

THE HONORABLE THOMAS S. ZILLY

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF WASHINGTON  
AT SEATTLE

BUNGIE, INC., A DELAWARE  
CORPORATION,

Plaintiff,

v.

AIMJUNKIES.COM, a business of unknown  
classification; PHOENIX DIGITAL GROUP  
LLC, an Arizona limited liability company;  
JEFFREY CONWAY, an individual; DAVID  
SCHAEFER, an individual; JORDAN GREEN,  
an individual; and JAMES MAY, an individual,

Defendants.

No. 2:21-cv-811-TSZ

DECLARATION OF WILLIAM C.  
RAVA IN SUPPORT OF  
PLAINTIFF’S MOTION FOR ENTRY  
OF DEFAULT AGAINST  
DEFENDANTS PHOENIX DIGITAL  
GROUP LLC, JEFFREY CONWAY,  
DAVID SCHAEFER, JORDAN  
GREEN, AND JAMES MAY

I, William C. Rava, declare as follows:

1. I am an attorney licensed to practice law before the courts of the State of Washington. I am a partner at Perkins Coie LLP, and counsel in this action for Plaintiff Bungie, Inc. (“Bungie” or “Plaintiff”). I submit this declaration in support of Plaintiff’s Motion for Entry of Default Against Defendants Phoenix Digital Group LLC (“Phoenix Digital”), Jeffrey Conway, David Schaefer, Jordan Green, and James May (collectively, “Defendants”). I have personal knowledge of the facts stated herein and, if called upon, could and would testify competently thereto under oath.

1           2.       The Complaint initiating this action was filed with the Clerk of the United States  
2 District Court for the Western District of Washington at Seattle on June 15, 2021.

3           3.       The Complaint was served on defendant Jeffrey Conway, together with a summons,  
4 by leaving a copy of each at Mr. Conway's dwelling or usual place of abode with someone of  
5 suitable age and discretion who resides there on June 22, 2021. A copy of the Affidavit of Service  
6 for Jeffrey Conway (Dkt. No. 8) is attached hereto as Exhibit A.

7           4.       The Complaint was served on defendant Jordan Green, together with a summons,  
8 by leaving a copy of each at Mr. Green's dwelling or usual place of abode with someone of suitable  
9 age and discretion who resides there on June 22, 2021. A copy of the Affidavit of Service for  
10 Jordan Green (Dkt. No. 9) is attached hereto as Exhibit B.

11          5.       On July 23, 2021, counsel for all Defendants, Kevin Martin of Martin APC,  
12 confirmed that Mr. Martin would accept service of the Complaint on behalf of Defendants Phoenix  
13 Digital Group LLC, David Schaefer, and James May.

14          6.       On August 20, 2021, Plaintiff filed a NOTICE REGARDING SERVICE OF  
15 COMPLAINT ON DEFENDANTS PHOENIX DIGITAL GROUP LLC, DAVID SCHAEFER,  
16 AND JAMES MAY AND UNOPPOSED MOTION TO EXTEND DEADLINE TO ANSWER  
17 OR OTHERWISE RESPOND FOR ALL DEFENDANTS (Dkt. No. 11), in which it recounted  
18 many of the service facts recited above and confirmed that the Complaint and other papers had  
19 been delivered to Mr. Martin, counsel for Defendants. That Notice also stated that "the parties  
20 agree that service of Bungie's Complaint on Phoenix Digital Group LLC, David Schaefer, and  
21 James May was effective as of July 26, 2021, and that all Defendants' deadline to answer or  
22 otherwise respond is August 31, 2021." (Dkt. No. 11 ¶ 4.) A copy of the Notice (Dkt. No. 11) is  
23 attached hereto as Exhibit C.

24          7.       Again by agreement, the parties extended the August 31, 2021 deadline twice more.  
25 (Dkt. Nos. 12 and 15.)  
26



# **EXHIBIT A**

UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF WASHINGTON  
AT SEATTLE

BUNGIE, INC., a Delaware corporation,  
  
Plaintiff(s),  
  
Vs.  
  
AIMJUNKIES.COM, a business of unknown  
classification; et al.,  
  
Defendant(s).

NO. 2:21-CV-00811-TSZ

AFFIDAVIT OF SERVICE OF: SUMMONS IN A  
CIVIL ACTION TO JEFFREY CONWAY;  
COMPLAINT WITH JURY DEMAND (WITH  
EXHIBITS); CIVIL COVER SHEET; PLAINTIFF'S  
CORPORATE DISCLOSURE STATEMENT; REPORT  
ON THE FILING OR DETERMINATION OF AN  
ACTION REGARDING A PATENT OR  
TRADEMARK; REPORT ON THE FILING OR  
DETERMINATION OF AN ACTION OR APPEAL  
REGARDING A COPYRIGHT.

STATE OF ARIZONA            )  
  ) ss.  
COUNTY OF MARICOPA        )

The undersigned, being first duly sworn, on oath states:

That I am now, and at all times herein mentioned, was a citizen of the United States and a resident of the State of Arizona, over the age of 18 years, not a party to or interested in the above entitled action, and am competent to be a witness therein.

That at 11:50 A.M. on June 22<sup>nd</sup>, 2021, at 7931 East Hubbell Street, Scottsdale, Arizona, I duly served the above-described documents in the above-described matter upon Jeffrey Conway, by then and there personally delivering a true and correct copy thereof by leaving the same with Robin Conway, wife and co-resident, being a Caucasian female, approximately 50 to 55 years old, 5'3, 250lbs, and with brown hair, who confirmed that she resides here with the defendant.

*Cheryl Anderson*

CHERYL ANDERSON MARICOPA CO. # 8597

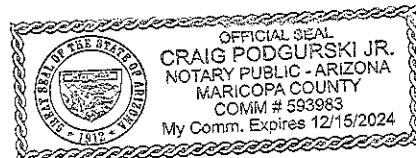
Service Fees:  
Travel:  
SSA:  
Trace:  
Bad Address:  
Aff./Notary Fee:  
Special Fee:  
Wait:

SUBSCRIBED AND SWORN to before me on: 6/28/21

*[Signature]*

NOTARY PUBLIC in and for the State  
of Arizona residing at: 9393 N 90th #121  
My commission expires: 12/15/24

TOTAL \$ \_\_\_\_\_



# **EXHIBIT B**

UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF WASHINGTON

BUNGIE, INC., a Delaware corporation,  
  
Plaintiff(s),  
  
Vs.  
  
AIMJUNKIES.COM, a business of unknown  
classification; et al.,  
  
Defendant(s).

NO. 2:21-CV-00811-TSZ

NARRATIVE AFFIDAVIT OF SERVICE OF:  
SUMMONS IN A CIVIL ACTION; COMPLAINT  
WITH JURY DEMAND WITH EXHIBITS; CIVIL  
COVER SHEET; PLAINTIFF'S CORPORATE  
DISCLOSURE STATEMENT; REPORT ON THE  
FILING OR DETERMINATION OF AN ACTION  
REGARDING A PATENT OR TRADEMARK;  
REPORT ON THE FILING OR DETERMINATION OF  
AN ACTION OR APPEAL REGARDING A  
COPYRIGHT.

STATE OF OREGON                    )  
  ) ss.  
COUNTY OF MULTNOMAH        )

The undersigned, being first duly sworn, on oath states:

That I am now, and at all times herein mentioned, was a citizen of the United States and a resident of the State of Oregon, over the age of 18 years, not a party to or interested in the above entitled action, and am competent to be a witness therein.

That at 6:05 P.M. on June 22<sup>nd</sup>, 2021, at 2839 Southwest Dickinson Street, Portland, Oregon, I duly served the above-described documents in the above-described matter upon Jordan Green, by then and there personally delivering a true and correct copy thereof by leaving the same with Dan Green, resident therein and Jordan's father, in the following manner:

At the time of service, I knocked on the door and the defendant's father, Dan Green, came to the door, looked through the window, and stated, "I don't want whatever it is that you have." I replied that I had legal documents for Jordan, and he responded that he was Dan, and not Jordan.

Dan began to walk away at which point I stated that I can leave the documents with him. Dan then stepped back to the door and became hostile, stating that he is Dan, he was not going to open the door and to get off his porch.

I told Dan that I was leaving the documents on the porch and left them on the mat in front of the door. Dan did not respond, and he watched me set the papers down, and walk away.





GABE SCHOMUS

Service Fees:

Travel:

SSA:

Trace:

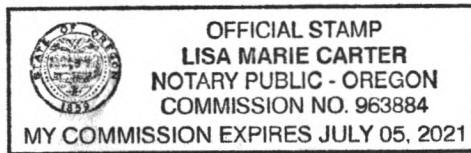
Bad Address:

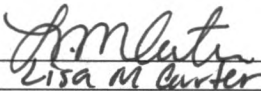
Aff./Notary Fee:

Special Fee:

Wait:

SUBSCRIBED AND SWORN to before me on: 6.29.21



  
\_\_\_\_\_  
Lisa M Carter

NOTARY PUBLIC in and for the State  
of Oregon residing at: Washington County  
My commission expires: 7-5-21

TOTAL \$ \_\_\_\_\_

# **EXHIBIT C**

THE HONORABLE THOMAS S. ZILLY

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF WASHINGTON

BUNGIE, INC., a Delaware corporation,

Plaintiff,

v.

AIMJUNKIES.COM, a business of unknown  
classification; PHOENIX DIGITAL GROUP  
LLC, an Arizona limited liability company;  
JEFFREY CONWAY, an individual;  
DAVID SCHAEFER, an individual;  
JORDAN GREEN, an individual; and  
JAMES MAY, an individual,

Defendants.

No. 2:21-cv-811-TSZ

NOTICE REGARDING SERVICE OF  
COMPLAINT ON DEFENDANTS  
PHOENIX DIGITAL GROUP LLC,  
DAVID SCHAEFER, AND JAMES MAY  
AND UNOPPOSED MOTION TO  
EXTEND DEADLINE TO ANSWER OR  
OTHERWISE RESPOND FOR ALL  
DEFENDANTS

Plaintiff, Bungie, Inc. (“Bungie” or “Plaintiff”), files (1) this Notice to inform the Court that Bungie served its Complaint on Defendants Phoenix Digital Group LLC, David Schaefer, and James May on July 26, 2021, and (2) the combined Unopposed Motion to extend the deadline for Defendants Phoenix Digital Group LLC, Jeffrey Conway, David Schaefer, Jordan Green, and James May (collectively, “Defendants”) to answer or otherwise respond to Bungie’s complaint to August 31, 2021. Bungie further states as follows:

1. On July 23, 2021, counsel for all Defendants, Kevin Martin of Martin APC who has not yet appeared in this matter, confirmed that he would accept service of the Complaint on behalf of Defendants Phoenix Digital Group LLC, David Schaefer, and James May.

NOTICE RE SERVICE AND UNOPPOSED  
MOT. TO EXTEND DEADLINE TO  
RESPOND (No. 2:21-cv-811-TSZ)–1

**Perkins Coie LLP**  
1201 Third Avenue, Suite 4900  
Seattle, WA 98101-3099  
Phone: 206.359.8000  
Fax: 206.359.9000

1           2.       On Saturday, July 24, 2021, copies of the Complaint (Dkt. No. 1) and the  
2 Summons for Phoenix Digital Group LLC, David Schaefer, and James May (Dkt. Nos. 4, 4-3,  
3 and 4-4) were delivered to Mr. Martin’s offices.

4           3.       On August 18, 2021, the parties agreed to an extension of the deadline for all  
5 Defendants to answer or otherwise respond to Bungie’s Complaint to August 31, 2021. The  
6 parties intend to use that time to further explore resolution of this matter without further  
7 submission to the Court, and therefore good cause exists to grant this unopposed motion.

8           4.       Wherefore, the parties agree that service of Bungie’s Complaint on Phoenix  
9 Digital Group LLC, David Schaefer, and James May was effective as of July 26, 2021, and that  
10 all Defendants’ deadline to answer or otherwise respond is August 31, 2021.

11  
12 DATED: August 20, 2021

s/ William C. Rava  
William C. Rava, WSBA No. 29948  
Jacob P. Dini, WSBA No. 54115  
**Perkins Coie LLP**  
1201 Third Avenue, Suite 4900  
Seattle, WA 98101-3099  
Telephone: 206.359.8000  
Facsimile: 206.359.9000  
Email: WRava@perkinscoie.com  
JDini@perkinscoie.com

*Attorneys for Plaintiff Bungie, Inc.*

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NOTICE RE SERVICE AND UNOPPOSED  
MOT. TO EXTEND DEADLINE TO  
RESPOND (No. 2:21-cv-811-TSZ) –2

**Perkins Coie LLP**  
1201 Third Avenue, Suite 4900  
Seattle, WA 98101-3099  
Phone: 206.359.8000  
Fax: 206.359.9000

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**CERTIFICATE OF SERVICE**

The undersigned hereby certifies that they served a copy of the foregoing Notice Regarding Service of Complaint on Defendants Phoenix Digital Group LLC, David Schaefer, and James May and Unopposed Motion to Extend Deadline to Answer or Otherwise Respond for All Defendants to the following via U.S. Mail, postage prepaid, before the hour of 5:00 pm, on August 20, 2021. A courtesy copy has also been sent to the email address below:

Kevin Martin  
Martin APC  
4200 Park Blvd. #656  
Oakland, CA 94602  
[kevin@martinapc.com](mailto:kevin@martinapc.com)

DATED: August 20, 2021

s/ William C. Rava  
William C. Rava, WSBA No. 29948


**CERTIFICATE OF SERVICE**

The undersigned hereby certifies that they electronically filed the foregoing Declaration and that I caused the foregoing document to be served on the person(s) listed below in the manner shown:

Kevin Martin  
Martin APC  
4200 Park Blvd. #656  
Oakland, CA 94602  
[kevin@martinapc.com](mailto:kevin@martinapc.com)

- Hand Delivery
- First Class U.S. Mail (postage-prepaid)
- Email
- U.S. Mail
- Via Facsimile

DATED: November 19, 2021

  
\_\_\_\_\_  
Jackie Slavik