

AFFIDAVIT OF PAUL DUFFY

I, Paul Duffy, being duly sworn, states as follows:

1. I am over eighteen years of age. I have personal knowledge of the matters set forth herein, and if called to testify, would testify as follows.

2. I am a licensed attorney and member in good standing of the Illinois State Bar, to which I was first admitted in late 1992. I am also licensed and a member of good standing in other State and Federal jurisdictions. I am not a member of the Florida Bar.

3. I reside and work in Chicago, Illinois.

4. I have never lived in Florida and I own no property in Florida.

5. I am the sole officer of Prenda Law, Inc. ("Prenda Law"). Prenda Law specializes in intellectual property law, and particularly in representing plaintiffs in copyright actions regarding Internet piracy of their copyrighted property.

6. I currently act as counsel for several clients of Prenda Law in the State and Federal Courts in Illinois. I also act as counsel for some clients of Prenda Law in matters pending in the U.S. District Court for the District of Columbia, where I am also licensed and a member in good standing.

7. Prenda Law also has attorneys who are "of counsel" to that firm who represent Prenda Law's clients in certain other jurisdictions where they are licensed.

8. When a client of Prenda Law needs to sue a defendant in a jurisdiction in which no attorney affiliated with Prenda Law is admitted, it is not unusual for a Prenda Law attorney to help the client find counsel in that jurisdiction, or a "referral attorney." Because of Prenda Law's

expertise in litigating copyright infringement cases, Prenda Law attorneys at times assist the referral attorney by providing forms of complaints and documents.

9. There are also times when an attorney affiliated with Prenda Law appears in a matter along with local counsel. When that takes place, the Prenda Law attorney files a Notice of Appearance, and the local counsel is designated as such.

10. I do not represent Sunlust Pictures, LLC in the case captioned *Sunlust Pictures, LLC v. Nguyen*, Case No. 8:12-cv-01685-MSS-MAP pending in the U.S. District Court for the Middle District of Florida (the "Florida Case") before late November 2012. In each and every case in which I have represented Sunlust, I have filed my appearance in accordance with applicable Court rules and governing law.

11. I have represented Sunlust Pictures, LLC ("Sunlust") in matters pending in Illinois.

12. I did not draft, review, see or forward any document that was filed in connection with the Florida Case before November 27, 2012. I had no knowledge of the contents of any document filed in connection with the Florida Case before the November 27, 2012 hearing.

13. I was not served with any papers in connection with the November 27 hearing in advance of the hearing. As a courtesy to the Court, when I was told about the hearing, I drafted and submitted a letter to the Court stating that I was unable to fly to Florida to attend the hearing as a result of recent surgery on my right eye. My eye surgeon instructed me not to travel by aircraft in the weeks following my surgery October 18, 2012. He has instructed me not to travel by aircraft before the end of December 2012. He advised me that, if I were to travel by aircraft, it could have severe adverse impacts on my eye, possibly resulting in blindness and/or internal

bleeding in my eye. I accepted my surgeon's advice and did not travel to the November 27 hearing.

14. I also informed the Court in my letter to it that I have had no involvement in the Florida Case. That statement is true and correct.

15. I have been in a court in the State of Florida only once, in a case captioned *Lightspeed Media Corporation v. John Doe*, Case No. 2012-05773-CA-05, previously pending in the Circuit Court for the Eleventh Judicial Circuit in Miami-Dade County Florida. An attorney formerly associated with Prenda Law, Joseph Perea, represented Lightspeed in that case and filed an application for my admission *pro hac vice* in connection with that matter. At the time he filed that application, Mr. Perea was, upon information and belief, a member in good standing of the Florida Bar. At a hearing in that matter in early August 2012, the Court granted the application for my admission *pro hac vice*, and then held that the case had been dismissed and that the Court lacked jurisdiction to take any action in connection with the case. Aside from that short hearing, I have not appeared or participated in any Florida court proceeding.

16. I received a letter addressed to me at Prenda Law dated September 7, 2012 from the Florida Bar relating to an investigation of a complaint by Graham Syfert. This complaint, like all the previous complaints he has filed against many of the attorneys at Prenda Law, was thrown out.

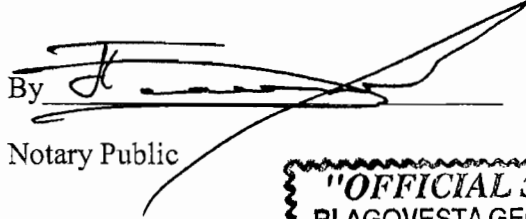
17. In early 2012, I received a letter from the Florida Bar attaching a complaint from Mr. Graham Syfert. The Florida Bar threw out the complaint. I did comply with their suggestion.

FURTHER AFFIANT SAYETH NOT



Subscribed and sworn to me

This 18th day of December , 2012

By 

Notary Public

