

# **EXHIBIT 1**

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

----- X  
THE REPUBLIC OF KAZAKHSTAN,

:  
Plaintiff,

:  
-against-

DOES 1-100 INCLUSIVE,

:  
Defendants.

:  
15 Civ. 1900 (ER)

----- X

**MEMORANDUM OF LAW IN SUPPORT OF PLAINTIFF'S MOTION  
FOR THE ISSUANCE OF LETTERS ROGATORY**

Plaintiff The Republic of Kazakhstan (“Plaintiff”) moves, pursuant to Fed. R. Civ. P. 28(b)(2) and 28 U.S.C. § 1781(b)(2), for issuance of letters rogatory requesting the assistance of the New Zealand High Court in obtaining evidence from Mega Limited (“Mega”), a company based in New Zealand. As set forth below, someone has uploaded onto Mega’s website numerous files that collectively contain over 100,000 documents stolen by hackers from the computer systems of the Republic of Kazakhstan. Plaintiff seeks to use the letters rogatory process to obtain the relevant information from Mega to identify whoever uploaded these files.

## **STATEMENT OF FACTS**

#### **A. The Hacking Of Plaintiff's Computers And Accounts**

On or about January 21, 2015, Plaintiff learned of unauthorized public postings of certain of its privileged and confidential emails, and thereby became aware that its computer systems and other accounts had been hacked by unknown hackers. (ECF No. 06 at ¶ 7.)

The hackers unlawfully accessed Plaintiff’s computers, as well as Gmail accounts used from time to time by Plaintiff’s officials to conduct official government business, and misappropriated government emails and other documents containing sensitive, proprietary, and highly confidential government documents (the “Stolen Materials”). (ECF No. 06 at ¶ 8.)

The hackers or their confederates have posted some of the Stolen Materials on <https://mega.co.nz/>, a website hosted by Mega, a company based in New Zealand. There is a different website, <https://kazaword.wordpress.com>, which contains hyperlinks to Mega's website. A user who clicks on the hyperlinks is redirected to a specific Mega archive that contains a portion of the Stolen Materials. There are at least 23 files/archives on Mega that contain or that once contained Stolen Materials. The files/archives on Mega's website collectively contain over 100,000 documents from among the Stolen Materials. It appears from

the posts that these files were uploaded to Mega between August of 2014 and April of 2015.

(Declaration of Nicole M. Mazanitis, dated May 21, 2015 (“Mazanitis Decl.”), at ¶ 7.)

The hackers or their confederates have also posted on the Mega website 27 articles that contain screenshots of extensive excerpts from the Stolen Materials. The www.facebook.com and www.respublika-kz.info websites contain links that redirect the user to the 27 articles posted on the Mega website. (Mazanitis Decl., at ¶ 9.)

**B. The Temporary Restraining Order And Preliminary Injunction**

On March 12, 2015, Plaintiff filed a Complaint in this Court against Doe Defendants (the unknown hackers), based upon violation of The Computer Fraud and Abuse Act, 18 U.S.C. § 1030. (ECF No. 01.)

On March 13, 2015, Plaintiff filed a Motion, by Order to Show Cause, for a Temporary Restraining Order and Preliminary Injunction, requesting that the Court order that “Defendants, their affiliates, employees, agents, and representatives, and all persons acting in concert with or participating with Defendants, are enjoined from using, disclosing, disseminating, posting, displaying, sharing, distributing, hosting, copying, viewing, accessing, providing access to or making available to anyone, in any manner whatsoever, the Stolen Materials.” That same day, the Court executed the Order to Show Cause and granted the Motion for a Temporary Restraining Order. (ECF No. 03.)

On March 20, 2015, the Court converted the Temporary Restraining Order into a Preliminary Injunction, and ordered that:

Defendants, their affiliates, employees, agents, and representatives, and all persons acting in concert with or participating with Defendants, are enjoined from using, disclosing, disseminating, posting, displaying, sharing, distributing, hosting, copying, viewing, accessing, providing access to or making available to anyone, in any manner whatsoever, the Stolen Materials;

Defendants, their affiliates, employees, agents, and representatives, and all persons acting in concert with or participating with Defendants, must immediately deliver to Plaintiff: (a) all copies of the Stolen Materials; and (b) all copies of any materials (in paper, electronic, or any other form) that contain or reflect any information derived from the Stolen Materials; and

Defendants, their affiliates, employees, agents, and representatives, and all persons acting in concert with or participating with Defendants, must turn over to the Court any proceeds that Defendants have received as a result of their misappropriation and use of the Stolen Materials, such proceeds to be held in constructive trust until the conclusion of this litigation.

(ECF No. 10 at p. 9.)

Also on March 20, 2015, the Court granted Plaintiff leave to serve expedited third-party discovery. (Tr. Mar. 20, 2015 at pp. 6-9.)

### C. **Plaintiff's Requests For Information To Mega**

The Mega website contains at least 23 files that collectively contain or once contained over 100,000 documents from among the Stolen Materials, and also contains 27 files that contain screenshots of excerpts of emails stolen by Plaintiff. (Mazanitis Decl. ¶¶ 6-7, 9.) Mega now hosts these documents. Plaintiff does not know who uploaded these files to the Mega website. Mega should accordingly have information that will help identify who uploaded these files, such as the IP addresses, MAC addresses, email addresses, contact information, account information, and payment information for the accounts that were used to upload the Stolen Materials onto the Mega website. This information is essential to identifying at least some of the “Does” named as defendants in the Complaint, and could lead to admissible evidence at trial. Because Mega is based in New Zealand, and is not known to have a presence in the United States, it is necessary to use the letters rogatory process.<sup>1</sup> (Mazanitis Decl. ¶ 11.)

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<sup>1</sup> New Zealand is not a party to the Hague Convention on Taking Evidence Abroad in Civil or Commercial Matters.

Accordingly, Plaintiff requests that the Court grant its motion for letters rogatory requesting the assistance of the New Zealand High Court in obtaining documents from Mega sufficient to identify the IP addresses, MAC addresses, email addresses, contact information, account information, and payment information for the accounts that were used to upload the Stolen Materials onto the Mega website.<sup>2</sup>

## **ARGUMENT**

### **THE COURT SHOULD GRANT PLAINTIFF'S MOTION FOR THE ISSUANCE OF LETTERS ROGATORY**

#### **A. The Court Has Authority To Issue Letters Rogatory**

Letters rogatory are the means by which a court can formally request that a court in another country lend its judicial assistance in obtaining evidence or performing some other judicial act. *See, e.g., Lantheus Med. Imaging, Inc. v. Zurich Am. Ins. Co.*, 841 F. Supp. 2d 769, 776 (S.D.N.Y. 2012); *see also* 28 U.S.C. § 1781(b)(2). This Court has the authority to issue letters rogatory pursuant to Fed. R. Civ. P. 28(b) and 28 U.S.C. § 1781(b)(2). *See Lantheus Med. Imaging*, 841 F. Supp. 2d at 776; *Netherby Ltd. v. Jones Apparel Grp., Inc.*, No. 04 Civ. 7028 (GEL), 2005 U.S. Dist. LEXIS 9769, at \*1 (S.D.N.Y. May 18, 2005).

#### **B. The Evidence Sought Is Relevant**

In making the determination of whether to issue letters rogatory, courts apply the relevance standards of Fed. R. Civ. P. 26. *See Lantheus Med. Imaging*, 841 F. Supp. 2d at 776; *see also Bisnews AFE (Thailand) Ltd. v. Aspen Research Grp. Ltd.*, No. 11 Civ. 3108, 2012 U.S. Dist. LEXIS 144917, at \*7 (S.D.N.Y. Oct. 4, 2012) (noting that “a court should not authorize the service of letters rogatory if it would not approve of the discovery requests in a purely domestic

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<sup>2</sup> Plaintiff respectfully submits a Proposed Order Granting Plaintiff's Motion for the Issuance of Letter Rogatory as Exhibit 1 to the Mazanitis Declaration, and a form of the Letter of Request For Assistance in Civil Proceedings as Exhibit 2 to the Mazanitis Declaration.

context.”). “Although not unlimited, relevance, for purposes of discovery, is an extremely broad concept.” *Chen-Oster v. Goldman, Sachs & Co.*, 293 F.R.D. 557, 561 (S.D.N.Y. 2013) (internal quotation marks omitted). Information that is relevant to any claim or defense of any party is discoverable, as well as information “reasonably calculated to lead to the discovery of admissible evidence,” whether or not such information is itself admissible. Fed. R. Civ. P. 26(b)(1).

Courts have routinely granted motions for letters rogatory where (as here) the movant has made a reasonable showing that the evidence sought may be material or may lead to the discovery of material evidence. *See Netherby*, 2005 U.S. Dist. LEXIS 9769, at \*1 (granting motion for letters rogatory to permit third-party discovery in Canada); *Elliott Assocs. v. Republic of Peru*, No. 96 Civ 7917 (RWS), 1997 U.S. Dist. LEXIS 11185, at \*4 (S.D.N.Y. Aug. 1, 1997) (granting motion for letters rogatory to take testimony in the United Kingdom), *rev'd on other grounds*, *Elliott Assocs. v. Banco de la Nacion*, 194 F.3d 363 (2d Cir. 1999); *Philan Ins. Ltd. v. Frank B. Hall & Co.*, No. 87 Civ. 4624 (RPP), 1992 U.S. Dist LEXIS 11094, at \*6 (S.D.N.Y. July 21, 1992) (granting motion for letters rogatory because the records sought might lead to relevant evidence and might assist plaintiffs in proving damages); *B & L Drilling Elec. v. Totco*, 87 F.R.D. 543, 545 (W.D. Okla. 1978) (granting motion to issue letters rogatory directed to appropriate authority in Canada).

Plaintiff’s request that an appropriate representative of Mega attend the New Zealand High Court to produce documents sufficient to identify the IP addresses, MAC addresses, email addresses, contact information, account information, and payment information for the accounts that were used to upload a file that contains any Stolen Materials, could reasonably lead to the identification of at least some of the “Does” named as defendants. Identifying the defendants is critical to proceeding with this action and holding the defendants

accountable for their wrongdoing. It is also critical to enforcing the Preliminary Injunction against the Defendants, and is reasonably calculated to lead to admissible evidence.

Plaintiff's request is narrowly tailored, and calls only for "documents sufficient to identify" the IP address, the MAC address, email address, contact information, account information, and payment information for the accounts that were used to upload the Stolen Materials onto the Mega website. Links to each of the files are provided in the Letter of Request For Assistance in Civil Proceedings (Mazanitis Decl. Ex. 2), to enable Mega to easily identify the files at issue. Further, Plaintiff's request for information is in accordance with New Zealand law. (Declaration of Daniel Kalderimis, dated May 7, 2015, at ¶ 5.)

Finally, Plaintiff is unable to obtain this information by any other means. Mega is believed to be the sole custodian of information identifying the IP addresses, MAC addresses, email addresses, contact information, account information, and payment information of the persons who uploaded the Stolen Materials onto Mega's website. (Mazanitis Decl. ¶ 10.)

## **CONCLUSION**

Plaintiff respectfully requests that the Court grant Plaintiff's motion for the issuance of letters rogatory.

Dated: New York, New York  
May 21, 2015

Respectfully submitted,

CURTIS, MALLET-PREVOST,  
COLT & MOSLE LLP

By: /s/Jacques Semmelman  
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USDC SDNY  
DOCUMENT  
ELECTRONICALLY FILED  
DOC#  
DATE FILED: 10/28/2015

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

THE REPUBLIC OF KAZAKHSTAN,

Plaintiff,

- against -

DOES 1-100 INCLUSIVE,

**ORDER**

15 Civ. 1900 (ER)

Defendants.

Ramos, D.J.:

On May 21, 2015, Plaintiff, the Republic of Kazakhstan, filed a motion for the issuance of letters rogatory to the New Zealand High Court for assistance in obtaining evidence from Mega Limited, a company based in New Zealand. Doc. 18. The court GRANTS Plaintiff's request for letters rogatory. The Clerk of Court is directed to terminate the motion, Doc. 18.

It is so ORDERED.

Dated: October 28, 2015  
New York, New York

  
\_\_\_\_\_  
Edgardo Ramos, U.S.D.J.

# EXHIBIT 2

**UNITED STATES DISTRICT COURT**  
for the  
**Southern District of Texas**

DISH NETWORK L.L.C.

*Plaintiff*

v.

DOES 1-4

*Defendant*

)

Civil Action No.

**SUBPOENA TO PRODUCE DOCUMENTS, INFORMATION, OR OBJECTS  
OR TO PERMIT INSPECTION OF PREMISES IN A CIVIL ACTION**

To: Twitter, Inc., c/o CT Corporation System, Registered Agent, 818 W. 7th St., Suite 930, Los Angeles, CA 90017  
*(Name of person to whom this subpoena is directed)*

**Production:** YOU ARE COMMANDED to produce at the time, date, and place set forth below the following documents, electronically stored information, or objects, and to permit inspection, copying, testing, or sampling of the material: See Attachment A.

Place: By mail or email to the issuing counsel below, or in person at a location to be determined by agreement of the issuing party and Twitter, Inc.	Date and Time:
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**Inspection of Premises:** YOU ARE COMMANDED to permit entry onto the designated premises, land, or other property possessed or controlled by you at the time, date, and location set forth below, so that the requesting party may inspect, measure, survey, photograph, test, or sample the property or any designated object or operation on it.

Place:	Date and Time:
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The following provisions of Fed. R. Civ. P. 45 are attached – Rule 45(c), relating to the place of compliance; Rule 45(d), relating to your protection as a person subject to a subpoena; and Rule 45(e) and (g), relating to your duty to respond to this subpoena and the potential consequences of not doing so.

Date: \_\_\_\_\_

*CLERK OF COURT*

OR

*/s/ Stephen M. Ferguson*

*Signature of Clerk or Deputy Clerk*

*Attorney's signature*

The name, address, e-mail address, and telephone number of the attorney representing (*name of party*) \_\_\_\_\_  
DISH Network L.L.C., who issues or requests this subpoena, are:

Stephen M. Ferguson, Hagan Noll & Boyle LLC; 820 Gessner, Ste. 940, Houston, TX 77024;  
stephen.ferguson@hnbllc.com; Phone: 713-343-0478 x102; Facsimile: 713-758-0146

**Notice to the person who issues or requests this subpoena**

If this subpoena commands the production of documents, electronically stored information, or tangible things or the inspection of premises before trial, a notice and a copy of the subpoena must be served on each party in this case before it is served on the person to whom it is directed. Fed. R. Civ. P. 45(a)(4).

Civil Action No. \_\_\_\_\_

**PROOF OF SERVICE**

*(This section should not be filed with the court unless required by Fed. R. Civ. P. 45.)*

I received this subpoena for (*name of individual and title, if any*) \_\_\_\_\_  
on (*date*) \_\_\_\_\_.

I served the subpoena by delivering a copy to the named person as follows: \_\_\_\_\_

\_\_\_\_\_  
on (*date*) \_\_\_\_\_ ; or

I returned the subpoena unexecuted because: \_\_\_\_\_

Unless the subpoena was issued on behalf of the United States, or one of its officers or agents, I have also  
tendered to the witness the fees for one day's attendance, and the mileage allowed by law, in the amount of  
\$ \_\_\_\_\_.

My fees are \$ \_\_\_\_\_ for travel and \$ \_\_\_\_\_ for services, for a total of \$ 0.00 \_\_\_\_\_.

I declare under penalty of perjury that this information is true.

Date: \_\_\_\_\_  
*Server's signature*

\_\_\_\_\_  
*Printed name and title*

\_\_\_\_\_  
*Server's address*

Additional information regarding attempted service, etc.:  
\_\_\_\_\_  
\_\_\_\_\_

## Federal Rule of Civil Procedure 45 (c), (d), (e), and (g) (Effective 12/1/13)

### (c) Place of Compliance.

**(1) For a Trial, Hearing, or Deposition.** A subpoena may command a person to attend a trial, hearing, or deposition only as follows:

(A) within 100 miles of where the person resides, is employed, or regularly transacts business in person; or

(B) within the state where the person resides, is employed, or regularly transacts business in person, if the person

(i) is a party or a party's officer; or

(ii) is commanded to attend a trial and would not incur substantial expense.

**(2) For Other Discovery.** A subpoena may command:

(A) production of documents, electronically stored information, or tangible things at a place within 100 miles of where the person resides, is employed, or regularly transacts business in person; and

(B) inspection of premises at the premises to be inspected.

### (d) Protecting a Person Subject to a Subpoena; Enforcement.

**(1) Avoiding Undue Burden or Expense; Sanctions.** A party or attorney responsible for issuing and serving a subpoena must take reasonable steps to avoid imposing undue burden or expense on a person subject to the subpoena. The court for the district where compliance is required must enforce this duty and impose an appropriate sanction—which may include lost earnings and reasonable attorney's fees—on a party or attorney who fails to comply.

#### (2) Command to Produce Materials or Permit Inspection.

**(A) Appearance Not Required.** A person commanded to produce documents, electronically stored information, or tangible things, or to permit the inspection of premises, need not appear in person at the place of production or inspection unless also commanded to appear for a deposition, hearing, or trial.

**(B) Objections.** A person commanded to produce documents or tangible things or to permit inspection may serve on the party or attorney designated in the subpoena a written objection to inspecting, copying, testing, or sampling any or all of the materials or to inspecting the premises—or to producing electronically stored information in the form or forms requested. The objection must be served before the earlier of the time specified for compliance or 14 days after the subpoena is served. If an objection is made, the following rules apply:

(i) At any time, on notice to the commanded person, the serving party may move the court for the district where compliance is required for an order compelling production or inspection.

(ii) These acts may be required only as directed in the order, and the order must protect a person who is neither a party nor a party's officer from significant expense resulting from compliance.

#### (3) Quashing or Modifying a Subpoena.

**(A) When Required.** On timely motion, the court for the district where compliance is required must quash or modify a subpoena that:

(i) fails to allow a reasonable time to comply;

(ii) requires a person to comply beyond the geographical limits specified in Rule 45(c);

(iii) requires disclosure of privileged or other protected matter, if no exception or waiver applies; or

(iv) subjects a person to undue burden.

**(B) When Permitted.** To protect a person subject to or affected by a subpoena, the court for the district where compliance is required may, on motion, quash or modify the subpoena if it requires:

(i) disclosing a trade secret or other confidential research, development, or commercial information; or

(ii) disclosing an unretained expert's opinion or information that does not describe specific occurrences in dispute and results from the expert's study that was not requested by a party.

**(C) Specifying Conditions as an Alternative.** In the circumstances described in Rule 45(d)(3)(B), the court may, instead of quashing or modifying a subpoena, order appearance or production under specified conditions if the serving party:

(i) shows a substantial need for the testimony or material that cannot be otherwise met without undue hardship; and

(ii) ensures that the subpoenaed person will be reasonably compensated.

### (e) Duties in Responding to a Subpoena.

**(1) Producing Documents or Electronically Stored Information.** These procedures apply to producing documents or electronically stored information:

**(A) Documents.** A person responding to a subpoena to produce documents must produce them as they are kept in the ordinary course of business or must organize and label them to correspond to the categories in the demand.

**(B) Form for Producing Electronically Stored Information Not Specified.** If a subpoena does not specify a form for producing electronically stored information, the person responding must produce it in a form or forms in which it is ordinarily maintained or in a reasonably usable form or forms.

**(C) Electronically Stored Information Produced in Only One Form.** The person responding need not produce the same electronically stored information in more than one form.

**(D) Inaccessible Electronically Stored Information.** The person responding need not provide discovery of electronically stored information from sources that the person identifies as not reasonably accessible because of undue burden or cost. On motion to compel discovery or for a protective order, the person responding must show that the information is not reasonably accessible because of undue burden or cost. If that showing is made, the court may nonetheless order discovery from such sources if the requesting party shows good cause, considering the limitations of Rule 26(b)(2)(C). The court may specify conditions for the discovery.

#### (2) Claiming Privilege or Protection.

**(A) Information Withheld.** A person withholding subpoenaed information under a claim that it is privileged or subject to protection as trial-preparation material must:

(i) expressly make the claim; and

(ii) describe the nature of the withheld documents, communications, or tangible things in a manner that, without revealing information itself privileged or protected, will enable the parties to assess the claim.

**(B) Information Produced.** If information produced in response to a subpoena is subject to a claim of privilege or of protection as trial-preparation material, the person making the claim may notify any party that received the information of the claim and the basis for it. After being notified, a party must promptly return, sequester, or destroy the specified information and any copies it has; must not use or disclose the information until the claim is resolved; must take reasonable steps to retrieve the information if the party disclosed it before being notified; and may promptly present the information under seal to the court for the district where compliance is required for a determination of the claim. The person who produced the information must preserve the information until the claim is resolved.

#### (g) Contempt.

The court for the district where compliance is required—and also, after a motion is transferred, the issuing court—may hold in contempt a person who, having been served, fails without adequate excuse to obey the subpoena or an order related to it.

**UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF TEXAS  
HOUSTON DIVISION**

DISH NETWORK L.L.C., §  
§  
§ Civil Action No. \_\_\_\_\_  
Plaintiff, §  
v. §  
§  
DOE 1 d/b/a ZemTV, Does 2-4, §  
individually and together d/b/a §  
www.tvaddons.ag, www.tvaddons.org, and §  
www.streamingboxes.com, §  
Defendants. §  
§  
§

**TWITTER, INC. SUBPOENA ATTACHMENT A**

*Definition*

1. The term “Twitter Account” means any Twitter account associated with any of the following:
  - a. The email address taacc14@gmail.com;
  - b. The Twitter username “@shani\_08\_kodi”;
  - c. The Twitter username “TV ADDONS”;
  - d. The domain or website tvaddons.ag;
  - e. The domain or website tvaddons.org;
  - f. The domain or website streamingboxes.com.

**DOCUMENT REQUESTS**

1. Documents sufficient to identify the full name and contact information (including physical addresses, web addresses, email addresses, telephone numbers, and fax numbers) for the person that registered each Twitter Account.
2. Applications, forms, and other documents that were submitted in order to create or make changes to each Twitter Account.

3. Documents sufficient to identify the Internet Protocol (“IP”) address used by the person that registered each Twitter Account, including session date and time stamps at the time of registration.

4. Documents sufficient to identify the IP addresses used by persons accessing each Twitter Account, including IP address logs with session date and time stamps of each access to each Twitter Account, from February 1, 2014 through present.

5. All communications, including “tweets”, Twitter sent to or received from each Twitter Account during the time period of February 1, 2014 to present.

# EXHIBIT 3

**UNITED STATES DISTRICT COURT**  
for the  
**Southern District of Texas**

DISH NETWORK L.L.C.

*Plaintiff*

v.

DOES 1-4

*Defendant*

)

Civil Action No.

**SUBPOENA TO PRODUCE DOCUMENTS, INFORMATION, OR OBJECTS  
OR TO PERMIT INSPECTION OF PREMISES IN A CIVIL ACTION**

To:

Google, Inc., Attn: Legal Investigations Support, 1965 Charleston Rd., Building 1965, Mountain View, CA 94043

(Name of person to whom this subpoena is directed)

**Production:** YOU ARE COMMANDED to produce at the time, date, and place set forth below the following documents, electronically stored information, or objects, and to permit inspection, copying, testing, or sampling of the material: See Attachment A.

Place: By mail or email to the issuing counsel below, or in person at a location to be determined by agreement of the issuing party and Google, Inc.	Date and Time:
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**Inspection of Premises:** YOU ARE COMMANDED to permit entry onto the designated premises, land, or other property possessed or controlled by you at the time, date, and location set forth below, so that the requesting party may inspect, measure, survey, photograph, test, or sample the property or any designated object or operation on it.

Place:	Date and Time:
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The following provisions of Fed. R. Civ. P. 45 are attached – Rule 45(c), relating to the place of compliance; Rule 45(d), relating to your protection as a person subject to a subpoena; and Rule 45(e) and (g), relating to your duty to respond to this subpoena and the potential consequences of not doing so.

Date: \_\_\_\_\_

CLERK OF COURT

OR

/s/ Stephen M. Ferguson

Signature of Clerk or Deputy Clerk

Attorney's signature

The name, address, e-mail address, and telephone number of the attorney representing (*name of party*) \_\_\_\_\_  
DISH Network L.L.C. \_\_\_\_\_, who issues or requests this subpoena, are:

Stephen M. Ferguson, Hagan Noll & Boyle LLC; 820 Gessner, Ste. 940, Houston, TX 77024;  
stephen.ferguson@hnbllc.com; Phone: 713-343-0478 x102; Facsimile: 713-758-0146

**Notice to the person who issues or requests this subpoena**

If this subpoena commands the production of documents, electronically stored information, or tangible things or the inspection of premises before trial, a notice and a copy of the subpoena must be served on each party in this case before it is served on the person to whom it is directed. Fed. R. Civ. P. 45(a)(4).

Civil Action No. \_\_\_\_\_

**PROOF OF SERVICE**

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I received this subpoena for (*name of individual and title, if any*) \_\_\_\_\_  
on (*date*) \_\_\_\_\_.

I served the subpoena by delivering a copy to the named person as follows: \_\_\_\_\_

\_\_\_\_\_  
on (*date*) \_\_\_\_\_ ; or

I returned the subpoena unexecuted because: \_\_\_\_\_

Unless the subpoena was issued on behalf of the United States, or one of its officers or agents, I have also  
tendered to the witness the fees for one day's attendance, and the mileage allowed by law, in the amount of  
\$ \_\_\_\_\_.

My fees are \$ \_\_\_\_\_ for travel and \$ \_\_\_\_\_ for services, for a total of \$ 0.00 \_\_\_\_\_.

I declare under penalty of perjury that this information is true.

Date: \_\_\_\_\_  
*Server's signature*

\_\_\_\_\_  
*Printed name and title*

\_\_\_\_\_  
*Server's address*

Additional information regarding attempted service, etc.:  
\_\_\_\_\_  
\_\_\_\_\_

## Federal Rule of Civil Procedure 45 (c), (d), (e), and (g) (Effective 12/1/13)

### (c) Place of Compliance.

**(1) For a Trial, Hearing, or Deposition.** A subpoena may command a person to attend a trial, hearing, or deposition only as follows:

(A) within 100 miles of where the person resides, is employed, or regularly transacts business in person; or

(B) within the state where the person resides, is employed, or regularly transacts business in person, if the person

(i) is a party or a party's officer; or

(ii) is commanded to attend a trial and would not incur substantial expense.

**(2) For Other Discovery.** A subpoena may command:

(A) production of documents, electronically stored information, or tangible things at a place within 100 miles of where the person resides, is employed, or regularly transacts business in person; and

(B) inspection of premises at the premises to be inspected.

### (d) Protecting a Person Subject to a Subpoena; Enforcement.

**(1) Avoiding Undue Burden or Expense; Sanctions.** A party or attorney responsible for issuing and serving a subpoena must take reasonable steps to avoid imposing undue burden or expense on a person subject to the subpoena. The court for the district where compliance is required must enforce this duty and impose an appropriate sanction—which may include lost earnings and reasonable attorney's fees—on a party or attorney who fails to comply.

#### (2) Command to Produce Materials or Permit Inspection.

**(A) Appearance Not Required.** A person commanded to produce documents, electronically stored information, or tangible things, or to permit the inspection of premises, need not appear in person at the place of production or inspection unless also commanded to appear for a deposition, hearing, or trial.

**(B) Objections.** A person commanded to produce documents or tangible things or to permit inspection may serve on the party or attorney designated in the subpoena a written objection to inspecting, copying, testing, or sampling any or all of the materials or to inspecting the premises—or to producing electronically stored information in the form or forms requested. The objection must be served before the earlier of the time specified for compliance or 14 days after the subpoena is served. If an objection is made, the following rules apply:

(i) At any time, on notice to the commanded person, the serving party may move the court for the district where compliance is required for an order compelling production or inspection.

(ii) These acts may be required only as directed in the order, and the order must protect a person who is neither a party nor a party's officer from significant expense resulting from compliance.

#### (3) Quashing or Modifying a Subpoena.

**(A) When Required.** On timely motion, the court for the district where compliance is required must quash or modify a subpoena that:

(i) fails to allow a reasonable time to comply;

(ii) requires a person to comply beyond the geographical limits specified in Rule 45(c);

(iii) requires disclosure of privileged or other protected matter, if no exception or waiver applies; or

(iv) subjects a person to undue burden.

**(B) When Permitted.** To protect a person subject to or affected by a subpoena, the court for the district where compliance is required may, on motion, quash or modify the subpoena if it requires:

(i) disclosing a trade secret or other confidential research, development, or commercial information; or

(ii) disclosing an unretained expert's opinion or information that does not describe specific occurrences in dispute and results from the expert's study that was not requested by a party.

**(C) Specifying Conditions as an Alternative.** In the circumstances described in Rule 45(d)(3)(B), the court may, instead of quashing or modifying a subpoena, order appearance or production under specified conditions if the serving party:

(i) shows a substantial need for the testimony or material that cannot be otherwise met without undue hardship; and

(ii) ensures that the subpoenaed person will be reasonably compensated.

### (e) Duties in Responding to a Subpoena.

**(1) Producing Documents or Electronically Stored Information.** These procedures apply to producing documents or electronically stored information:

**(A) Documents.** A person responding to a subpoena to produce documents must produce them as they are kept in the ordinary course of business or must organize and label them to correspond to the categories in the demand.

**(B) Form for Producing Electronically Stored Information Not Specified.** If a subpoena does not specify a form for producing electronically stored information, the person responding must produce it in a form or forms in which it is ordinarily maintained or in a reasonably usable form or forms.

**(C) Electronically Stored Information Produced in Only One Form.** The person responding need not produce the same electronically stored information in more than one form.

**(D) Inaccessible Electronically Stored Information.** The person responding need not provide discovery of electronically stored information from sources that the person identifies as not reasonably accessible because of undue burden or cost. On motion to compel discovery or for a protective order, the person responding must show that the information is not reasonably accessible because of undue burden or cost. If that showing is made, the court may nonetheless order discovery from such sources if the requesting party shows good cause, considering the limitations of Rule 26(b)(2)(C). The court may specify conditions for the discovery.

#### (2) Claiming Privilege or Protection.

**(A) Information Withheld.** A person withholding subpoenaed information under a claim that it is privileged or subject to protection as trial-preparation material must:

(i) expressly make the claim; and

(ii) describe the nature of the withheld documents, communications, or tangible things in a manner that, without revealing information itself privileged or protected, will enable the parties to assess the claim.

**(B) Information Produced.** If information produced in response to a subpoena is subject to a claim of privilege or of protection as trial-preparation material, the person making the claim may notify any party that received the information of the claim and the basis for it. After being notified, a party must promptly return, sequester, or destroy the specified information and any copies it has; must not use or disclose the information until the claim is resolved; must take reasonable steps to retrieve the information if the party disclosed it before being notified; and may promptly present the information under seal to the court for the district where compliance is required for a determination of the claim. The person who produced the information must preserve the information until the claim is resolved.

#### (g) Contempt.

The court for the district where compliance is required—and also, after a motion is transferred, the issuing court—may hold in contempt a person who, having been served, fails without adequate excuse to obey the subpoena or an order related to it.

**UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF TEXAS  
HOUSTON DIVISION**

DISH NETWORK L.L.C., §  
§  
§ Civil Action No. \_\_\_\_\_  
Plaintiff, §  
v. §  
§  
DOE 1 d/b/a ZemTV, Does 2-4, §  
individually and together d/b/a §  
www.tvaddons.ag, www.tvaddons.org, and §  
www.streamingboxes.com, §  
§  
Defendants. §  
§

**GOOGLE, INC. SUBPOENA ATTACHMENT A**

*Definition*

1. The term “Gmail Account” means the Gmail email address taacc14@gmail.com.

**DOCUMENT REQUESTS**

1. Documents sufficient to identify the full name and contact information (including physical addresses, web addresses, email addresses, telephone numbers, and fax numbers) for the person that registered the Gmail Account.
2. Applications, forms, and other documents that were submitted in order to create or make changes to the Gmail Account.
3. Documents sufficient to identify the Internet Protocol (“IP”) address used by the person that registered the Gmail Account, including session date and time stamps at the time of registration.
4. Documents sufficient to identify the IP addresses used by persons accessing the Gmail Account, including IP address logs with session date and time stamps of each access to the Gmail Account, from February 1, 2014 through present.
5. All communications, including “Gchat” messages, Google sent to or received from the Google Account during the time period of February 1, 2014 to present.

# EXHIBIT 4

**UNITED STATES DISTRICT COURT**  
for the  
**Southern District of Texas**

DISH NETWORK L.L.C.

*Plaintiff*

v.

DOES 1-4

*Defendant*

)

Civil Action No.

**SUBPOENA TO PRODUCE DOCUMENTS, INFORMATION, OR OBJECTS  
OR TO PERMIT INSPECTION OF PREMISES IN A CIVIL ACTION**

To:

Facebook, Inc., c/o CSC, 2710 Gateway Oaks Dr., Suite 150N, Sacramento, CA 95833

(Name of person to whom this subpoena is directed)

**Production:** YOU ARE COMMANDED to produce at the time, date, and place set forth below the following documents, electronically stored information, or objects, and to permit inspection, copying, testing, or sampling of the material: See Attachment A.

Place: By mail or email to the issuing counsel below, or in person at a location to be determined by agreement of the issuing party and Facebook, Inc.	Date and Time:
--	----------------

**Inspection of Premises:** YOU ARE COMMANDED to permit entry onto the designated premises, land, or other property possessed or controlled by you at the time, date, and location set forth below, so that the requesting party may inspect, measure, survey, photograph, test, or sample the property or any designated object or operation on it.

Place:	Date and Time:
--------	----------------

The following provisions of Fed. R. Civ. P. 45 are attached – Rule 45(c), relating to the place of compliance; Rule 45(d), relating to your protection as a person subject to a subpoena; and Rule 45(e) and (g), relating to your duty to respond to this subpoena and the potential consequences of not doing so.

Date: \_\_\_\_\_

CLERK OF COURT

OR

/s/ Stephen M. Ferguson

Signature of Clerk or Deputy Clerk

Attorney's signature

The name, address, e-mail address, and telephone number of the attorney representing (*name of party*) \_\_\_\_\_  
DISH Network L.L.C. \_\_\_\_\_, who issues or requests this subpoena, are:

Stephen M. Ferguson, Hagan Noll & Boyle LLC; 820 Gessner, Ste. 940, Houston, TX 77024;  
stephen.ferguson@hnbllc.com; Phone: 713-343-0478 x102; Facsimile: 713-758-0146

**Notice to the person who issues or requests this subpoena**

If this subpoena commands the production of documents, electronically stored information, or tangible things or the inspection of premises before trial, a notice and a copy of the subpoena must be served on each party in this case before it is served on the person to whom it is directed. Fed. R. Civ. P. 45(a)(4).

Civil Action No. \_\_\_\_\_

**PROOF OF SERVICE**

*(This section should not be filed with the court unless required by Fed. R. Civ. P. 45.)*

I received this subpoena for (*name of individual and title, if any*) \_\_\_\_\_

on (*date*) \_\_\_\_\_ .

I served the subpoena by delivering a copy to the named person as follows: \_\_\_\_\_

on (*date*) \_\_\_\_\_ ; or

I returned the subpoena unexecuted because: \_\_\_\_\_

Unless the subpoena was issued on behalf of the United States, or one of its officers or agents, I have also tendered to the witness the fees for one day's attendance, and the mileage allowed by law, in the amount of

\$ \_\_\_\_\_ .

My fees are \$ \_\_\_\_\_ for travel and \$ \_\_\_\_\_ for services, for a total of \$ 0.00 \_\_\_\_\_ .

I declare under penalty of perjury that this information is true.

Date: \_\_\_\_\_

*Server's signature*

\_\_\_\_\_  
*Printed name and title*

\_\_\_\_\_  
*Server's address*

Additional information regarding attempted service, etc.:  
\_\_\_\_\_  
\_\_\_\_\_

## Federal Rule of Civil Procedure 45 (c), (d), (e), and (g) (Effective 12/1/13)

### (c) Place of Compliance.

**(1) For a Trial, Hearing, or Deposition.** A subpoena may command a person to attend a trial, hearing, or deposition only as follows:

(A) within 100 miles of where the person resides, is employed, or regularly transacts business in person; or

(B) within the state where the person resides, is employed, or regularly transacts business in person, if the person

(i) is a party or a party's officer; or

(ii) is commanded to attend a trial and would not incur substantial expense.

**(2) For Other Discovery.** A subpoena may command:

(A) production of documents, electronically stored information, or tangible things at a place within 100 miles of where the person resides, is employed, or regularly transacts business in person; and

(B) inspection of premises at the premises to be inspected.

### (d) Protecting a Person Subject to a Subpoena; Enforcement.

**(1) Avoiding Undue Burden or Expense; Sanctions.** A party or attorney responsible for issuing and serving a subpoena must take reasonable steps to avoid imposing undue burden or expense on a person subject to the subpoena. The court for the district where compliance is required must enforce this duty and impose an appropriate sanction—which may include lost earnings and reasonable attorney's fees—on a party or attorney who fails to comply.

#### (2) Command to Produce Materials or Permit Inspection.

**(A) Appearance Not Required.** A person commanded to produce documents, electronically stored information, or tangible things, or to permit the inspection of premises, need not appear in person at the place of production or inspection unless also commanded to appear for a deposition, hearing, or trial.

**(B) Objections.** A person commanded to produce documents or tangible things or to permit inspection may serve on the party or attorney designated in the subpoena a written objection to inspecting, copying, testing, or sampling any or all of the materials or to inspecting the premises—or to producing electronically stored information in the form or forms requested. The objection must be served before the earlier of the time specified for compliance or 14 days after the subpoena is served. If an objection is made, the following rules apply:

(i) At any time, on notice to the commanded person, the serving party may move the court for the district where compliance is required for an order compelling production or inspection.

(ii) These acts may be required only as directed in the order, and the order must protect a person who is neither a party nor a party's officer from significant expense resulting from compliance.

#### (3) Quashing or Modifying a Subpoena.

**(A) When Required.** On timely motion, the court for the district where compliance is required must quash or modify a subpoena that:

(i) fails to allow a reasonable time to comply;

(ii) requires a person to comply beyond the geographical limits specified in Rule 45(c);

(iii) requires disclosure of privileged or other protected matter, if no exception or waiver applies; or

(iv) subjects a person to undue burden.

**(B) When Permitted.** To protect a person subject to or affected by a subpoena, the court for the district where compliance is required may, on motion, quash or modify the subpoena if it requires:

(i) disclosing a trade secret or other confidential research, development, or commercial information; or

(ii) disclosing an unretained expert's opinion or information that does not describe specific occurrences in dispute and results from the expert's study that was not requested by a party.

**(C) Specifying Conditions as an Alternative.** In the circumstances described in Rule 45(d)(3)(B), the court may, instead of quashing or modifying a subpoena, order appearance or production under specified conditions if the serving party:

(i) shows a substantial need for the testimony or material that cannot be otherwise met without undue hardship; and

(ii) ensures that the subpoenaed person will be reasonably compensated.

### (e) Duties in Responding to a Subpoena.

**(1) Producing Documents or Electronically Stored Information.** These procedures apply to producing documents or electronically stored information:

**(A) Documents.** A person responding to a subpoena to produce documents must produce them as they are kept in the ordinary course of business or must organize and label them to correspond to the categories in the demand.

**(B) Form for Producing Electronically Stored Information Not Specified.** If a subpoena does not specify a form for producing electronically stored information, the person responding must produce it in a form or forms in which it is ordinarily maintained or in a reasonably usable form or forms.

**(C) Electronically Stored Information Produced in Only One Form.** The person responding need not produce the same electronically stored information in more than one form.

**(D) Inaccessible Electronically Stored Information.** The person responding need not provide discovery of electronically stored information from sources that the person identifies as not reasonably accessible because of undue burden or cost. On motion to compel discovery or for a protective order, the person responding must show that the information is not reasonably accessible because of undue burden or cost. If that showing is made, the court may nonetheless order discovery from such sources if the requesting party shows good cause, considering the limitations of Rule 26(b)(2)(C). The court may specify conditions for the discovery.

#### (2) Claiming Privilege or Protection.

**(A) Information Withheld.** A person withholding subpoenaed information under a claim that it is privileged or subject to protection as trial-preparation material must:

(i) expressly make the claim; and

(ii) describe the nature of the withheld documents, communications, or tangible things in a manner that, without revealing information itself privileged or protected, will enable the parties to assess the claim.

**(B) Information Produced.** If information produced in response to a subpoena is subject to a claim of privilege or of protection as trial-preparation material, the person making the claim may notify any party that received the information of the claim and the basis for it. After being notified, a party must promptly return, sequester, or destroy the specified information and any copies it has; must not use or disclose the information until the claim is resolved; must take reasonable steps to retrieve the information if the party disclosed it before being notified; and may promptly present the information under seal to the court for the district where compliance is required for a determination of the claim. The person who produced the information must preserve the information until the claim is resolved.

#### (g) Contempt.

The court for the district where compliance is required—and also, after a motion is transferred, the issuing court—may hold in contempt a person who, having been served, fails without adequate excuse to obey the subpoena or an order related to it.

**UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF TEXAS  
HOUSTON DIVISION**

DISH NETWORK L.L.C.,  
Plaintiff,  
v.  
DOE 1 d/b/a ZemTV, Does 2-4,  
individually and together d/b/a  
*www.tvaddons.ag*, *www.tvaddons.org*, and  
*www.streamingboxes.com*,  
Defendants.

Civil Action No. \_\_\_\_\_

**FACEBOOK, INC. SUBPOENA ATTACHMENT A**

### Definition

1. The term “Facebook Account” means any Facebook account associated with any of the following:
    - a. The email address taacc14@gmail.com;
    - b. The Facebook username “Shani Shani”;
    - c. The Facebook username “Shani Kodi”;
    - d. The domain or website tvaddons.ag;
    - e. The domain or website tvaddons.org;
    - f. The domain or website streamingboxes.com.

## **DOCUMENT REQUESTS**

1. Documents sufficient to identify the full name and contact information (including physical addresses, web addresses, email addresses, telephone numbers, and fax numbers) for the person that registered each Facebook Account.
  2. Applications, forms, and other documents that were submitted in order to create or make changes to each Facebook Account.

3. Documents sufficient to identify the Internet Protocol (“IP”) address used by the person that registered each Facebook Account, including session date and time stamps at the time of registration.

4. Documents sufficient to identify the IP addresses used by persons accessing each Facebook Account, including IP address logs with session date and time stamps of each access to each Facebook Account, from February 1, 2014 through present.

5. All communications, including Facebook messages, Facebook sent to or received from each Facebook Account during the time period of February 1, 2014 to present.

# EXHIBIT 5

**UNITED STATES DISTRICT COURT**  
for the  
**Southern District of Texas**

DISH NETWORK L.L.C.

*Plaintiff*

v.

DOES 1-4

*Defendant*

)

Civil Action No.

**SUBPOENA TO PRODUCE DOCUMENTS, INFORMATION, OR OBJECTS  
OR TO PERMIT INSPECTION OF PREMISES IN A CIVIL ACTION**

To:

PayPal, Inc., Attn: Legal Dept. / Civil, 2211 North First Street, San Jose, CA 95131

(Name of person to whom this subpoena is directed)

**Production:** YOU ARE COMMANDED to produce at the time, date, and place set forth below the following documents, electronically stored information, or objects, and to permit inspection, copying, testing, or sampling of the material: See Attachment A.

Place: By mail or email to the issuing counsel below, or in person at a location to be determined by agreement of the issuing party and PayPal, Inc.	Date and Time:
--	----------------

**Inspection of Premises:** YOU ARE COMMANDED to permit entry onto the designated premises, land, or other property possessed or controlled by you at the time, date, and location set forth below, so that the requesting party may inspect, measure, survey, photograph, test, or sample the property or any designated object or operation on it.

Place:	Date and Time:
--------	----------------

The following provisions of Fed. R. Civ. P. 45 are attached – Rule 45(c), relating to the place of compliance; Rule 45(d), relating to your protection as a person subject to a subpoena; and Rule 45(e) and (g), relating to your duty to respond to this subpoena and the potential consequences of not doing so.

Date: \_\_\_\_\_

CLERK OF COURT

OR

/s/ Stephen M. Ferguson

Signature of Clerk or Deputy Clerk

Attorney's signature

The name, address, e-mail address, and telephone number of the attorney representing (*name of party*) \_\_\_\_\_  
DISH Network L.L.C. \_\_\_\_\_, who issues or requests this subpoena, are:

Stephen M. Ferguson, Hagan Noll & Boyle LLC; 820 Gessner, Ste. 940, Houston, TX 77024;  
stephen.ferguson@hnbllc.com; Phone: 713-343-0478 x102; Facsimile: 713-758-0146

**Notice to the person who issues or requests this subpoena**

If this subpoena commands the production of documents, electronically stored information, or tangible things or the inspection of premises before trial, a notice and a copy of the subpoena must be served on each party in this case before it is served on the person to whom it is directed. Fed. R. Civ. P. 45(a)(4).

Civil Action No. \_\_\_\_\_

**PROOF OF SERVICE**

*(This section should not be filed with the court unless required by Fed. R. Civ. P. 45.)*

I received this subpoena for (*name of individual and title, if any*) \_\_\_\_\_  
on (*date*) \_\_\_\_\_.

I served the subpoena by delivering a copy to the named person as follows: \_\_\_\_\_

\_\_\_\_\_  
on (*date*) \_\_\_\_\_ ; or

I returned the subpoena unexecuted because: \_\_\_\_\_

Unless the subpoena was issued on behalf of the United States, or one of its officers or agents, I have also  
tendered to the witness the fees for one day's attendance, and the mileage allowed by law, in the amount of  
\$ \_\_\_\_\_.

My fees are \$ \_\_\_\_\_ for travel and \$ \_\_\_\_\_ for services, for a total of \$ 0.00 \_\_\_\_\_.

I declare under penalty of perjury that this information is true.

Date: \_\_\_\_\_  
*Server's signature*

\_\_\_\_\_  
*Printed name and title*

\_\_\_\_\_  
*Server's address*

Additional information regarding attempted service, etc.:  
\_\_\_\_\_  
\_\_\_\_\_

## Federal Rule of Civil Procedure 45 (c), (d), (e), and (g) (Effective 12/1/13)

### (c) Place of Compliance.

**(1) For a Trial, Hearing, or Deposition.** A subpoena may command a person to attend a trial, hearing, or deposition only as follows:

(A) within 100 miles of where the person resides, is employed, or regularly transacts business in person; or

(B) within the state where the person resides, is employed, or regularly transacts business in person, if the person

(i) is a party or a party's officer; or

(ii) is commanded to attend a trial and would not incur substantial expense.

**(2) For Other Discovery.** A subpoena may command:

(A) production of documents, electronically stored information, or tangible things at a place within 100 miles of where the person resides, is employed, or regularly transacts business in person; and

(B) inspection of premises at the premises to be inspected.

### (d) Protecting a Person Subject to a Subpoena; Enforcement.

**(1) Avoiding Undue Burden or Expense; Sanctions.** A party or attorney responsible for issuing and serving a subpoena must take reasonable steps to avoid imposing undue burden or expense on a person subject to the subpoena. The court for the district where compliance is required must enforce this duty and impose an appropriate sanction—which may include lost earnings and reasonable attorney's fees—on a party or attorney who fails to comply.

### (2) Command to Produce Materials or Permit Inspection.

**(A) Appearance Not Required.** A person commanded to produce documents, electronically stored information, or tangible things, or to permit the inspection of premises, need not appear in person at the place of production or inspection unless also commanded to appear for a deposition, hearing, or trial.

**(B) Objections.** A person commanded to produce documents or tangible things or to permit inspection may serve on the party or attorney designated in the subpoena a written objection to inspecting, copying, testing, or sampling any or all of the materials or to inspecting the premises—or to producing electronically stored information in the form or forms requested. The objection must be served before the earlier of the time specified for compliance or 14 days after the subpoena is served. If an objection is made, the following rules apply:

(i) At any time, on notice to the commanded person, the serving party may move the court for the district where compliance is required for an order compelling production or inspection.

(ii) These acts may be required only as directed in the order, and the order must protect a person who is neither a party nor a party's officer from significant expense resulting from compliance.

### (3) Quashing or Modifying a Subpoena.

**(A) When Required.** On timely motion, the court for the district where compliance is required must quash or modify a subpoena that:

(i) fails to allow a reasonable time to comply;

(ii) requires a person to comply beyond the geographical limits specified in Rule 45(c);

(iii) requires disclosure of privileged or other protected matter, if no exception or waiver applies; or

(iv) subjects a person to undue burden.

**(B) When Permitted.** To protect a person subject to or affected by a subpoena, the court for the district where compliance is required may, on motion, quash or modify the subpoena if it requires:

(i) disclosing a trade secret or other confidential research, development, or commercial information; or

(ii) disclosing an unretained expert's opinion or information that does not describe specific occurrences in dispute and results from the expert's study that was not requested by a party.

**(C) Specifying Conditions as an Alternative.** In the circumstances described in Rule 45(d)(3)(B), the court may, instead of quashing or modifying a subpoena, order appearance or production under specified conditions if the serving party:

(i) shows a substantial need for the testimony or material that cannot be otherwise met without undue hardship; and

(ii) ensures that the subpoenaed person will be reasonably compensated.

### (e) Duties in Responding to a Subpoena.

**(1) Producing Documents or Electronically Stored Information.** These procedures apply to producing documents or electronically stored information:

**(A) Documents.** A person responding to a subpoena to produce documents must produce them as they are kept in the ordinary course of business or must organize and label them to correspond to the categories in the demand.

**(B) Form for Producing Electronically Stored Information Not Specified.** If a subpoena does not specify a form for producing electronically stored information, the person responding must produce it in a form or forms in which it is ordinarily maintained or in a reasonably usable form or forms.

**(C) Electronically Stored Information Produced in Only One Form.** The person responding need not produce the same electronically stored information in more than one form.

**(D) Inaccessible Electronically Stored Information.** The person responding need not provide discovery of electronically stored information from sources that the person identifies as not reasonably accessible because of undue burden or cost. On motion to compel discovery or for a protective order, the person responding must show that the information is not reasonably accessible because of undue burden or cost. If that showing is made, the court may nonetheless order discovery from such sources if the requesting party shows good cause, considering the limitations of Rule 26(b)(2)(C). The court may specify conditions for the discovery.

### (2) Claiming Privilege or Protection.

**(A) Information Withheld.** A person withholding subpoenaed information under a claim that it is privileged or subject to protection as trial-preparation material must:

(i) expressly make the claim; and

(ii) describe the nature of the withheld documents, communications, or tangible things in a manner that, without revealing information itself privileged or protected, will enable the parties to assess the claim.

**(B) Information Produced.** If information produced in response to a subpoena is subject to a claim of privilege or of protection as trial-preparation material, the person making the claim may notify any party that received the information of the claim and the basis for it. After being notified, a party must promptly return, sequester, or destroy the specified information and any copies it has; must not use or disclose the information until the claim is resolved; must take reasonable steps to retrieve the information if the party disclosed it before being notified; and may promptly present the information under seal to the court for the district where compliance is required for a determination of the claim. The person who produced the information must preserve the information until the claim is resolved.

### (g) Contempt.

The court for the district where compliance is required—and also, after a motion is transferred, the issuing court—may hold in contempt a person who, having been served, fails without adequate excuse to obey the subpoena or an order related to it.

**UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF TEXAS  
HOUSTON DIVISION**

DISH NETWORK L.L.C.,  
Plaintiff,  
v.  
DOE 1 d/b/a ZemTV, Does 2-4,  
individually and together d/b/a  
[www.tvaddons.ag](http://www.tvaddons.ag), [www.tvaddons.org](http://www.tvaddons.org), and  
[www.streamingboxes.com](http://www.streamingboxes.com),  
Defendants.

**PAYPAL, INC. SUBPOENA ATTACHMENT A**

### Definition

1. The term “Account” means any PayPal, Inc. account associated with the any of the following:
    - a. The Credit Card Statement Name “Shani”;
    - b. The Credit Card Statement Name “Shani\_08”;
    - c. The domain or website streamingboxes.com;
    - d. The domain or website tvaddons.ag;
    - e. The domain or website tvaddons.org;
    - f. The email address taacc14@gmail.com.

“Account” also includes any and all related accounts.

## **DOCUMENT REQUESTS**

1. All FIT Pages associated with each Account.
  2. All Transaction Logs associated with each Account.
  3. All Activity Logs associated with each Account.
  4. Documents sufficient to identify each name, alias, date of birth, social security number, telephone number, street address, email address, Internet Protocol address, and financial account associated with each Account.

5. Documents sufficient to identify each transaction associated with each Account, including all debits and credits to the Account.

# EXHIBIT 6

**UNITED STATES DISTRICT COURT**  
for the  
**Southern District of Texas**

DISH NETWORK L.L.C.

*Plaintiff*

v.

DOES 1-4

*Defendant*

)

Civil Action No.

**SUBPOENA TO PRODUCE DOCUMENTS, INFORMATION, OR OBJECTS  
OR TO PERMIT INSPECTION OF PREMISES IN A CIVIL ACTION**

To:

Amazon.com, Inc., c/o Corporation Service Company, 300 Deschutes Way SW, Suite 304, Tumwater, WA 98501

(Name of person to whom this subpoena is directed)

**Production:** YOU ARE COMMANDED to produce at the time, date, and place set forth below the following documents, electronically stored information, or objects, and to permit inspection, copying, testing, or sampling of the material: See Attachment A.

Place: By mail or email to the issuing counsel below, or in person at a location to be determined by agreement of the issuing party and Amazon.com, Inc.	Date and Time:
--	----------------

**Inspection of Premises:** YOU ARE COMMANDED to permit entry onto the designated premises, land, or other property possessed or controlled by you at the time, date, and location set forth below, so that the requesting party may inspect, measure, survey, photograph, test, or sample the property or any designated object or operation on it.

Place:	Date and Time:
--------	----------------

The following provisions of Fed. R. Civ. P. 45 are attached – Rule 45(c), relating to the place of compliance; Rule 45(d), relating to your protection as a person subject to a subpoena; and Rule 45(e) and (g), relating to your duty to respond to this subpoena and the potential consequences of not doing so.

Date: \_\_\_\_\_

CLERK OF COURT

OR

/s/ Stephen M. Ferguson

Signature of Clerk or Deputy Clerk

Attorney's signature

The name, address, e-mail address, and telephone number of the attorney representing (*name of party*) \_\_\_\_\_  
DISH Network L.L.C. \_\_\_\_\_, who issues or requests this subpoena, are:

Stephen M. Ferguson, Hagan Noll & Boyle LLC; 820 Gessner, Ste. 940, Houston, TX 77024;  
stephen.ferguson@hnbllc.com; Phone: 713-343-0478 x102; Facsimile: 713-758-0146

**Notice to the person who issues or requests this subpoena**

If this subpoena commands the production of documents, electronically stored information, or tangible things or the inspection of premises before trial, a notice and a copy of the subpoena must be served on each party in this case before it is served on the person to whom it is directed. Fed. R. Civ. P. 45(a)(4).

Civil Action No. \_\_\_\_\_

**PROOF OF SERVICE**

*(This section should not be filed with the court unless required by Fed. R. Civ. P. 45.)*

I received this subpoena for (*name of individual and title, if any*) \_\_\_\_\_

on (*date*) \_\_\_\_\_ .

I served the subpoena by delivering a copy to the named person as follows: \_\_\_\_\_

on (*date*) \_\_\_\_\_ ; or

I returned the subpoena unexecuted because: \_\_\_\_\_

Unless the subpoena was issued on behalf of the United States, or one of its officers or agents, I have also tendered to the witness the fees for one day's attendance, and the mileage allowed by law, in the amount of

\$ \_\_\_\_\_ .

My fees are \$ \_\_\_\_\_ for travel and \$ \_\_\_\_\_ for services, for a total of \$ 0.00 \_\_\_\_\_ .

I declare under penalty of perjury that this information is true.

Date: \_\_\_\_\_

*Server's signature*

\_\_\_\_\_  
*Printed name and title*

\_\_\_\_\_  
*Server's address*

Additional information regarding attempted service, etc.:  
\_\_\_\_\_  
\_\_\_\_\_

## Federal Rule of Civil Procedure 45 (c), (d), (e), and (g) (Effective 12/1/13)

### (c) Place of Compliance.

**(1) For a Trial, Hearing, or Deposition.** A subpoena may command a person to attend a trial, hearing, or deposition only as follows:

(A) within 100 miles of where the person resides, is employed, or regularly transacts business in person; or

(B) within the state where the person resides, is employed, or regularly transacts business in person, if the person

(i) is a party or a party's officer; or

(ii) is commanded to attend a trial and would not incur substantial expense.

**(2) For Other Discovery.** A subpoena may command:

(A) production of documents, electronically stored information, or tangible things at a place within 100 miles of where the person resides, is employed, or regularly transacts business in person; and

(B) inspection of premises at the premises to be inspected.

### (d) Protecting a Person Subject to a Subpoena; Enforcement.

**(1) Avoiding Undue Burden or Expense; Sanctions.** A party or attorney responsible for issuing and serving a subpoena must take reasonable steps to avoid imposing undue burden or expense on a person subject to the subpoena. The court for the district where compliance is required must enforce this duty and impose an appropriate sanction—which may include lost earnings and reasonable attorney's fees—on a party or attorney who fails to comply.

#### (2) Command to Produce Materials or Permit Inspection.

**(A) Appearance Not Required.** A person commanded to produce documents, electronically stored information, or tangible things, or to permit the inspection of premises, need not appear in person at the place of production or inspection unless also commanded to appear for a deposition, hearing, or trial.

**(B) Objections.** A person commanded to produce documents or tangible things or to permit inspection may serve on the party or attorney designated in the subpoena a written objection to inspecting, copying, testing, or sampling any or all of the materials or to inspecting the premises—or to producing electronically stored information in the form or forms requested. The objection must be served before the earlier of the time specified for compliance or 14 days after the subpoena is served. If an objection is made, the following rules apply:

(i) At any time, on notice to the commanded person, the serving party may move the court for the district where compliance is required for an order compelling production or inspection.

(ii) These acts may be required only as directed in the order, and the order must protect a person who is neither a party nor a party's officer from significant expense resulting from compliance.

#### (3) Quashing or Modifying a Subpoena.

**(A) When Required.** On timely motion, the court for the district where compliance is required must quash or modify a subpoena that:

(i) fails to allow a reasonable time to comply;

(ii) requires a person to comply beyond the geographical limits specified in Rule 45(c);

(iii) requires disclosure of privileged or other protected matter, if no exception or waiver applies; or

(iv) subjects a person to undue burden.

**(B) When Permitted.** To protect a person subject to or affected by a subpoena, the court for the district where compliance is required may, on motion, quash or modify the subpoena if it requires:

(i) disclosing a trade secret or other confidential research, development, or commercial information; or

(ii) disclosing an unretained expert's opinion or information that does not describe specific occurrences in dispute and results from the expert's study that was not requested by a party.

**(C) Specifying Conditions as an Alternative.** In the circumstances described in Rule 45(d)(3)(B), the court may, instead of quashing or modifying a subpoena, order appearance or production under specified conditions if the serving party:

(i) shows a substantial need for the testimony or material that cannot be otherwise met without undue hardship; and

(ii) ensures that the subpoenaed person will be reasonably compensated.

### (e) Duties in Responding to a Subpoena.

**(1) Producing Documents or Electronically Stored Information.** These procedures apply to producing documents or electronically stored information:

**(A) Documents.** A person responding to a subpoena to produce documents must produce them as they are kept in the ordinary course of business or must organize and label them to correspond to the categories in the demand.

**(B) Form for Producing Electronically Stored Information Not Specified.** If a subpoena does not specify a form for producing electronically stored information, the person responding must produce it in a form or forms in which it is ordinarily maintained or in a reasonably usable form or forms.

**(C) Electronically Stored Information Produced in Only One Form.** The person responding need not produce the same electronically stored information in more than one form.

**(D) Inaccessible Electronically Stored Information.** The person responding need not provide discovery of electronically stored information from sources that the person identifies as not reasonably accessible because of undue burden or cost. On motion to compel discovery or for a protective order, the person responding must show that the information is not reasonably accessible because of undue burden or cost. If that showing is made, the court may nonetheless order discovery from such sources if the requesting party shows good cause, considering the limitations of Rule 26(b)(2)(C). The court may specify conditions for the discovery.

#### (2) Claiming Privilege or Protection.

**(A) Information Withheld.** A person withholding subpoenaed information under a claim that it is privileged or subject to protection as trial-preparation material must:

(i) expressly make the claim; and

(ii) describe the nature of the withheld documents, communications, or tangible things in a manner that, without revealing information itself privileged or protected, will enable the parties to assess the claim.

**(B) Information Produced.** If information produced in response to a subpoena is subject to a claim of privilege or of protection as trial-preparation material, the person making the claim may notify any party that received the information of the claim and the basis for it. After being notified, a party must promptly return, sequester, or destroy the specified information and any copies it has; must not use or disclose the information until the claim is resolved; must take reasonable steps to retrieve the information if the party disclosed it before being notified; and may promptly present the information under seal to the court for the district where compliance is required for a determination of the claim. The person who produced the information must preserve the information until the claim is resolved.

#### (g) Contempt.

The court for the district where compliance is required—and also, after a motion is transferred, the issuing court—may hold in contempt a person who, having been served, fails without adequate excuse to obey the subpoena or an order related to it.

**UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF TEXAS  
HOUSTON DIVISION**

DISH NETWORK L.L.C., §  
§  
§ Civil Action No. \_\_\_\_\_  
Plaintiff, §  
v. §  
§  
DOE 1 d/b/a ZemTV, Does 2-4, §  
individually and together d/b/a §  
www.tvaddons.ag, www.tvaddons.org, and §  
www.streamingboxes.com, §  
§  
Defendants. §  
§

**AMAZON.COM, INC. SUBPOENA ATTACHMENT A**

*Definition*

1. The term “Amazon Account” means any Amazon account associated with any of the following:
  - a. The individual Yi Pang;
  - b. The email address taacc14@gmail.com;
  - c. The email address yipang@protonmail.com;
  - d. The Twitter username “@shani\_08\_kodi”;
  - e. The domain or website tvaddons.ag;
  - f. The domain or website tvaddons.org;
  - g. The domain or website streamingboxes.com;
  - h. The IP address 54.230.122.138 from December 5, 2016 at 12:32 (UTC) through December 8, 2016 at 12:00 (UTC).
  - i. The following URL from December 5, 2016 at 12:32 (UTC) through December 8, 2016 at 12:00 (UTC):  
[http://d1hya96e2cm7qi.cloudfront.net/Live/\\_definst\\_/amlst:sweetbcha1novD72L240P/playlist.m3u8](http://d1hya96e2cm7qi.cloudfront.net/Live/_definst_/amlst:sweetbcha1novD72L240P/playlist.m3u8)

**DOCUMENT REQUESTS**

1. Documents sufficient to identify the full name and contact information (including physical addresses, web addresses, email addresses, telephone numbers, and fax numbers) for the person that registered each Amazon Account.
2. Applications, forms, and other documents that were submitted in order to create or make changes to each Amazon Account.
3. Documents sufficient to identify the Internet Protocol (“IP”) address used by the person that registered each Amazon Account, including session date and time stamps at the time of registration.
4. Documents sufficient to identify the IP addresses used by persons accessing each Amazon Account, including IP address logs with session date and time stamps of each access to each Amazon Account, from February 1, 2014 through present.
5. All communications Amazon sent to or received from each Amazon Account during the time period of February 1, 2014 to present.
6. Payment records for each Amazon Account, including documents sufficient to identify all payments received or made by each Amazon Account using an Amazon gift card, Amazon Allowance, or any other means.
7. Account statements for each Amazon Account for the time period of February 1, 2014 to the present.

# EXHIBIT 7

**UNITED STATES DISTRICT COURT**  
for the  
**Southern District of Texas**

DISH NETWORK L.L.C.

*Plaintiff*

v.

DOES 1-4

*Defendant*

)

Civil Action No.

**SUBPOENA TO PRODUCE DOCUMENTS, INFORMATION, OR OBJECTS  
OR TO PERMIT INSPECTION OF PREMISES IN A CIVIL ACTION**

To:

CloudFlare, Inc., Attn: Legal, 101 Townsend St., San Francisco, CA 94107

(Name of person to whom this subpoena is directed)

**Production:** YOU ARE COMMANDED to produce at the time, date, and place set forth below the following documents, electronically stored information, or objects, and to permit inspection, copying, testing, or sampling of the material: See Attachment A.

Place: By mail or email to the issuing counsel below, or in person at a location to be determined by agreement of the issuing party and CloudFlare, Inc.	Date and Time:
--	----------------

**Inspection of Premises:** YOU ARE COMMANDED to permit entry onto the designated premises, land, or other property possessed or controlled by you at the time, date, and location set forth below, so that the requesting party may inspect, measure, survey, photograph, test, or sample the property or any designated object or operation on it.

Place:	Date and Time:
--------	----------------

The following provisions of Fed. R. Civ. P. 45 are attached – Rule 45(c), relating to the place of compliance; Rule 45(d), relating to your protection as a person subject to a subpoena; and Rule 45(e) and (g), relating to your duty to respond to this subpoena and the potential consequences of not doing so.

Date: \_\_\_\_\_

CLERK OF COURT

OR

/s/ Stephen M. Ferguson

Signature of Clerk or Deputy Clerk

Attorney's signature

The name, address, e-mail address, and telephone number of the attorney representing (*name of party*) \_\_\_\_\_  
DISH Network L.L.C. \_\_\_\_\_, who issues or requests this subpoena, are:

Stephen M. Ferguson, Hagan Noll & Boyle LLC; 820 Gessner, Ste. 940, Houston, TX 77024;  
stephen.ferguson@hnbllc.com; Phone: 713-343-0478 x102; Facsimile: 713-758-0146

**Notice to the person who issues or requests this subpoena**

If this subpoena commands the production of documents, electronically stored information, or tangible things or the inspection of premises before trial, a notice and a copy of the subpoena must be served on each party in this case before it is served on the person to whom it is directed. Fed. R. Civ. P. 45(a)(4).

Civil Action No. \_\_\_\_\_

**PROOF OF SERVICE**

*(This section should not be filed with the court unless required by Fed. R. Civ. P. 45.)*

I received this subpoena for (*name of individual and title, if any*) \_\_\_\_\_  
on (*date*) \_\_\_\_\_.

I served the subpoena by delivering a copy to the named person as follows: \_\_\_\_\_

\_\_\_\_\_  
on (*date*) \_\_\_\_\_ ; or

I returned the subpoena unexecuted because: \_\_\_\_\_

Unless the subpoena was issued on behalf of the United States, or one of its officers or agents, I have also  
tendered to the witness the fees for one day's attendance, and the mileage allowed by law, in the amount of  
\$ \_\_\_\_\_.

My fees are \$ \_\_\_\_\_ for travel and \$ \_\_\_\_\_ for services, for a total of \$ 0.00 \_\_\_\_\_.

I declare under penalty of perjury that this information is true.

Date: \_\_\_\_\_  
*Server's signature*

\_\_\_\_\_  
*Printed name and title*

\_\_\_\_\_  
*Server's address*

Additional information regarding attempted service, etc.:  
\_\_\_\_\_  
\_\_\_\_\_

## Federal Rule of Civil Procedure 45 (c), (d), (e), and (g) (Effective 12/1/13)

### (c) Place of Compliance.

**(1) For a Trial, Hearing, or Deposition.** A subpoena may command a person to attend a trial, hearing, or deposition only as follows:

(A) within 100 miles of where the person resides, is employed, or regularly transacts business in person; or

(B) within the state where the person resides, is employed, or regularly transacts business in person, if the person

(i) is a party or a party's officer; or

(ii) is commanded to attend a trial and would not incur substantial expense.

**(2) For Other Discovery.** A subpoena may command:

(A) production of documents, electronically stored information, or tangible things at a place within 100 miles of where the person resides, is employed, or regularly transacts business in person; and

(B) inspection of premises at the premises to be inspected.

### (d) Protecting a Person Subject to a Subpoena; Enforcement.

**(1) Avoiding Undue Burden or Expense; Sanctions.** A party or attorney responsible for issuing and serving a subpoena must take reasonable steps to avoid imposing undue burden or expense on a person subject to the subpoena. The court for the district where compliance is required must enforce this duty and impose an appropriate sanction—which may include lost earnings and reasonable attorney's fees—on a party or attorney who fails to comply.

### (2) Command to Produce Materials or Permit Inspection.

**(A) Appearance Not Required.** A person commanded to produce documents, electronically stored information, or tangible things, or to permit the inspection of premises, need not appear in person at the place of production or inspection unless also commanded to appear for a deposition, hearing, or trial.

**(B) Objections.** A person commanded to produce documents or tangible things or to permit inspection may serve on the party or attorney designated in the subpoena a written objection to inspecting, copying, testing, or sampling any or all of the materials or to inspecting the premises—or to producing electronically stored information in the form or forms requested. The objection must be served before the earlier of the time specified for compliance or 14 days after the subpoena is served. If an objection is made, the following rules apply:

(i) At any time, on notice to the commanded person, the serving party may move the court for the district where compliance is required for an order compelling production or inspection.

(ii) These acts may be required only as directed in the order, and the order must protect a person who is neither a party nor a party's officer from significant expense resulting from compliance.

### (3) Quashing or Modifying a Subpoena.

**(A) When Required.** On timely motion, the court for the district where compliance is required must quash or modify a subpoena that:

(i) fails to allow a reasonable time to comply;

(ii) requires a person to comply beyond the geographical limits specified in Rule 45(c);

(iii) requires disclosure of privileged or other protected matter, if no exception or waiver applies; or

(iv) subjects a person to undue burden.

**(B) When Permitted.** To protect a person subject to or affected by a subpoena, the court for the district where compliance is required may, on motion, quash or modify the subpoena if it requires:

(i) disclosing a trade secret or other confidential research, development, or commercial information; or

(ii) disclosing an unretained expert's opinion or information that does not describe specific occurrences in dispute and results from the expert's study that was not requested by a party.

**(C) Specifying Conditions as an Alternative.** In the circumstances described in Rule 45(d)(3)(B), the court may, instead of quashing or modifying a subpoena, order appearance or production under specified conditions if the serving party:

(i) shows a substantial need for the testimony or material that cannot be otherwise met without undue hardship; and

(ii) ensures that the subpoenaed person will be reasonably compensated.

### (e) Duties in Responding to a Subpoena.

**(1) Producing Documents or Electronically Stored Information.** These procedures apply to producing documents or electronically stored information:

**(A) Documents.** A person responding to a subpoena to produce documents must produce them as they are kept in the ordinary course of business or must organize and label them to correspond to the categories in the demand.

**(B) Form for Producing Electronically Stored Information Not Specified.** If a subpoena does not specify a form for producing electronically stored information, the person responding must produce it in a form or forms in which it is ordinarily maintained or in a reasonably usable form or forms.

**(C) Electronically Stored Information Produced in Only One Form.** The person responding need not produce the same electronically stored information in more than one form.

**(D) Inaccessible Electronically Stored Information.** The person responding need not provide discovery of electronically stored information from sources that the person identifies as not reasonably accessible because of undue burden or cost. On motion to compel discovery or for a protective order, the person responding must show that the information is not reasonably accessible because of undue burden or cost. If that showing is made, the court may nonetheless order discovery from such sources if the requesting party shows good cause, considering the limitations of Rule 26(b)(2)(C). The court may specify conditions for the discovery.

### (2) Claiming Privilege or Protection.

**(A) Information Withheld.** A person withholding subpoenaed information under a claim that it is privileged or subject to protection as trial-preparation material must:

(i) expressly make the claim; and

(ii) describe the nature of the withheld documents, communications, or tangible things in a manner that, without revealing information itself privileged or protected, will enable the parties to assess the claim.

**(B) Information Produced.** If information produced in response to a subpoena is subject to a claim of privilege or of protection as trial-preparation material, the person making the claim may notify any party that received the information of the claim and the basis for it. After being notified, a party must promptly return, sequester, or destroy the specified information and any copies it has; must not use or disclose the information until the claim is resolved; must take reasonable steps to retrieve the information if the party disclosed it before being notified; and may promptly present the information under seal to the court for the district where compliance is required for a determination of the claim. The person who produced the information must preserve the information until the claim is resolved.

### (g) Contempt.

The court for the district where compliance is required—and also, after a motion is transferred, the issuing court—may hold in contempt a person who, having been served, fails without adequate excuse to obey the subpoena or an order related to it.

**UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF TEXAS  
HOUSTON DIVISION**

DISH NETWORK L.L.C.,

§  
§  
§ Civil Action No. \_\_\_\_\_

v.  
Plaintiff,

DOE 1 d/b/a ZemTV, Does 2-4,  
individually and together d/b/a  
[www.tvaddons.ag](http://www.tvaddons.ag), [www.tvaddons.org](http://www.tvaddons.org), and  
[www.streamingboxes.com](http://www.streamingboxes.com),

### Defendants.

Civil Action No. \_\_\_\_\_

**CLOUDFLARE, INC. SUBPOENA ATTACHMENT A**

### *Definition*

1. The term “CloudFlare Account” means any CloudFlare account associated with any of the following:
    - a. The email address taacc14@gmail.com;
    - b. The domain or website tvaddons.ag;
    - c. The domain or website tvaddons.org;
    - d. The domain or website streamingboxes.com.

## **DOCUMENT REQUESTS**

1. Documents sufficient to identify the full name and contact information (including physical addresses, web addresses, email addresses, telephone numbers, and fax numbers) for the person that registered each CloudFlare Account.
  2. Applications, forms, and other documents that were submitted in order to create or make changes to each CloudFlare Account.
  3. Documents sufficient to identify each payment received by CloudFlare related to each CloudFlare Account, including documents that show the date of the payment, the method and

amount of payment, and the name and contact information of the person making the payment (including physical address, telephone number, and email address).

4. All communications sent or received by CloudFlare concerning each CloudFlare Account.

5. Documents sufficient to identify the company hosting tvaddons.ag (to the extent CloudFlare is not actually hosting the domain).

6. Documents sufficient to identify the company hosting streamingboxes.com (to the extent CloudFlare is not actually hosting the domain).

# EXHIBIT 8

**UNITED STATES DISTRICT COURT**  
for the  
**Southern District of Texas**

DISH NETWORK L.L.C.

*Plaintiff*

v.

DOES 1-4

*Defendant*

)

Civil Action No.

**SUBPOENA TO PRODUCE DOCUMENTS, INFORMATION, OR OBJECTS  
OR TO PERMIT INSPECTION OF PREMISES IN A CIVIL ACTION**

To:

GitHub, Inc., c/o Incorporating Services, Ltd., 7801 Folsom Blvd., Suite 202, Sacramento, CA 95826

(Name of person to whom this subpoena is directed)

**Production:** YOU ARE COMMANDED to produce at the time, date, and place set forth below the following documents, electronically stored information, or objects, and to permit inspection, copying, testing, or sampling of the material: See Attachment A.

Place: By mail or email to the issuing counsel below, or in person at a location to be determined by agreement of the issuing party and GitHub, Inc.	Date and Time:
--	----------------

**Inspection of Premises:** YOU ARE COMMANDED to permit entry onto the designated premises, land, or other property possessed or controlled by you at the time, date, and location set forth below, so that the requesting party may inspect, measure, survey, photograph, test, or sample the property or any designated object or operation on it.

Place:	Date and Time:
--------	----------------

The following provisions of Fed. R. Civ. P. 45 are attached – Rule 45(c), relating to the place of compliance; Rule 45(d), relating to your protection as a person subject to a subpoena; and Rule 45(e) and (g), relating to your duty to respond to this subpoena and the potential consequences of not doing so.

Date: \_\_\_\_\_

CLERK OF COURT

OR

/s/ Stephen M. Ferguson

Signature of Clerk or Deputy Clerk

Attorney's signature

The name, address, e-mail address, and telephone number of the attorney representing (*name of party*) \_\_\_\_\_  
DISH Network L.L.C. \_\_\_\_\_, who issues or requests this subpoena, are:

Stephen M. Ferguson, Hagan Noll & Boyle LLC; 820 Gessner, Ste. 940, Houston, TX 77024;  
stephen.ferguson@hnbllc.com; Phone: 713-343-0478 x102; Facsimile: 713-758-0146

**Notice to the person who issues or requests this subpoena**

If this subpoena commands the production of documents, electronically stored information, or tangible things or the inspection of premises before trial, a notice and a copy of the subpoena must be served on each party in this case before it is served on the person to whom it is directed. Fed. R. Civ. P. 45(a)(4).

Civil Action No. \_\_\_\_\_

**PROOF OF SERVICE**

*(This section should not be filed with the court unless required by Fed. R. Civ. P. 45.)*

I received this subpoena for (*name of individual and title, if any*) \_\_\_\_\_

on (*date*) \_\_\_\_\_ .

I served the subpoena by delivering a copy to the named person as follows: \_\_\_\_\_

on (*date*) \_\_\_\_\_ ; or

I returned the subpoena unexecuted because: \_\_\_\_\_

Unless the subpoena was issued on behalf of the United States, or one of its officers or agents, I have also tendered to the witness the fees for one day's attendance, and the mileage allowed by law, in the amount of

\$ \_\_\_\_\_ .

My fees are \$ \_\_\_\_\_ for travel and \$ \_\_\_\_\_ for services, for a total of \$ 0.00 \_\_\_\_\_ .

I declare under penalty of perjury that this information is true.

Date: \_\_\_\_\_

*Server's signature*

\_\_\_\_\_  
*Printed name and title*

\_\_\_\_\_  
*Server's address*

Additional information regarding attempted service, etc.:  
\_\_\_\_\_  
\_\_\_\_\_

## Federal Rule of Civil Procedure 45 (c), (d), (e), and (g) (Effective 12/1/13)

### (c) Place of Compliance.

**(1) For a Trial, Hearing, or Deposition.** A subpoena may command a person to attend a trial, hearing, or deposition only as follows:

(A) within 100 miles of where the person resides, is employed, or regularly transacts business in person; or

(B) within the state where the person resides, is employed, or regularly transacts business in person, if the person

(i) is a party or a party's officer; or

(ii) is commanded to attend a trial and would not incur substantial expense.

**(2) For Other Discovery.** A subpoena may command:

(A) production of documents, electronically stored information, or tangible things at a place within 100 miles of where the person resides, is employed, or regularly transacts business in person; and

(B) inspection of premises at the premises to be inspected.

### (d) Protecting a Person Subject to a Subpoena; Enforcement.

**(1) Avoiding Undue Burden or Expense; Sanctions.** A party or attorney responsible for issuing and serving a subpoena must take reasonable steps to avoid imposing undue burden or expense on a person subject to the subpoena. The court for the district where compliance is required must enforce this duty and impose an appropriate sanction—which may include lost earnings and reasonable attorney's fees—on a party or attorney who fails to comply.

#### (2) Command to Produce Materials or Permit Inspection.

**(A) Appearance Not Required.** A person commanded to produce documents, electronically stored information, or tangible things, or to permit the inspection of premises, need not appear in person at the place of production or inspection unless also commanded to appear for a deposition, hearing, or trial.

**(B) Objections.** A person commanded to produce documents or tangible things or to permit inspection may serve on the party or attorney designated in the subpoena a written objection to inspecting, copying, testing, or sampling any or all of the materials or to inspecting the premises—or to producing electronically stored information in the form or forms requested. The objection must be served before the earlier of the time specified for compliance or 14 days after the subpoena is served. If an objection is made, the following rules apply:

(i) At any time, on notice to the commanded person, the serving party may move the court for the district where compliance is required for an order compelling production or inspection.

(ii) These acts may be required only as directed in the order, and the order must protect a person who is neither a party nor a party's officer from significant expense resulting from compliance.

#### (3) Quashing or Modifying a Subpoena.

**(A) When Required.** On timely motion, the court for the district where compliance is required must quash or modify a subpoena that:

(i) fails to allow a reasonable time to comply;

(ii) requires a person to comply beyond the geographical limits specified in Rule 45(c);

(iii) requires disclosure of privileged or other protected matter, if no exception or waiver applies; or

(iv) subjects a person to undue burden.

**(B) When Permitted.** To protect a person subject to or affected by a subpoena, the court for the district where compliance is required may, on motion, quash or modify the subpoena if it requires:

(i) disclosing a trade secret or other confidential research, development, or commercial information; or

(ii) disclosing an unretained expert's opinion or information that does not describe specific occurrences in dispute and results from the expert's study that was not requested by a party.

**(C) Specifying Conditions as an Alternative.** In the circumstances described in Rule 45(d)(3)(B), the court may, instead of quashing or modifying a subpoena, order appearance or production under specified conditions if the serving party:

(i) shows a substantial need for the testimony or material that cannot be otherwise met without undue hardship; and

(ii) ensures that the subpoenaed person will be reasonably compensated.

### (e) Duties in Responding to a Subpoena.

**(1) Producing Documents or Electronically Stored Information.** These procedures apply to producing documents or electronically stored information:

**(A) Documents.** A person responding to a subpoena to produce documents must produce them as they are kept in the ordinary course of business or must organize and label them to correspond to the categories in the demand.

**(B) Form for Producing Electronically Stored Information Not Specified.** If a subpoena does not specify a form for producing electronically stored information, the person responding must produce it in a form or forms in which it is ordinarily maintained or in a reasonably usable form or forms.

**(C) Electronically Stored Information Produced in Only One Form.** The person responding need not produce the same electronically stored information in more than one form.

**(D) Inaccessible Electronically Stored Information.** The person responding need not provide discovery of electronically stored information from sources that the person identifies as not reasonably accessible because of undue burden or cost. On motion to compel discovery or for a protective order, the person responding must show that the information is not reasonably accessible because of undue burden or cost. If that showing is made, the court may nonetheless order discovery from such sources if the requesting party shows good cause, considering the limitations of Rule 26(b)(2)(C). The court may specify conditions for the discovery.

#### (2) Claiming Privilege or Protection.

**(A) Information Withheld.** A person withholding subpoenaed information under a claim that it is privileged or subject to protection as trial-preparation material must:

(i) expressly make the claim; and

(ii) describe the nature of the withheld documents, communications, or tangible things in a manner that, without revealing information itself privileged or protected, will enable the parties to assess the claim.

**(B) Information Produced.** If information produced in response to a subpoena is subject to a claim of privilege or of protection as trial-preparation material, the person making the claim may notify any party that received the information of the claim and the basis for it. After being notified, a party must promptly return, sequester, or destroy the specified information and any copies it has; must not use or disclose the information until the claim is resolved; must take reasonable steps to retrieve the information if the party disclosed it before being notified; and may promptly present the information under seal to the court for the district where compliance is required for a determination of the claim. The person who produced the information must preserve the information until the claim is resolved.

#### (g) Contempt.

The court for the district where compliance is required—and also, after a motion is transferred, the issuing court—may hold in contempt a person who, having been served, fails without adequate excuse to obey the subpoena or an order related to it.

**UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF TEXAS  
HOUSTON DIVISION**

DISH NETWORK L.L.C., §  
§  
§ Civil Action No. \_\_\_\_\_  
Plaintiff, §  
v. §  
§  
DOE 1 d/b/a ZemTV, Does 2-4, §  
individually and together d/b/a §  
www.tvaddons.ag, www.tvaddons.org, and §  
www.streamingboxes.com, §  
Defendants. §  
§

**GITHUB, INC. SUBPOENA ATTACHMENT A**

*Definition*

1. The term “GitHub Account” means any GitHub account associated with any of the following:
  - a. The email address taacc14@gmail.com;
  - b. The GitHub username “Shani\_08”;
  - c. The domain or website tvaddons.ag;
  - d. The domain or website tvaddons.org;
  - e. The domain or website streamingboxes.com.

**DOCUMENT REQUESTS**

1. Documents sufficient to identify the full name and contact information (including physical addresses, web addresses, email addresses, telephone numbers, and fax numbers) for the person that registered each GitHub Account.
2. Applications, forms, and other documents that were submitted in order to create or make changes to each GitHub Account.
3. Documents sufficient to identify the Internet Protocol (“IP”) address used by the person that registered each GitHub Account, including session date and time stamps at the time of registration.

4. Documents sufficient to identify the IP addresses used by persons accessing each GitHub Account, including IP address logs with session date and time stamps of each access to each GitHub Account, from February 1, 2014 through present.

5. All communications GitHub sent to or received from each GitHub Account during the time period of February 1, 2014 to present.

# EXHIBIT 9

**UNITED STATES DISTRICT COURT**  
for the  
**Southern District of Texas**

DISH NETWORK L.L.C.

*Plaintiff*

v.

DOES 1-4

*Defendant*

)

Civil Action No.

**SUBPOENA TO PRODUCE DOCUMENTS, INFORMATION, OR OBJECTS  
OR TO PERMIT INSPECTION OF PREMISES IN A CIVIL ACTION**

To:

Hosting Services, Inc., c/o Jeff Hunsaker, 517 West 100 North, Suite 225, Providence, UT 84332

(Name of person to whom this subpoena is directed)

**Production:** YOU ARE COMMANDED to produce at the time, date, and place set forth below the following documents, electronically stored information, or objects, and to permit inspection, copying, testing, or sampling of the material: See Attachment A.

Place: By mail or email to the issuing counsel below, or in person at a location to be determined by agreement of the issuing party and Hosting Services, Inc.	Date and Time:
--	----------------

**Inspection of Premises:** YOU ARE COMMANDED to permit entry onto the designated premises, land, or other property possessed or controlled by you at the time, date, and location set forth below, so that the requesting party may inspect, measure, survey, photograph, test, or sample the property or any designated object or operation on it.

Place:	Date and Time:
--------	----------------

The following provisions of Fed. R. Civ. P. 45 are attached – Rule 45(c), relating to the place of compliance; Rule 45(d), relating to your protection as a person subject to a subpoena; and Rule 45(e) and (g), relating to your duty to respond to this subpoena and the potential consequences of not doing so.

Date: \_\_\_\_\_

CLERK OF COURT

OR

/s/ Stephen M. Ferguson

Signature of Clerk or Deputy Clerk

Attorney's signature

The name, address, e-mail address, and telephone number of the attorney representing (*name of party*) \_\_\_\_\_  
DISH Network L.L.C. \_\_\_\_\_, who issues or requests this subpoena, are:

Stephen M. Ferguson, Hagan Noll & Boyle LLC; 820 Gessner, Ste. 940, Houston, TX 77024;  
stephen.ferguson@hnbllc.com; Phone: 713-343-0478 x102; Facsimile: 713-758-0146

**Notice to the person who issues or requests this subpoena**

If this subpoena commands the production of documents, electronically stored information, or tangible things or the inspection of premises before trial, a notice and a copy of the subpoena must be served on each party in this case before it is served on the person to whom it is directed. Fed. R. Civ. P. 45(a)(4).

Civil Action No. \_\_\_\_\_

**PROOF OF SERVICE**

*(This section should not be filed with the court unless required by Fed. R. Civ. P. 45.)*

I received this subpoena for (*name of individual and title, if any*) \_\_\_\_\_  
on (*date*) \_\_\_\_\_.

I served the subpoena by delivering a copy to the named person as follows: \_\_\_\_\_

\_\_\_\_\_  
on (*date*) \_\_\_\_\_ ; or

I returned the subpoena unexecuted because: \_\_\_\_\_

Unless the subpoena was issued on behalf of the United States, or one of its officers or agents, I have also  
tendered to the witness the fees for one day's attendance, and the mileage allowed by law, in the amount of  
\$ \_\_\_\_\_.

My fees are \$ \_\_\_\_\_ for travel and \$ \_\_\_\_\_ for services, for a total of \$ 0.00 \_\_\_\_\_.

I declare under penalty of perjury that this information is true.

Date: \_\_\_\_\_  
*Server's signature*

\_\_\_\_\_  
*Printed name and title*

\_\_\_\_\_  
*Server's address*

Additional information regarding attempted service, etc.:  
\_\_\_\_\_  
\_\_\_\_\_

## Federal Rule of Civil Procedure 45 (c), (d), (e), and (g) (Effective 12/1/13)

### (c) Place of Compliance.

**(1) For a Trial, Hearing, or Deposition.** A subpoena may command a person to attend a trial, hearing, or deposition only as follows:

(A) within 100 miles of where the person resides, is employed, or regularly transacts business in person; or

(B) within the state where the person resides, is employed, or regularly transacts business in person, if the person

(i) is a party or a party's officer; or

(ii) is commanded to attend a trial and would not incur substantial expense.

**(2) For Other Discovery.** A subpoena may command:

(A) production of documents, electronically stored information, or tangible things at a place within 100 miles of where the person resides, is employed, or regularly transacts business in person; and

(B) inspection of premises at the premises to be inspected.

### (d) Protecting a Person Subject to a Subpoena; Enforcement.

**(1) Avoiding Undue Burden or Expense; Sanctions.** A party or attorney responsible for issuing and serving a subpoena must take reasonable steps to avoid imposing undue burden or expense on a person subject to the subpoena. The court for the district where compliance is required must enforce this duty and impose an appropriate sanction—which may include lost earnings and reasonable attorney's fees—on a party or attorney who fails to comply.

#### (2) Command to Produce Materials or Permit Inspection.

**(A) Appearance Not Required.** A person commanded to produce documents, electronically stored information, or tangible things, or to permit the inspection of premises, need not appear in person at the place of production or inspection unless also commanded to appear for a deposition, hearing, or trial.

**(B) Objections.** A person commanded to produce documents or tangible things or to permit inspection may serve on the party or attorney designated in the subpoena a written objection to inspecting, copying, testing, or sampling any or all of the materials or to inspecting the premises—or to producing electronically stored information in the form or forms requested. The objection must be served before the earlier of the time specified for compliance or 14 days after the subpoena is served. If an objection is made, the following rules apply:

(i) At any time, on notice to the commanded person, the serving party may move the court for the district where compliance is required for an order compelling production or inspection.

(ii) These acts may be required only as directed in the order, and the order must protect a person who is neither a party nor a party's officer from significant expense resulting from compliance.

#### (3) Quashing or Modifying a Subpoena.

**(A) When Required.** On timely motion, the court for the district where compliance is required must quash or modify a subpoena that:

(i) fails to allow a reasonable time to comply;

(ii) requires a person to comply beyond the geographical limits specified in Rule 45(c);

(iii) requires disclosure of privileged or other protected matter, if no exception or waiver applies; or

(iv) subjects a person to undue burden.

**(B) When Permitted.** To protect a person subject to or affected by a subpoena, the court for the district where compliance is required may, on motion, quash or modify the subpoena if it requires:

(i) disclosing a trade secret or other confidential research, development, or commercial information; or

(ii) disclosing an unretained expert's opinion or information that does not describe specific occurrences in dispute and results from the expert's study that was not requested by a party.

**(C) Specifying Conditions as an Alternative.** In the circumstances described in Rule 45(d)(3)(B), the court may, instead of quashing or modifying a subpoena, order appearance or production under specified conditions if the serving party:

(i) shows a substantial need for the testimony or material that cannot be otherwise met without undue hardship; and

(ii) ensures that the subpoenaed person will be reasonably compensated.

### (e) Duties in Responding to a Subpoena.

**(1) Producing Documents or Electronically Stored Information.** These procedures apply to producing documents or electronically stored information:

**(A) Documents.** A person responding to a subpoena to produce documents must produce them as they are kept in the ordinary course of business or must organize and label them to correspond to the categories in the demand.

**(B) Form for Producing Electronically Stored Information Not Specified.** If a subpoena does not specify a form for producing electronically stored information, the person responding must produce it in a form or forms in which it is ordinarily maintained or in a reasonably usable form or forms.

**(C) Electronically Stored Information Produced in Only One Form.** The person responding need not produce the same electronically stored information in more than one form.

**(D) Inaccessible Electronically Stored Information.** The person responding need not provide discovery of electronically stored information from sources that the person identifies as not reasonably accessible because of undue burden or cost. On motion to compel discovery or for a protective order, the person responding must show that the information is not reasonably accessible because of undue burden or cost. If that showing is made, the court may nonetheless order discovery from such sources if the requesting party shows good cause, considering the limitations of Rule 26(b)(2)(C). The court may specify conditions for the discovery.

#### (2) Claiming Privilege or Protection.

**(A) Information Withheld.** A person withholding subpoenaed information under a claim that it is privileged or subject to protection as trial-preparation material must:

(i) expressly make the claim; and

(ii) describe the nature of the withheld documents, communications, or tangible things in a manner that, without revealing information itself privileged or protected, will enable the parties to assess the claim.

**(B) Information Produced.** If information produced in response to a subpoena is subject to a claim of privilege or of protection as trial-preparation material, the person making the claim may notify any party that received the information of the claim and the basis for it. After being notified, a party must promptly return, sequester, or destroy the specified information and any copies it has; must not use or disclose the information until the claim is resolved; must take reasonable steps to retrieve the information if the party disclosed it before being notified; and may promptly present the information under seal to the court for the district where compliance is required for a determination of the claim. The person who produced the information must preserve the information until the claim is resolved.

#### (g) Contempt.

The court for the district where compliance is required—and also, after a motion is transferred, the issuing court—may hold in contempt a person who, having been served, fails without adequate excuse to obey the subpoena or an order related to it.

**UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF TEXAS  
HOUSTON DIVISION**

DISH NETWORK L.L.C., §  
§  
§ Civil Action No. \_\_\_\_\_  
Plaintiff, §  
v. §  
§  
DOE 1 d/b/a ZemTV, Does 2-4, §  
individually and together d/b/a §  
[www.tvaddons.ag](http://www.tvaddons.ag), [www.tvaddons.org](http://www.tvaddons.org), and §  
[www.streamingboxes.com](http://www.streamingboxes.com), §  
Defendants. §  
§

**HOSTING SERVICES, INC. SUBPOENA ATTACHMENT A**

*Definition*

1. The term “HSI Customer” means each person or entity assigned or otherwise responsible for IP address **88.202.231.18** from December 21, 2016 through March 9, 2017.

**DOCUMENT REQUESTS**

1. Documents sufficient to identify the full name, contact information (including physical addresses, web addresses, email addresses, telephone numbers, and fax numbers), and IP addresses of each HSI Customer.
2. Documents submitted to you in order to create or make changes to each account associated with each HSI Customer.
3. Account statements for each account associated with each HSI Customer for the time period of February 1, 2014 to present.
4. Payment records for each account associated with each HSI Customer for the time period of February 1, 2014 to present.

5. Communications sent to or received from each HSI Customer, including account set-up correspondence and support tickets, for the time period of February 1, 2014 to present.

# EXHIBIT 10

**UNITED STATES DISTRICT COURT**  
for the  
**Southern District of Texas**

DISH NETWORK L.L.C.

*Plaintiff*

v.

DOES 1-4

*Defendant*

)

Civil Action No.

**SUBPOENA TO PRODUCE DOCUMENTS, INFORMATION, OR OBJECTS  
OR TO PERMIT INSPECTION OF PREMISES IN A CIVIL ACTION**

To:

Dynamic Network Services, Inc., 150 Dow St. Tower 2, Manchester, NH 03101

(Name of person to whom this subpoena is directed)

**Production:** YOU ARE COMMANDED to produce at the time, date, and place set forth below the following documents, electronically stored information, or objects, and to permit inspection, copying, testing, or sampling of the material: See Attachment A.

Place: By mail or email to the issuing counsel below, or in person at a location to be determined by agreement of the issuing party and Dynamic Network Services, Inc.	Date and Time:
--	----------------

**Inspection of Premises:** YOU ARE COMMANDED to permit entry onto the designated premises, land, or other property possessed or controlled by you at the time, date, and location set forth below, so that the requesting party may inspect, measure, survey, photograph, test, or sample the property or any designated object or operation on it.

Place:	Date and Time:
--------	----------------

The following provisions of Fed. R. Civ. P. 45 are attached – Rule 45(c), relating to the place of compliance; Rule 45(d), relating to your protection as a person subject to a subpoena; and Rule 45(e) and (g), relating to your duty to respond to this subpoena and the potential consequences of not doing so.

Date: \_\_\_\_\_

CLERK OF COURT

OR

/s/ Stephen M. Ferguson

Signature of Clerk or Deputy Clerk

Attorney's signature

The name, address, e-mail address, and telephone number of the attorney representing (*name of party*) \_\_\_\_\_  
DISH Network L.L.C. \_\_\_\_\_, who issues or requests this subpoena, are:

Stephen M. Ferguson, Hagan Noll & Boyle LLC; 820 Gessner, Ste. 940, Houston, TX 77024;  
stephen.ferguson@hnbllc.com; Phone: 713-343-0478 x102; Facsimile: 713-758-0146

**Notice to the person who issues or requests this subpoena**

If this subpoena commands the production of documents, electronically stored information, or tangible things or the inspection of premises before trial, a notice and a copy of the subpoena must be served on each party in this case before it is served on the person to whom it is directed. Fed. R. Civ. P. 45(a)(4).

Civil Action No. \_\_\_\_\_

**PROOF OF SERVICE**

*(This section should not be filed with the court unless required by Fed. R. Civ. P. 45.)*

I received this subpoena for (*name of individual and title, if any*) \_\_\_\_\_

on (*date*) \_\_\_\_\_ .

I served the subpoena by delivering a copy to the named person as follows: \_\_\_\_\_

on (*date*) \_\_\_\_\_ ; or

I returned the subpoena unexecuted because: \_\_\_\_\_

Unless the subpoena was issued on behalf of the United States, or one of its officers or agents, I have also tendered to the witness the fees for one day's attendance, and the mileage allowed by law, in the amount of

\$ \_\_\_\_\_ .

My fees are \$ \_\_\_\_\_ for travel and \$ \_\_\_\_\_ for services, for a total of \$ 0.00 \_\_\_\_\_ .

I declare under penalty of perjury that this information is true.

Date: \_\_\_\_\_

*Server's signature*

\_\_\_\_\_  
*Printed name and title*

\_\_\_\_\_  
*Server's address*

Additional information regarding attempted service, etc.:  
\_\_\_\_\_  
\_\_\_\_\_

## Federal Rule of Civil Procedure 45 (c), (d), (e), and (g) (Effective 12/1/13)

### (c) Place of Compliance.

**(1) For a Trial, Hearing, or Deposition.** A subpoena may command a person to attend a trial, hearing, or deposition only as follows:

(A) within 100 miles of where the person resides, is employed, or regularly transacts business in person; or

(B) within the state where the person resides, is employed, or regularly transacts business in person, if the person

(i) is a party or a party's officer; or

(ii) is commanded to attend a trial and would not incur substantial expense.

**(2) For Other Discovery.** A subpoena may command:

(A) production of documents, electronically stored information, or tangible things at a place within 100 miles of where the person resides, is employed, or regularly transacts business in person; and

(B) inspection of premises at the premises to be inspected.

### (d) Protecting a Person Subject to a Subpoena; Enforcement.

**(1) Avoiding Undue Burden or Expense; Sanctions.** A party or attorney responsible for issuing and serving a subpoena must take reasonable steps to avoid imposing undue burden or expense on a person subject to the subpoena. The court for the district where compliance is required must enforce this duty and impose an appropriate sanction—which may include lost earnings and reasonable attorney's fees—on a party or attorney who fails to comply.

#### (2) Command to Produce Materials or Permit Inspection.

**(A) Appearance Not Required.** A person commanded to produce documents, electronically stored information, or tangible things, or to permit the inspection of premises, need not appear in person at the place of production or inspection unless also commanded to appear for a deposition, hearing, or trial.

**(B) Objections.** A person commanded to produce documents or tangible things or to permit inspection may serve on the party or attorney designated in the subpoena a written objection to inspecting, copying, testing, or sampling any or all of the materials or to inspecting the premises—or to producing electronically stored information in the form or forms requested. The objection must be served before the earlier of the time specified for compliance or 14 days after the subpoena is served. If an objection is made, the following rules apply:

(i) At any time, on notice to the commanded person, the serving party may move the court for the district where compliance is required for an order compelling production or inspection.

(ii) These acts may be required only as directed in the order, and the order must protect a person who is neither a party nor a party's officer from significant expense resulting from compliance.

#### (3) Quashing or Modifying a Subpoena.

**(A) When Required.** On timely motion, the court for the district where compliance is required must quash or modify a subpoena that:

(i) fails to allow a reasonable time to comply;

(ii) requires a person to comply beyond the geographical limits specified in Rule 45(c);

(iii) requires disclosure of privileged or other protected matter, if no exception or waiver applies; or

(iv) subjects a person to undue burden.

**(B) When Permitted.** To protect a person subject to or affected by a subpoena, the court for the district where compliance is required may, on motion, quash or modify the subpoena if it requires:

(i) disclosing a trade secret or other confidential research, development, or commercial information; or

(ii) disclosing an unretained expert's opinion or information that does not describe specific occurrences in dispute and results from the expert's study that was not requested by a party.

**(C) Specifying Conditions as an Alternative.** In the circumstances described in Rule 45(d)(3)(B), the court may, instead of quashing or modifying a subpoena, order appearance or production under specified conditions if the serving party:

(i) shows a substantial need for the testimony or material that cannot be otherwise met without undue hardship; and

(ii) ensures that the subpoenaed person will be reasonably compensated.

### (e) Duties in Responding to a Subpoena.

**(1) Producing Documents or Electronically Stored Information.** These procedures apply to producing documents or electronically stored information:

**(A) Documents.** A person responding to a subpoena to produce documents must produce them as they are kept in the ordinary course of business or must organize and label them to correspond to the categories in the demand.

**(B) Form for Producing Electronically Stored Information Not Specified.** If a subpoena does not specify a form for producing electronically stored information, the person responding must produce it in a form or forms in which it is ordinarily maintained or in a reasonably usable form or forms.

**(C) Electronically Stored Information Produced in Only One Form.** The person responding need not produce the same electronically stored information in more than one form.

**(D) Inaccessible Electronically Stored Information.** The person responding need not provide discovery of electronically stored information from sources that the person identifies as not reasonably accessible because of undue burden or cost. On motion to compel discovery or for a protective order, the person responding must show that the information is not reasonably accessible because of undue burden or cost. If that showing is made, the court may nonetheless order discovery from such sources if the requesting party shows good cause, considering the limitations of Rule 26(b)(2)(C). The court may specify conditions for the discovery.

#### (2) Claiming Privilege or Protection.

**(A) Information Withheld.** A person withholding subpoenaed information under a claim that it is privileged or subject to protection as trial-preparation material must:

(i) expressly make the claim; and

(ii) describe the nature of the withheld documents, communications, or tangible things in a manner that, without revealing information itself privileged or protected, will enable the parties to assess the claim.

**(B) Information Produced.** If information produced in response to a subpoena is subject to a claim of privilege or of protection as trial-preparation material, the person making the claim may notify any party that received the information of the claim and the basis for it. After being notified, a party must promptly return, sequester, or destroy the specified information and any copies it has; must not use or disclose the information until the claim is resolved; must take reasonable steps to retrieve the information if the party disclosed it before being notified; and may promptly present the information under seal to the court for the district where compliance is required for a determination of the claim. The person who produced the information must preserve the information until the claim is resolved.

#### (g) Contempt.

The court for the district where compliance is required—and also, after a motion is transferred, the issuing court—may hold in contempt a person who, having been served, fails without adequate excuse to obey the subpoena or an order related to it.

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF TEXAS  
HOUSTON DIVISION

DISH NETWORK L.L.C., §  
§  
§ Civil Action No. \_\_\_\_\_  
Plaintiff, §  
v. §  
§  
DOE 1 d/b/a ZemTV, Does 2-4, §  
individually and together d/b/a §  
www.tvaddons.ag, www.tvaddons.org, and §  
www.streamingboxes.com, §  
§  
Defendants. §  
§

**DYNAMIC NETWORK SERVICES, INC. SUBPOENA ATTACHMENT A**

*Definition*

1. “Account” means each account relating to the following URLs:

- http://so.dyndns.tv:8081/geoloc/ajtak/playlist.m3u8
- http://so.dyndns.tv:8081/geoloc/AasthaBhajan/playlist.m3u8
- http://so.dyndns.tv:8081/PAK/ARYDIGITAL/playlist.m3u8
- http://so.dyndns.tv:8081/PAK/ARYMUSIC/playlist.m3u8
- http://so.dyndns.tv:8081/PAK/ARYNEWS/playlist.m3u8
- http://so.dyndns.tv:8081/PAK/DUNYANEWS/playlist.m3u8
- http://so.dyndns.tv:8081/PAK/EXPRESSENT/playlist.m3u8
- http://so.dyndns.tv:8081/PAK/GEONEWS/playlist.m3u8
- http://so.dyndns.tv:8081/PAK/HUMMASALA/playlist.m3u8
- http://so.dyndns.tv:8081/PAK/HUMTV/playlist.m3u8
- http://so.dyndns.tv:8081/geoloc/HDLIFEOK/playlist.m3u8

from January 3, 2017 through January 5, 2017;

- http://live1.dyndns.tv:8081/meadows/arydigital/playlist.m3u8
- http://live1.dyndns.tv:8081/meadows/arymusic/playlist.m3u8
- http://live1.dyndns.tv:8081/meadows/arynews/playlist.m3u8
- http://live1.dyndns.tv:8081/meadows/aryzauq/playlist.m3u8
- http://live1.dyndns.tv:8081/meadows/dunya/playlist.m3u8
- http://live1.dyndns.tv:8081/meadows/expressnews/playlist.m3u8
- http://live1.dyndns.tv:8081/meadows/EXPRESSENT/playlist.m3u8
- http://live1.dyndns.tv:8081/meadows/geonews/playlist.m3u8
- http://live1.dyndns.tv:8081/meadows/Hummasala/playlist.m3u8

- <http://live1.dyndns.tv:8081/meadows/HUMTV/playlist.m3u8>

from November 22, 2016 through November 23, 2016; and

  - <http://newcms6hppak.dyndns.tv/CMS6/cms/XVer/getChannelsV1-0.php>  
or hostname newcms6hppak.dyndns.tv

from October 13, 2016 through October 26, 2016.

#### **DOCUMENT REQUESTS**

1. Documents sufficient to identify the full name and contact information (including telephone number, IP address, street address, and email address) for each Account customer.
2. Documents submitted to you to create or make changes to each Account.
3. Account statements for each Account from October 1, 2016 to present.
4. Payment records for each Account from October 1, 2016 to present.
5. Communications you sent to or received from each Account customer, such as account set-up correspondence and technical support tickets, from October 1, 2016 to present.
6. Documents sufficient to identify the Internet Protocol (“IP”) address used by the person that registered each Account, including session date and time stamps at the time of registration.
7. Documents sufficient to identify the IP addresses used by persons accessing each Account, including IP address logs with session date and time stamps of each access to each Account, from October 1, 2016 through present.

# **EXHIBIT 11**

**UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF TEXAS  
HOUSTON DIVISION**

DISH NETWORK L.L.C.,	§	Civil Action No. _____
	§	
Plaintiff,	§	
v.	§	
DOE 1 d/b/a ZemTV, Does 2-4, individually and together d/b/a <a href="http://www.tvaddons.ag">www.tvaddons.ag</a> , <a href="http://www.tvaddons.org">www.tvaddons.org</a> , and <a href="http://www.streamingboxes.com">www.streamingboxes.com</a> ,	§	
Defendants.	§	
	§	
	§	

**LETTER OF REQUEST FOR INTERNATIONAL ASSISTANCE FROM THE  
REPUBLIC OF FRANCE TO OBTAIN CERTAIN DOCUMENTS FROM ONLINE SAS  
PURSUANT TO THE HAGUE CONVENTION ON THE TAKING OF EVIDENCE  
ABROAD IN CIVIL OR COMMERCIAL MATTERS**

The United States District Court for the Southern District of Texas, through the undersigned District Court Judge, requests international assistance to obtain evidence to be used in a civil proceeding before this Court in the above-captioned case.

If any portion of this Request is deemed to be unacceptable under the laws of the Republic of France, please disregard that portion and continue to comply with as much of the Request as is legally permissible. The Court is willing and able to provide similar assistance to the judicial authorities of the Republic of France should a similar request for international assistance be received from the courts of the Republic of France.

**I. GENERAL INFORMATION**

- |   |  |
|---|--|
| 1. <b>Sender:</b>                                       | Office of the Clerk<br>United States District Court for the<br>Southern District of Texas, Houston Division<br>515 Rusk Avenue<br>Houston, TX 77002, USA |
| 2. <b>Central Authority of the<br/>Requested State:</b> | Ministère de la Justice<br>Direction des Affaires Civiles et du Sceau  |

Bureau du droit de l'Union, du droit international  
privé et de l'entraide civile (BDIP)  
13, Place Vendôme  
75042 Paris Cedex 01

3. **Person to whom the Executed Request is to be Returned:** Stephen M. Ferguson  
Hagan Noll & Boyle LLC  
Two Memorial City Plaza  
820 Gessner, Suite 940  
Houston, Texas 77024  
Phone: (713) 343-0478  
Facsimile: (713) 758-0146  
Email: Stephen.ferguson@hnbllc.com  
*Counsel for Plaintiff DISH Network L.L.C.*
4. **Specification of the date By which the requesting Authority requires receipt Of the response to the Letter of Request:** As soon as possible, and in any event not later than July 24, 2017.  
Reason for urgency: Plaintiff DISH Network needs information sufficient to identify Defendant Doe 1 so they can be named in the lawsuit and it can proceed.

**II. IN CONFORMITY WITH ARTICLE 3 OF THE HAGUE CONVENTION, THE UNDERSIGNED APPLICANT HAS THE HONOR TO SUBMIT THE FOLLOWING REQUESTS :**

1. **Requesting Judicial Authority:** United States District Court for the Southern District of Texas, Houston Division  
515 Rusk Avenue  
Houston, TX 77002, USA
2. **Competent Authority:** Ministère de la Justice  
Direction des Affaires Civiles et du Sceau  
Bureau du droit de l'Union, du droit international privé et de l'entraide civile (BDIP)  
13, Place Vendôme  
75042 Paris Cedex 01
3. **Names and Addresses Of Parties and Their Representatives:**
- Plaintiff:  
DISH Network LLC
- Defendants:  
Does 1-4 d/b/a ZemTV, [www.tvaddons.ag](http://www.tvaddons.ag),  
[www.tvaddons.org](http://www.tvaddons.org), and [www.streamingboxes.com](http://www.streamingboxes.com)

Plaintiff's Representatives:

Stephen M. Ferguson  
Joseph H. Boyle  
Hagan Noll & Boyle, LLC  
Two Memorial City Plaza  
820 Gessner, Suite 940  
Houston, TX 77024  
(713) 343-0478 – Tel  
(713) 758-0146 – Fax  
[stephen.ferguson@hnbllc.com](mailto:stephen.ferguson@hnbllc.com)  
[joe.boyle@hnbllc.com](mailto:joe.boyle@hnbllc.com)

Defendants' Representatives:

Unknown. Defendants have not made an appearance.

4. **Nature of the Proceedings:** This is a civil suit seeking money damages and permanent injunctive relief. DISH Network asserts copyright infringement claims against Defendants who are capturing broadcasts of television channels exclusively licensed to DISH Network in the United States and unlawfully retransmitting those channels over the Internet to customers of the ZemTV service in the United States and who have downloaded the ZemTV add-on for the Kodi media player from the websites [www.tvaddons.ag](http://www.tvaddons.ag) and [www.tvaddons.org](http://www.tvaddons.org).

5. **Summary of Defense:** Unknown. Defendants have not appeared in the case.

6. **Evidence to be obtained:**

This request is directed to Online SAS located at 8 rue de la Ville L'eveque, 75008 Paris, France. DISH Network seeks the following documents from Online SAS:

**Definitions Applicable To Document Requests**

1. **Online Customer.** “Online Customer” means each person or entity assigned or otherwise responsible for each of the following IP addresses:
- a. **195.154.156.235** from August 9, 2016 through February 2, 2017;
  - b. **163.172.30.228** from August 9, 2016 through January 19, 2017;
  - c. **195.154.46.92** from October 2, 2016 through March 9, 2017;
  - d. **163.172.24.61** from May 1, 2017 through May 5, 2017;
  - e. **163.172.31.140** from November 4, 2016 through January 19, 2017;
  - f. **163.172.31.158** from November 4, 2016 through January 19, 2017;
  - g. **163.172.47.169** from May 1, 2017 through May 5, 2017;

- h. **163.172.140.173** from December 19, 2016 through February 17, 2017;
- i. **163.172.142.242** from November 4, 2016 through May 5, 2017;
- j. **163.172.219.53** from January 5, 2017 through February 17, 2017;
- k. **212.47.247.42** from January 19, 2017 through January 26, 2017;
- l. **212.47.233.115** from January 19, 2017 through May 5, 2017;
- m. **212.47.247.148** from January 5, 2017 through February 17, 2017;
- n. **51.15.7.65** from May 1, 2017 through May 5, 2017;
- o. **51.15.36.92** from February 20, 2017 through February 24, 2017;
- p. **51.15.37.118** from March 9, 2017 through May 5, 2017;
- q. **51.15.38.122** from February 20, 2017 through February 24, 2017;
- r. **51.15.42.135** from February 2, 2017 through May 5, 2017;
- s. **51.15.53.37** from February 20, 2017 through February 24, 2017;
- t. **51.15.55.140** from December 19, 2016 through May 5, 2017;
- u. **51.15.57.108** from March 9, 2017 through May 5, 2017;
- v. **51.15.60.46** from January 5, 2017 through January 26, 2017;
- w. **51.15.68.81** from May 23, 2017 through May 24, 2017;
- x. **51.15.69.13** from May 23, 2017 through May 24, 2017;
- y. **51.15.76.222** from May 23, 2017 through May 24, 2017;
- z. **51.15.137.107** from February 17, 2017 through April 7, 2017.

### **Document Requests**

1. Documents sufficient to identify the full name, contact information (including physical addresses, web addresses, email addresses, telephone numbers, and fax numbers), and IP addresses of each Online Customer.
  2. Documents submitted to you in order to create or make changes to each account associated with each Online Customer.
  3. Account statements for each account associated with each Online Customer for the time period of February 1, 2014 to present.
  4. Payment records for each account associated with each Online Customer for the time period of February 1, 2014 to present.
  5. Communications sent to or received from each Online Customer, including account set-up correspondence and support tickets, for the time period of February 1, 2014 to present.
7. **Documents or other property  
To be produced:** See documents listed in the section entitled “Evidence to be obtained”.
8. **Special methods or procedures:** DISH Network requests that the documents and materials responsive to the categories of information identified above be emailed (if possible) or copied and mailed to Stephen M.

Ferguson at the address identified in Section II.3 above. DISH Network shall pay the fees and costs incurred that are reimbursable. Please direct requests for payment to DISH Network's representatives, identified above in Section 3.

DATE OF REQUEST: \_\_\_\_\_, 2017

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District Court Judge  
United States District Court  
Southern District of Texas

(SEAL OF COURT)

Authenticated Signature by Clerk of the Court:

DAVID BRADLEY, Clerk of the Court

By: \_\_\_\_\_  
Deputy Clerk

Court's Authentication that the Clerk of Court is the Clerk of Court:

By: \_\_\_\_\_  
UNITED STATES DISTRICT JUDGE

# EXHIBIT 12

**UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF TEXAS  
HOUSTON DIVISION**

DISH NETWORK L.L.C.,	§	Civil Action No. _____
	§	
	§	
Plaintiff,	§	
v.	§	
DOE 1 d/b/a ZemTV, Does 2-4, individually and together d/b/a <a href="http://www.tvaddons.ag">www.tvaddons.ag</a> , <a href="http://www.tvaddons.org">www.tvaddons.org</a> , and <a href="http://www.streamingboxes.com">www.streamingboxes.com</a> ,	§	
Defendants.	§	
	§	
	§	

**LETTER OF REQUEST FOR INTERNATIONAL ASSISTANCE FROM THE UNITED  
KINGDOM TO OBTAIN CERTAIN DOCUMENTS FROM IOMART HOSTING LTD.  
PURSUANT TO THE HAGUE CONVENTION ON THE TAKING OF EVIDENCE  
ABROAD IN CIVIL OR COMMERCIAL MATTERS**

The United States District Court for the Southern District of Texas, through the undersigned District Court Judge, requests international assistance to obtain evidence to be used in a civil proceeding before this Court in the above-captioned case.

If any portion of this Request is deemed to be unacceptable under the laws of the United Kingdom, please disregard that portion and continue to comply with as much of the Request as is legally permissible. The Court is willing and able to provide similar assistance to the judicial authorities of the United Kingdom should a similar request for international assistance be received from the courts of the United Kingdom.

**I. GENERAL INFORMATION**

- |   |  |
|---|--|
| 1. <b>Sender:</b>                                       | Office of the Clerk<br>United States District Court for the<br>Southern District of Texas, Houston Division<br>515 Rusk Avenue<br>Houston, TX 77002, USA |
| 2. <b>Central Authority of the<br/>Requested State:</b> | Scottish Government Justice Directorate<br>Central Authority & International Law Team  |

St. Andrew's House (GW15)  
Edinburgh EH1 3DG  
Scotland, UK

3. **Person to whom the Executed Request is to be Returned:** Stephen M. Ferguson  
Hagan Noll & Boyle LLC  
Two Memorial City Plaza  
820 Gessner, Suite 940  
Houston, Texas 77024  
Phone: (713) 343-0478  
Facsimile: (713) 758-0146  
Email: [stephen.ferguson@hnbllc.com](mailto:stephen.ferguson@hnbllc.com)  
*Counsel for Plaintiff DISH Network L.L.C.*
4. **Specification of the date By which the requesting Authority requires receipt Of the response to the Letter of Request:** As soon as possible, and in any event not later than July 24, 2017.  
Reason for urgency: Plaintiff DISH Network needs information sufficient to identify Defendant Doe 1 so they can be named in the lawsuit and it can proceed.

**II. IN CONFORMITY WITH ARTICLE 3 OF THE HAGUE CONVENTION, THE UNDERSIGNED APPLICANT HAS THE HONOR TO SUBMIT THE FOLLOWING REQUESTS :**

1. **Requesting Judicial Authority:** United States District Court for the Southern District of Texas, Houston Division  
515 Rusk Avenue  
Houston, TX 77002, USA
2. **Competent Authority:** Scottish Government Justice Directorate  
Central Authority & International Law Team  
St. Andrew's House (GW15)  
Edinburgh EH1 3DG  
Scotland, UK
3. **Names and Addresses Of Parties and Their Representatives:**

Plaintiff:  
DISH Network LLC

Defendants:  
Does 1-4 d/b/a ZemTV, [www.tvaddons.ag](http://www.tvaddons.ag),  
[www.tvaddons.org](http://www.tvaddons.org), and [www.streamingboxes.com](http://www.streamingboxes.com)

Plaintiff's Representatives:

Stephen M. Ferguson  
Joseph H. Boyle  
Hagan Noll & Boyle, LLC  
Two Memorial City Plaza  
820 Gessner, Suite 940  
Houston, TX 77024  
(713) 343-0478 – Tel  
(713) 758-0146 – Fax  
[stephen.ferguson@hnbllc.com](mailto:stephen.ferguson@hnbllc.com)  
[joe.boyle@hnbllc.com](mailto:joe.boyle@hnbllc.com)

Defendants' Representatives:

Unknown. Defendants have not made an appearance.

**4. Nature of the Proceedings:** This is a civil suit seeking money damages and permanent injunctive relief. DISH Network asserts copyright infringement claims against Defendants who are capturing broadcasts of television channels exclusively licensed to DISH Network in the United States and unlawfully retransmitting those channels over the Internet to customers of the ZemTV service in the United States and who have downloaded the ZemTV add-on for the Kodi media player from the websites [www.tvaddons.ag](http://www.tvaddons.ag) and [www.tvaddons.org](http://www.tvaddons.org).

**5. Summary of Defense:** Unknown. Defendants have not appeared in the case.

**6. Evidence to be obtained:**

This request is directed to iomart Hosting Ltd., Lister Pavillion, Kelvin Campus, West of Scotland Science Park, Glasgow G20 0SP, United Kingdom. DISH Network seeks the following documents from iomart Hosting Ltd.:

**Definitions Applicable To Document Requests**

1. **iomart Customer.** “iomart Customer” means each person or entity assigned or otherwise responsible for each of the following IP addresses:
  - a. **130.185.144.63** from October 2, 2016 through May 24, 2017;
  - b. **130.185.144.67** from March 22, 2017 through May 24, 2017;
  - c. **130.185.144.109** from January 12, 2017 through May 5, 2017;
  - d. **80.84.51.226** from November 23, 2016 through May 11, 2017;
  - e. **88.150.198.114** from August 9, 2016 through November 4, 2016;
  - f. **88.150.206.73** from September 1, 2016 through November 4, 2016;
  - g. **79.143.83.90** from August 9, 2016 through October 2, 2016; and
  - h. **37.220.29.186** from August 9, 2016 through November 4, 2016.

**Document Requests**

1. Documents sufficient to identify the full name, contact information (including physical addresses, web addresses, email addresses, telephone numbers, and fax numbers), and IP addresses of each iomart Customer.
  2. Documents submitted to you in order to create or make changes to each account associated with each iomart Customer.
  3. Account statements for each account associated with each iomart Customer for the time period of February 1, 2014 to present.
  4. Payment records for each account associated with each iomart Customer for the time period of February 1, 2014 to present.
  5. Communications sent to or received from each iomart Customer, including account set-up correspondence and support tickets, for the time period of February 1, 2014 to present.
7. **Documents or other property  
To be produced:** See documents listed in the section entitled "Evidence to be obtained".
8. **Special methods or procedures:** DISH Network requests that the documents and materials responsive to the categories of information identified above be emailed (if possible) or copied and mailed to Stephen M. Ferguson at the address identified in Section II.3 above. DISH Network shall pay the fees and costs incurred that are reimbursable. Please direct requests for payment to DISH Network's representatives, identified above in Section 3.

DATE OF REQUEST: \_\_\_\_\_, 2017

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District Court Judge  
United States District Court  
Southern District of Texas

(SEAL OF COURT)

Authenticated Signature by Clerk of the Court:

DAVID BRADLEY, Clerk of the Court

By: \_\_\_\_\_  
Deputy Clerk

Court's Authentication that the Clerk of Court is the Clerk of Court:

By: \_\_\_\_\_  
UNITED STATES DISTRICT JUDGE

# EXHIBIT 13

**UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF TEXAS  
HOUSTON DIVISION**

DISH NETWORK L.L.C.,	§	Civil Action No. _____
	§	
	§	
Plaintiff,	§	
v.	§	
DOE 1 d/b/a ZemTV, Does 2-4, individually and together d/b/a <a href="http://www.tvaddons.ag">www.tvaddons.ag</a> , <a href="http://www.tvaddons.org">www.tvaddons.org</a> , and <a href="http://www.streamingboxes.com">www.streamingboxes.com</a> ,	§	
Defendants.	§	
	§	
	§	

**LETTER OF REQUEST FOR INTERNATIONAL ASSISTANCE FROM THE UNITED  
KINGDOM TO OBTAIN CERTAIN DOCUMENTS FROM UK-2 LTD. PURSUANT TO  
THE HAGUE CONVENTION ON THE TAKING OF EVIDENCE ABROAD IN CIVIL  
OR COMMERCIAL MATTERS**

The United States District Court for the Southern District of Texas, through the undersigned District Court Judge, requests international assistance to obtain evidence to be used in a civil proceeding before this Court in the above-captioned case.

If any portion of this Request is deemed to be unacceptable under the laws of the United Kingdom, please disregard that portion and continue to comply with as much of the Request as is legally permissible. The Court is willing and able to provide similar assistance to the judicial authorities of the United Kingdom should a similar request for international assistance be received from the courts of the United Kingdom.

**I. GENERAL INFORMATION**

- |   |  |
|---|--|
| 1. <b>Sender:</b>                                       | Office of the Clerk<br>United States District Court for the<br>Southern District of Texas, Houston Division<br>515 Rusk Avenue<br>Houston, TX 77002, USA |
| 2. <b>Central Authority of the<br/>Requested State:</b> | The Senior Master of the Royal Courts of Justice<br>Strand   |

London WC2A 2 LL

3. **Person to whom the Executed Request is to be Returned:** Stephen M. Ferguson  
Hagan Noll & Boyle LLC  
Two Memorial City Plaza  
820 Gessner, Suite 940  
Houston, Texas 77024  
Phone: (713) 343-0478  
Facsimile: (713) 758-0146  
Email: [stephen.ferguson@hnbllc.com](mailto:stephen.ferguson@hnbllc.com)  
*Counsel for Plaintiff DISH Network L.L.C.*
4. **Specification of the date By which the requesting Authority requires receipt Of the response to the Letter of Request:** As soon as possible, and in any event not later than July 24, 2017.  
Reason for urgency: Plaintiff DISH Network needs information sufficient to identify Defendant Doe 1 so they can be named in the lawsuit and it can proceed.

**II. IN CONFORMITY WITH ARTICLE 3 OF THE HAGUE CONVENTION, THE UNDERSIGNED APPLICANT HAS THE HONOR TO SUBMIT THE FOLLOWING REQUESTS :**

1. **Requesting Judicial Authority:** United States District Court for the Southern District of Texas, Houston Division  
515 Rusk Avenue  
Houston, TX 77002, USA
2. **Competent Authority:** The Senior Master of the Royal Courts of Justice  
Strand  
London WC2A 2 LL
3. **Names and Addresses Of Parties and Their Representatives:**

Plaintiff:  
DISH Network LLC

Defendants:  
Does 1-4 d/b/a ZemTV, [www.tvaddons.ag](http://www.tvaddons.ag),  
[www.tvaddons.org](http://www.tvaddons.org), and [www.streamingboxes.com](http://www.streamingboxes.com)

Plaintiff's Representatives:  
Stephen M. Ferguson  
Joseph H. Boyle  
Hagan Noll & Boyle, LLC  
Two Memorial City Plaza

Defendants' Representatives:  
Unknown. Defendants have not made an appearance.

820 Gessner, Suite 940  
Houston, TX 77024  
(713) 343-0478 – Tel  
(713) 758-0146 – Fax  
[stephen.ferguson@hnbllc.com](mailto:stephen.ferguson@hnbllc.com)  
[joe.boyle@hnbllc.com](mailto:joe.boyle@hnbllc.com)

4. **Nature of the Proceedings:** This is a civil suit seeking money damages and permanent injunctive relief. DISH Network asserts copyright infringement claims against Defendants who are capturing broadcasts of television channels exclusively licensed to DISH Network in the United States and unlawfully retransmitting those channels over the Internet to customers of the ZemTV service in the United States and who have downloaded the ZemTV add-on for the Kodi media player from the websites [www.tvaddons.ag](http://www.tvaddons.ag) and [www.tvaddons.org](http://www.tvaddons.org).
5. **Summary of Defense:** Unknown. Defendants have not appeared in the case.
6. **Evidence to be obtained:**

This request is directed to UK-2 Ltd., 91 Brick Lane, London E1 6QL, United Kingdom. DISH Network seeks the following documents from UK-2 Ltd.:

**Definitions Applicable To Document Requests**

1. **UK-2 Customer.** “UK-2 Customer” means each person or entity assigned or otherwise responsible for IP address **88.202.231.18** from December 21, 2016 through March 9, 2017.

**Document Requests**

1. Documents sufficient to identify the full name, contact information (including physical addresses, web addresses, email addresses, telephone numbers, and fax numbers), and IP addresses of each UK-2 Customer.
2. Documents submitted to you in order to create or make changes to each account associated with each UK-2 Customer.
3. Account statements for each account associated with each UK-2 Customer for the time period of February 1, 2014 to present.
4. Payment records for each account associated with each UK-2 Customer for the time period of February 1, 2014 to present.

5. Communications sent to or received from each UK-2 Customer, including account set-up correspondence and support tickets, for the time period of February 1, 2014 to present.
7. **Documents or other property To be produced:** See documents listed in the section entitled "Evidence to be obtained".
8. **Special methods or procedures:** DISH Network requests that the documents and materials responsive to the categories of information identified above be emailed (if possible) or copied and mailed to Stephen M. Ferguson at the address identified in Section II.3 above. DISH Network shall pay the fees and costs incurred that are reimbursable. Please direct requests for payment to DISH Network's representatives, identified above in Section 3.

DATE OF REQUEST: \_\_\_\_\_, 2017

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District Court Judge  
United States District Court  
Southern District of Texas

(SEAL OF COURT)

Authenticated Signature by Clerk of the Court:

DAVID BRADLEY, Clerk of the Court

By: \_\_\_\_\_  
Deputy Clerk

Court's Authentication that the Clerk of Court is the Clerk of Court:

By: \_\_\_\_\_  
UNITED STATES DISTRICT JUDGE

# EXHIBIT 14

**UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF TEXAS  
HOUSTON DIVISION**

DISH NETWORK L.L.C.,	§	Civil Action No. _____
	§	
	§	
Plaintiff,	§	
v.	§	
DOE 1 d/b/a ZemTV, Does 2-4, individually and together d/b/a <a href="http://www.tvaddons.ag">www.tvaddons.ag</a> , <a href="http://www.tvaddons.org">www.tvaddons.org</a> , and <a href="http://www.streamingboxes.com">www.streamingboxes.com</a> ,	§	
Defendants.	§	
	§	
	§	

**LETTER OF REQUEST FOR INTERNATIONAL ASSISTANCE FROM GERMANY TO  
OBTAIN CERTAIN DOCUMENTS FROM CONTABO GMBH PURSUANT TO THE  
HAGUE CONVENTION ON THE TAKING OF EVIDENCE ABROAD IN CIVIL OR  
COMMERCIAL MATTERS**

The United States District Court for the Southern District of Texas, through the undersigned District Court Judge, requests international assistance to obtain evidence to be used in a civil proceeding before this Court in the above-captioned case.

If any portion of this Request is deemed to be unacceptable under the laws of Germany, please disregard that portion and continue to comply with as much of the Request as is legally permissible. The Court is willing and able to provide similar assistance to the judicial authorities of Germany should a similar request for international assistance be received from the courts of Germany.

**I. GENERAL INFORMATION**

- |   |  |
|---|--|
| 1. <b>Sender:</b>                                       | Office of the Clerk<br>United States District Court for the<br>Southern District of Texas, Houston Division<br>515 Rusk Avenue<br>Houston, TX 77002, USA |
| 2. <b>Central Authority of the<br/>Requested State:</b> | Central Authority of Bayern (Bavaria)<br>Präsidentin des Oberlandesgerichts München  |

		Prielmayerstrasse 5 80097 München, Germany
3.	<b>Person to whom the Executed Request is to be Returned:</b>	Stephen M. Ferguson Hagan Noll & Boyle LLC Two Memorial City Plaza 820 Gessner, Suite 940 Houston, Texas 77024 Phone: (713) 343-0478 Facsimile: (713) 758-0146 Email: <a href="mailto:stephen.ferguson@hnbllc.com">stephen.ferguson@hnbllc.com</a> <i>Counsel for Plaintiff DISH Network L.L.C.</i>
4.	<b>Specification of the date By which the requesting Authority requires receipt Of the response to the Letter of Request:</b>	As soon as possible, and in any event not later than July 24, 2017.  Reason for urgency: Plaintiff DISH Network needs information sufficient to identify Defendant Doe 1 so they can be named in the lawsuit and it can proceed.
<b>II. IN CONFORMITY WITH ARTICLE 3 OF THE HAGUE CONVENTION, THE UNDERSIGNED APPLICANT HAS THE HONOR TO SUBMIT THE FOLLOWING REQUESTS :</b>		
1.	<b>Requesting Judicial Authority:</b>	United States District Court for the Southern District of Texas, Houston Division 515 Rusk Avenue Houston, TX 77002, USA
2.	<b>Competent Authority:</b>	Central Authority of Bayern (Bavaria) Präsidentin des Oberlandesgerichts München Prielmayerstrasse 5 80097 München, Germany
3.	<b>Names and Addresses Of Parties and Their Representatives:</b>	 <u>Plaintiff:</u> DISH Network LLC  <u>Plaintiff's Representatives:</u> Stephen M. Ferguson Joseph H. Boyle Hagan Noll & Boyle, LLC
		<u>Defendants:</u> Does 1-4 d/b/a ZemTV, <a href="http://www.tvaddons.ag">www.tvaddons.ag</a> , <a href="http://www.tvaddons.org">www.tvaddons.org</a> , and <a href="http://www.streamingboxes.com">www.streamingboxes.com</a>  <u>Defendants' Representatives:</u> Unknown. Defendants have not made an appearance.

Two Memorial City Plaza  
820 Gessner, Suite 940  
Houston, TX 77024  
(713) 343-0478 – Tel  
(713) 758-0146 – Fax  
[stephen.ferguson@hnbllc.com](mailto:stephen.ferguson@hnbllc.com)  
[joe.boyle@hnbllc.com](mailto:joe.boyle@hnbllc.com)

4. **Nature of the Proceedings:** This is a civil suit seeking money damages and permanent injunctive relief. DISH Network asserts copyright infringement claims against Defendants who are capturing broadcasts of television channels exclusively licensed to DISH Network in the United States and unlawfully retransmitting those channels over the Internet to customers of the ZemTV service in the United States and who have downloaded the ZemTV add-on for the Kodi media player from the websites [www.tvaddons.ag](http://www.tvaddons.ag) and [www.tvaddons.org](http://www.tvaddons.org).

5. **Summary of Defense:** Unknown. Defendants have not appeared in the case.

6. **Evidence to be obtained:**

This request is directed to Contabo GmbH, Attn. Legal, Aschauer Strasse 32a, 81549 Munich, Germany. DISH Network seeks the following documents from Contabo GmbH:

**Definitions Applicable To Document Requests**

1. **Contabo Customer.** “Contabo Customer” means each person or entity assigned or otherwise responsible for each of the following IP addresses:
  - a. **5.189.162.122** from May 23, 2017 through May 24, 2017;
  - b. **5.189.191.205** from May 23, 2017 through May 24, 2017;
  - c. **173.212.192.69** from May 23, 2017 through May 24, 2017;
  - d. **173.212.209.142** from May 23, 2017 through May 24, 2017;
  - e. **173.212.209.160** from May 23, 2017 through May 24, 2017.

**Document Requests**

1. Documents sufficient to identify the full name, contact information (including physical addresses, web addresses, email addresses, telephone numbers, and fax numbers), and IP addresses of each Contabo Customer.
2. Documents submitted to you in order to create or make changes to each account associated with each Contabo Customer.

3. Account statements for each account associated with each Contabo Customer for the time period of February 1, 2014 to present.
  4. Payment records for each account associated with each Contabo Customer for the time period of February 1, 2014 to present.
  5. Communications sent to or received from each Contabo Customer, including account set-up correspondence and support tickets, for the time period of February 1, 2014 to present.
7. **Documents or other property To be produced:** See documents listed in the section entitled "Evidence to be obtained".
8. **Special methods or procedures:** DISH Network requests that the documents and materials responsive to the categories of information identified above be emailed (if possible) or copied and mailed to Stephen M. Ferguson at the address identified in Section II.3 above. DISH Network shall pay the fees and costs incurred that are reimbursable. Please direct requests for payment to DISH Network's representatives, identified above in Section 3.

DATE OF REQUEST: \_\_\_\_\_, 2017

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District Court Judge  
United States District Court  
Southern District of Texas

(SEAL OF COURT)

Authenticated Signature by Clerk of the Court:

DAVID BRADLEY, Clerk of the Court

By: \_\_\_\_\_  
Deputy Clerk

Court's Authentication that the Clerk of Court is the Clerk of Court:

By: \_\_\_\_\_  
UNITED STATES DISTRICT JUDGE