone calls, or requests for firm dates. I offered to  
12 agree to stipulate to an extension of the discovery deadline in order to accommodate  
13 scheduling of depositions for the above witnesses, but counsel declined my offer.

14            16.     Attached hereto as Exhibit N are true and correct copies of the US and  
15 Michigan spreadsheets used to average the amount of the dealer purchases.

16            I declare under penalty of perjury under the laws of the state of Washington that the  
17 foregoing is true and correct to the best of my knowledge and belief.

18            DATED this 22<sup>nd</sup> day of November, 2010.

19            INVICTA LAW GROUP, PLLC

20            By   
21            Heather M. Morado, WSBA #35135  
22            Attorney for Plaintiff

1 CERTIFICATE OF SERVICE

2 I hereby certify that I electronically filed the foregoing with the Clerk of the Court  
3 using the CM/ECF system which will send notification of such filing to the following  
4 persons/attorneys of record:

5 Ms. Katherine Hendricks  
6 Ms. Stacia N. Lay  
7 HENDRICKS & LEWIS, PLLC  
8 901 Fifth Avenue, Suite 4100  
9 Seattle, WA 98164

10 Dated this 22<sup>nd</sup> day of November, 2010, at Seattle, Washington.

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12 Katy M. Albritton  
13 Legal Assistant  
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