



MOTION PICTURE ASSOCIATION OF AMERICA, INC.

ORIT MICHIEL
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June 4, 2008

VIA Email (michael@gunlickslaw.com)

Michael Gunlicks
Gunlicks Law, LC
604 N. Boulevard
Richmond, Virginia 23220

Re: *US v. Dove*:
Response of Motion Picture Association of America, Inc. To Defendant's Subpoena

Dear Mr. Gunlicks:

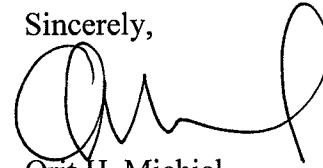
This follows up on our discussions of yesterday, June 3, 2008, and the subpoena issued on behalf of defendant Daniel Dove on May 5, 2008 (the "Subpoena") to Motion Picture Association of America, Inc. ("MPAA"). As I advised you, MPAA already had complied fully with the Subpoena, which requests "[a]ll documents or objects in the possession of the Motion Picture Association of America dating from August 1, 2004 to the present referencing Daniel Dove or reflecting communication by or with Daniel Dove." You advised me that, while the Subpoena states that it seeks documents regarding "Daniel Dove," references to Mr. Dove may have been made through one of his user names, "Duffman" or "McCalister." MPAA has agreed to treat the subpoena as amended to incorporate those terms and has engaged in another search for responsive documents.

This letter also responds to the substance of the Motion to Compel Compliance with Subpoena by the Motion Picture Association of America, Inc. (the "Motion") you filed June 2, 2008. We see no basis for this motion. MPAA has conducted a search for the terms "Daniel Dove," "Dove," "Duffman," and "McCalister" as follows: (1) MPAA's Civil Litigation Paralegal, who manages all U.S. Anti-Piracy litigation files, conducted a search of those terms in her archived email and Torrent case files from August 1, 2004 to the present; (2) the same paralegal also conducted a search of those terms in the MPAA U.S. Anti-Piracy legal database, in which MPAA electronically stores all relevant case information for U.S. anti-piracy matters; and (3) Andy Brogan, Regional Director of Investigations/Northeast Territory, conducted a search of his files, including emails, for those terms. I have additionally spoken to various employees in our U.S. Anti-Piracy Department concerning the request for documents. Based on those conversations, I understand that any responsive documents would be found following the above-outlined search procedures. After such diligent search, MPAA has been unable to find any additional documents responsive to the Subpoena.

Moreover, in the Motion, you questioned the basis for the MPAA's redaction of a portion of an email produced pursuant to the Subpoena. As I explained to you in our telephone conversation yesterday, the redacted communications involved Kiffa Shirley, the case agent, and we understand that the government will produce statements made by and with Kiffa Shirley in regard to this case as *Jencks* material approximately one week before trial. I further stated to you that if such communication was not produced by the government, MPAA would then produce the unredacted document. For reference, and pursuant to your request, I enclose the subject document redacting only the substance of any communications.

Since there is no basis for your pending Motion, please confirm that that you will withdraw the Motion. If you have any questions, please contact me at (818) 935-5810.

Sincerely,

A handwritten signature in black ink, appearing to read 'Orit H. Michiel', with a large, stylized initial 'O'.

Orit H. Michiel

Attachment

cc: Magistrate Judge Pamela Meade Sargent, U.S. District Court, Western District
of Virginia, c/o Libby P. Stokes, Courtroom Deputy
Tyler Griffin Newby
Steven Randall Ramseyer

Michiel, Orit

From: Seymour, Dan
Sent: Friday, November 30, 2007 8:49 AM
To: Suh, Kevin; Brogan, Andy
Cc: Kiffa.Shirley@ic.fbi.gov
Subject: FW: Dove seized DVD and CD titles

Attachments: Dovetitles.xls



Dovetitles.xls (33 KB)

Kevin and Andy:

Do we have someone in the Western District of VA who could testify as to the value of the attached hard goods? Thanks. Dan.

-----Original Message-----

From: Shirley, Kiffa [mailto:Kiffa.Shirley@ic.fbi.gov]
Sent: Thu 11/29/2007 1:48 PM
To: Seymour, Dan
Subject: FW: Dove seized DVD and CD titles

Dan, we have a trial set for Feb 6-7 in Big Stone Gap Virginia (Western District). We may need someone to testify on the value of the CD/DVDs seized. Do you have any recommendations? Attached is a file with the titles seized from the home.

And was the LA office able to put together anything on the tracker, IRC logs, etc for Elite Torrents?

SSA Kiffa Shirley
Office: (202) 324-4952
kiffa.shirley@ic.fbi.gov<mailto:kiffa.shirley@ic.fbi.gov>

-----Original Message-----

From: Newby, Tyler [mailto:Tyler.Newby@usdoj.gov]
Sent: Thursday, November 29, 2007 3:52 PM
To: Shirley, Kiffa
Subject: RE: Dove seized DVD and CD titles

REDACTED

From: Shirley, Kiffa [mailto:Kiffa.Shirley@ic.fbi.gov]
Sent: Wednesday, August 01, 2007 1:12 PM
To: Newby, Tyler; Prabhu, Jay
Subject: Dove seized DVD and CD titles

REDACTED

REDACTED

10CD*	10 blank CD-RW's
10CD*	5 blank DVD's
10CD*	7 blank CD-R's
10CD01	Audio CD
10CD02	Audio CD
10CD03	Audio CD
10CD04	Audio CD
10CD05	Audio CD
10CD06	Audio CD
10CD07	Audio CD
10CD08	Audio CD
10CD09	Audio CD
10CD10	Audio CD
10CD11	Audio CD
10CD12	Audio CD
10CD13	Audio CD
10CD14	Audio CD
10CD15	Audio CD
10CD16	Audio CD
10CD17	Audio CD
10CD18	Audio CD - production CD
10CD19	Audio CD - production CD
10CD20	CD w/ unknown information
10CD21	CD w/ unknown information
10CD22	CD w/ web torrent program information
10CD23	CD w/ web torrent program information
10DVD24	** Movie "Anchorman"
10DVD25	Movies "Badder Santa, Eurotrip, Godsend, How High, Kill Bill 1, The Butterfly Effect"
10DVD26	Movie "Full Metal Jacket - D01 - production DVD"
10DVD27	Movie "Full Metal Jacket - D02 - production DVD"
10DVD28	Movie "Shrek 2"
10DVD29	Movie "Silence of the lambs - production DVD"
10DVD30	Movie "Soul Plane"
10DVD31	Movie "Troy"
10CD32	MS Office 2003 "10 in 1"
10CD33	MS Office 2003, CD 2&3
10CD34	PC Game "Doom3" CD 1 of 3
10CD35	PC Game "Doom3" CD 2 of 3
10CD36	PC Game "Doom3" CD 3 of 3
10CD37	PC Game "Quake 1"
10CD38	PC Game "Quake 3" w/product code
10CD39	PC Game "The Sims 2"
10CD40	PC Game "Uru - Ages Beyond Myst"
10CD41	PC programs, disc tag# C03 - D01 - 26 titles
10CD42	PC programs, disc tag# C03 - D02 - 20 titles
10CD43	TV Show - In Living Color S02 - D01
10CD44	TV Show - Simpsons S01e01 - S02e19 (Season# epesode#)
10CD45	TV Show - Simpsons S02e20 - S04e08
10CD46	TV Show - Simpsons S04e09 - S06e18
10CD47	TV Show - Simpsons S06e17 - S08e19
10CD48	TV Show - Simpsons S08e20 - S10e21
10CD49	TV Show - Simpsons S10e22 - S13e06

10CD50	TV Show - Simpsons S13e07 - S15e06
10CD51	TV Show - Sliders S01 & S02e01
10CD52	TV Show - Sliders S02
10CD53	Windows 2003 x64, Enterprise
10CD54	Windows 2003 x64, Standard
10CD55	Windows 2003, Enterprise w/SP1
10CD56	Windows 2003, Standard w/SP1
10CD57	Windows Server 03, with product key, Enterprise
10CD58	Windows XP 64bit
10CD59	Windows XP Pro Corp w/SP2
10CD60	Windows XP Pro x64, with product key
12DVD01	* Dolby Demo Test
12DVD02	* Movie "21 Grams"
12DVD03	* Movie "Airplane!"
12DVD04	* Movie "Apollo 13 - Collectors Addition"
12DVD05	* Movie "Blade 3"
12DVD06	* Movie "Casino"
12DVD07	* Movie "Catwoman"
12DVD08	* Movie "Collateral"
12DVD09	* Movie "Garned State"
12DVD10	* Movie "Patriot Games"
12DVD11	* TV Show - Seinfeld S01 (Season1)
12DVD12	* TV Show - Seinfeld S02 - D03 (Season 1 - Disk 3)
12DVD13	* TV Show - Simpsons S05 - D01
12DVD14	* TV Show - Simpsons S05 - D02
12DVD15	* TV Show - Southpark S01 - D01
12DVD16	* TV Show - Southpark S01 - D02
12DVD17	* TV Show - Southpark S01 - D03
12DVD18	* TV Show - Southpark S02 - D01
12DVD19	** Movie "Back to the Future Trilogy Disk 1"
12DVD20	** Movie "Back to the Future Trilogy Disk 2"
12DVD21	** Movie "Back to the Future Trilogy Disk 3"
12DVD22	** Movie "Dazed & Confused"
12DVD23	** Movie "Flight of the Phoenix"
12DVD24	** Movie "Half Baked"
12DVD25	** Movie "I-Robot"
12DVD26	** Movie "King Author"
12DVD27	** Movie "Mean Creek"
12DVD28	** Movie "Resident Evil - D01"
12DVD29	** Movie "Resident Evil - D02"
12DVD30	** Movie "Resident Evil 2 - Apocalypse"
12DVD31	** Movie "Sky Captain & The World of Tomorrow"
12DVD32	** Movie "Spongebob Squarepants - Home Sweet Pineapple"
12DVD33	** Movie "The Clearing"
12DVD34	Blank DVD
12DVD35	Movie "Airplane 2 - The Sequel"
12DVD36	Movie "Alien VS Predator"
12DVD37	Movie "Bad Boys"
12DVD38	Movie "Blue Streak"
12DVD39	Movie "Cellular"
12DVD40	Movie "Cheech & Chong - Still Smoking"

12DVD41	Movie "Cheech & Chong - Up in Smoke"
12DVD42	Movie "Cold Mountain"
12DVD43	Movie "Darkness"
12DVD44	Movie "Dodgeball"
12DVD45	Movie "Ferris Bueller"
12DVD46	Movie "Flashback"
12DVD47	Movie "Godfather 2 - D01"
12DVD48	Movie "Godfather 2 - D02"
12DVD49	Movie "Good Fellas - D01"
12DVD50	Movie "Good Fellas - D02"
12DVD51	Movie "Hellraiser"
12DVD52	Movie "Kingpin"
12DVD53	Movie "LA Confidential"
12DVD54	Movie "Manchurian Candidate"
12DVD55	Movie "Meet the Parents Collectors Edition"
12DVD56	Movie "Merchant of Venice"
12DVD57	Movie "Mindhunters"
12DVD58	Movie "Misery"
12DVD59	Movie "Office Space"
12DVD60	Movie "One Night in Paris"
12DVD61	Movie "Paycheck"
12DVD62	Movie "Pulp Fiction - D01"
12DVD63	Movie "Pulp Fiction - D02"
12DVD64	Movie "Reservoir Dogs"
12DVD65	Movie "Scarface"
12DVD66	Movie "Sky Captain"
12DVD67	Movie "SNL - Adam Sandler"
12DVD68	Movie "Space Balls"
12DVD69	Movie "Spiderman2"
12DVD70	Movie "Spong Bob"
12DVD71	Movie "Stakeout"
12DVD72	Movie "Suspect Zero"
12DVD73	Movie "The Big Bounce"
12DVD74	Movie "The Bourne Supremacy"
12DVD75	Movie "The Godfather 3"
12DVD76	Movie "The Godfather"
12DVD77	Movie "The Life Aquatic"
12DVD78	Movie "The Naked Gun 2 1/2"
12DVD79	Movie "The Naked Gun 33 1/3"
12DVD80	Movie "The Naked Gun"
12DVD81	Movie "The Village"
12DVD82	Movie "Timeline"
12DVD83	Movie "What the Bleep"
12DVD84	Movie "Without a Paddle"
12DVD85	TV Show - Beavis & Buttthead D01
12DVD86	TV Show - Beavis & Buttthead D02
12DVD87	TV Show - Beavis & Buttthead D03
12DVD88	TV Show - Beavis & Buttthead D04
12DVD89	TV Show - Chappelle Show S01 - D01
12DVD90	TV Show - Chappelle Show S01 - D02
12DVD91	TV Show - Crank Yankers S01 - D01
12DVD92	TV Show - Crank Yankers S01 - D02

12DVD93	TV Show - Family Guy S01 - D01
12DVD94	TV Show - Family Guy Vol2 D01
12DVD95	TV Show - In Living Color S02 - D02
12DVD96	TV Show - In Living Color S02 - D04
12DVD97	TV Show - Modern Marvels D01
12DVD98	TV Show - Modern Marvels D02
12DVD99	TV Show - Modern Marvels D03
12DVD100	TV Show - Seinfeld S02 - D01
12DVD101	TV Show - Southpark S02 - D02
12DVD102	TV Show - Southpark S02 - D02

Format	Title
DVD103	Movie - Flashback
DVD104	Movie - Troy
DVD105	Movie - Soul Plane
CD61	Movie - Badder Santa
CD62	Movie - Euro Trip
CD63	Movie - Godsend
CD64	Movie - How High
CD65	Movie - Kill Bill Vol 1
CD66	Movie - Butterfly Effect
CD67	PC Game - Doom3
CD68	PC Game - Quake1
CD69	PC Game - Quake3
CD70	PC Game - Ages Beyond Myst
CD71	Windows Server 03*
CD72	Windows 03 Standard
CD73	Windows 03 x64 Standard
CD74	Windows 03 x64 Enterprise
CD75	MS Office 03
CD76	Windows XP Pro
CD77	Windows XP 64 bit*
CD78	Windows XP Pro Corp