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9 *Attorneys for Plaintiff Triller Fight Club II LLC*

10 **UNITED STATES DISTRICT COURT**
 11 **CENTRAL DISTRICT OF CALIFORNIA**

12 TRILLER FIGHT CLUB II LLC, a
 13 Delaware Limited Liability Company,

14 Plaintiff,

15 vs.

16
 17 MATTHEW P. SPACE, an individual;
 18 ECLIPT GAMING, an unknown business
 entity; and DOES 1 through 10, inclusive,

19 Defendants.
 20
 21

CASE NO.: 2:21-cv-04603-RGK-PVC

**PLAINTIFF’S RESPONSE TO THE
 COURT’S ORDER TO SHOW
 CAUSE**

Complaint Filed: June 3, 2021

1 Plaintiff Triller Fight Club II LLC (“Plaintiff” or “Fight Club”) hereby files this
2 Response to the Court’s Order to Show Cause dated August 3, 2021 (ECF No. 17),
3 and, for the reasons stated herein, respectfully requests the Court not dismiss this
4 action.

5 1. Fight Club is the copyright owner and publisher of the April 17, 2021,
6 broadcast of the “Jake Paul vs. Ben Askren” boxing event, including all undercard
7 bouts and the entire television broadcast, exhibited on a pay-per-view basis via closed
8 circuit television and via encrypted satellite signal (hereinafter referred to as the
9 “Broadcast”). Plaintiff’s copyright in the Broadcast bears Registration Number PA 2-
10 290-040, became effective on April 30, 2021, and was decided on May 4, 2021.

11 2. At or about the time the Broadcast was first exhibited, Fight Club became
12 aware that a number of individuals and entities had re-published the Broadcast, in full
13 or in part, in violation of Fight Club’s copyright rights. These individuals and entities
14 included, among others, Defendants Matthew P. Space (“Space”) and Eclipt Gaming
15 (“Eclipt”). Accordingly, on June 3, 2021, Fight Club initiated this action by filing a
16 complaint against Mr. Space and Eclipt (the “Complaint”). (ECF No. 1.)

17 3. On June 8, 2021, Fight Club served Mr. Space and Eclipt with copies of
18 the Complaint and summons. (ECF Nos. 12 & 13.) Mr. Space and Eclipt were
19 therefore required to respond to the Complaint on or before July 9, 2021.

20 4. On June 25, 2021, John Ziobro (“Mr. Ziobro”), a New York-based
21 attorney representing Mr. Space and Eclipt, contacted counsel for Fight Club. Mr.
22 Ziobro explained that although he represents Mr. Space and Eclipt, he is not licensed
23 to practice law in this District, and will therefore be assisting Mr. Space and Eclipt
24 locate and retain counsel licensed to practice in this District. Accordingly, Mr. Ziobro
25 requested an extension of time of 45 days, or until August 23, 2021, for Mr. Space and
26 Eclipt to respond to the Complaint. Counsel for Fight Club agreed to provide Mr.
27 Space and Eclipt the requested extension of time to respond to the Complaint.
28 Attached hereto as **Exhibit A** is a true and correct copy of a June 25, 2021, email

1 exchange between Mr. Ziobro and counsel for Fight Club.

2 5. In light of the foregoing, Fight Club respectfully requests that the Court
3 not dismiss this action. To the extent that the Court has remaining concerns about
4 Fight Club’s efforts to prosecute this matter, Fight Club respectfully requests that the
5 Court schedule a Status Conference.

6

7 Dated: August 9, 2021

NOVIAN & NOVIAN, LLP
Attorneys at Law

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9

By: /s/ Alexander Brendon Gura
FARHAD NOVIAN
MICHAEL O’BRIEN
ALEXANDER BRENDON GURA

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*Attorneys for Plaintiff Triller Fight Club II
LLC*

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EXHIBIT A

Subject: RE: Space v. Triller [5209.16]
Date: Friday, June 25, 2021 at 11:29:00 AM Pacific Daylight Time
From: Alexander Gura
To: John Ziobro
CC: Brenda Kurth, Nichole Weale, Farhad Novian, Michael O'Brien, Steven Diaz
Attachments: image001.png

John,

As discussed, we will agree to provide your client with 45 days to obtain counsel here in California. As also discussed, I will be sending you requests for documents and other information in the meantime to help determine the extent of Mr. Space's involvement. In the meantime, please enjoy the weekend.

Regards,

Alexander

Alexander Brendon Gura, Esq.

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E gura@novianlaw.com

From: John Ziobro <jz@ziobrolaw.com>
Sent: Friday, June 25, 2021 11:27 AM
To: Alexander Gura <gura@novianlaw.com>
Cc: Brenda Kurth <Brenda@ziobrolaw.com>; Nichole Weale <nichole@ziobrolaw.com>
Subject: Space v. Triller

Mr. Gura

This shall confirm that you have agreed to give my client 45 days to submit an answer to your complaint or otherwise move in this matter.

As we discussed I am not a licensed California attorney and will be seeking counsel for him in your jurisdiction.

I also stated that I do not believe my client is the individual for the actions that you allege in your complaint. He is the victim of Identity theft. The Gamer tag "ghostsniper845" has not been used in years by my client.

Please respond to this email that you have agreed to this 45 day extension.

Thank you for your courtesies in this matter.

John E. Ziobro
23 West Street – P.O. Box 738
Warwick, NY 10990
Phone: 845-986-1700
Fax: 845-986-1744