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9 Attorneys for Plaintiff
 SONY COMPUTER ENTERTAINMENT AMERICA LLC

10
 11 UNITED STATES DISTRICT COURT
 12 FOR THE NORTHERN DISTRICT OF CALIFORNIA
 13 SAN FRANCISCO DIVISION

14 SONY COMPUTER ENTERTAINMENT
 15 AMERICA LLC, a Delaware limited liability
 company,

16 Plaintiff,

17 v.

18 GEORGE HOTZ; HECTOR MARTIN
 19 CANTERO; SVEN PETER; and DOES 1 through
 100,

20 Defendants.

CASE NO. CV11-0167 SI

**DECLARATION OF RYAN BRICKER IN
 SUPPORT OF *EX PARTE* MOTION FOR
 TEMPORARY RESTRAINING ORDER
 AND ORDER TO SHOW CAUSE RE
 PRELIMINARY INJUNCTION; ORDER OF
 IMPOUNDMENT**

1 I, Ryan Bricker, declare:

2 1. I am an associate at Kilpatrick Townsend & Stockton LLP, counsel of record for
3 plaintiff Sony Computer Entertainment America LLC ("SCEA") in the above-captioned matter.
4 I have personal knowledge of the facts stated in this declaration, unless otherwise indicated,
5 and could and would testify competently thereto.

6 2. Attached hereto as Exhibit A is a true and correct copy of an article entitled,
7 "PS3 Software Piracy Begins as First Game is Played on An Unmodded Playstation 3",
8 posted January 10, 2011.

9 3. Attached hereto as Exhibit B is a true and correct copy of fail0verflow's
10 ("fail0verflow") Twitter account page accessed January 9, 2011.

11 4. Attached hereto as Exhibit C is a true and correct copy of an article entitled,
12 "PlayStation 3 hack – how it happened and what it means", posted December 29, 2011.

13 5. Attached hereto as Exhibit D is a true and correct copy of certain slides from
14 PowerPoint Presentation "Console Hacking 2010: PS3 Epic Fail", as presented at 27th Chaos
15 Communication Congress by Bushing, marcan, segher, sven (operating under the moniker
16 "fail0verflow"), accessed on January 9, 2011. In its original form, the presentation is 134
17 slides, including many redundant slides; Exhibit D includes 73 slides after those
18 redundancies have been removed.

19 6. Attached hereto as Exhibit E is a true and correct copy of the download page
20 hosting the fail0verflow group's "PS3 Tools," uploaded by Sven Peter and accessed on
21 January 9, 2011.

22 7. Attached hereto as Exhibit F is a true and correct copy of the download page
23 hosting the fail0verflow group's "PS3 NOR flasher/sniffer," uploaded by Hector Martin and
24 accessed on January 9, 2011.

25 8. Attached hereto as Exhibit G is a true and correct copy of an online, publicly-
26 accessible spreadsheet reporting the Keys that correspond to certain levels of PS3 System
27 code, published online and crediting mathieulh, richdevX, Graf_cocolo, TitanMKD, and
28 N_D_T, the hackers responsible for locating those codes. I accessed the spreadsheet on

1 January 10, 2011.

2 9. Attached hereto as Exhibit H is a true and correct copy of the "Dev Team"
3 portal, listing marcan, Bushing, pytey, and segehr as member hackers, and reporting
4 progress in hacking telecommunication devices. The site was accessed on January 9, 2011.

5 10. Attached hereto as Exhibit I is a true and correct copy of a blog entry "xyzzzy",
6 posted on July 22, 2008, by Bushing.

7 11. Attached hereto as Exhibit J is a true and correct copy of a blog entry "Keys,
8 keys, keys.", posted on August 15, 2008, by Bushing.

9 12. Attached hereto as Exhibit K is a true and correct copy of a blog entry "Bushing
10 releases Xyzzzy Tool to grab Keys from Wii Consoles."

11 13. Attached hereto as Exhibit L is a true and correct copy of the text from
12 PowerPoint Presentation "Console Hacking 2008: Wii Fail", as presented at 25th Chaos
13 Communication Congress by marcan and Bushing (operating under the moniker "Team
14 Twiizers").

15 14. Attached hereto as Exhibit M is a true and correct copy of the text from
16 PowerPoint Presentation "Wii: Hardware, seguridad, hacking y homebrew", created by
17 Hector Martin.

18 15. Attached hereto as Exhibit N is a true and correct copy of "geo!hot" search
19 results on "Dev-Team Blog."

20 16. Attached hereto as Exhibit O is a true and correct copy of published blog entry,
21 "redsn0w+limer1n fun" on "Dev-Team Blog."

22 17. Attached hereto as Exhibit P is a true and correct copy of Hector Martin's
23 ("marcan42") twitter account page accessed January 9, 2011.

24 18. Attached hereto as Exhibit Q is a true and correct copy of Bushing's ("gnihsb")
25 twitter account page access January 9, 2011.

26 19. Attached hereto as Exhibit R is a true and correct copy of pytey's ("pytey")
27 twitter account page accessed January 9, 2011

28 20. Attached hereto as Exhibit S is a true and correct copy of an article titled,

1 “Hacker releases PlayStation 3 root key”, published on January 3, 2011.

2 21. Attached hereto as Exhibit T is a true and correct copy of a blog entry “Geohot:
3 Here is your PS3 Root Key! – Now with “HELLO WORLD” proof!”, accessed on January 10,
4 2011.

5 22. Attached hereto as Exhibit U is a true and correct copy of Hotz’s website,
6 offering links to download the “3.55 Firmware Jailbreak” and the “Signing Tools,” accessed
7 January 9, 2011.

8 23. Attached hereto as Exhibit V is a true and correct copy of screen captures of
9 Hotz’s website, releasing the METLDR Keys (also known as Root Key) to internet community
10 with two download links under the banner “keys open doors.”

11 24. Attached hereto as Exhibit W is a true and correct copy of a video by George
12 Hotz (operating under the moniker “geohot”), posted to YouTube on January 7, 2011, titled
13 “‘Jailbroken’ PS3 3.55 with Homebrew” and showing Hotz loading a homebrew application
14 on firmware 3.55. As of January 10, 2011, this video has been viewed more than 730,000
15 times.

16 25. Attached hereto as Exhibit X is a true and correct copy of a forum thread titled
17 “Geohot: Full 3.55 CFW Jailbreak Is Working!”, posted on January 7, 2011. On this page,
18 there is a direct link to George Hotz’s YouTube video (Exhibit W) as well as an embedded
19 excerpt of a chat session with George Hotz (operating under the moniker “geohot”). Also
20 attached at Exhibit X is a true and correct copy of this embedded chat text.

21 26. Attached hereto as Exhibit Y is a true and correct copy of a How To guide:
22 “Jailbreak PS3 Running 3.55 Firmware [Guide]”, published on January 9, 2011.

23 27. Attached hereto as Exhibit Z is a true and correct copy of an Interview with
24 George Hotz with BBC News, titled “iPhone hacker publishes secret Sony PlayStation 3
25 key”, published on January 5, 2011.

26 28. Attached hereto as Exhibit AA is a true and correct copy of published blog
27 entries by Hector Martin (operating under the moniker “marcansoft”), accessed on January
28 10, 2011.

1 29. Attached hereto as Exhibit BB is a true and correct copy of blog entries
2 published by Bushing and accessed on January 10, 2011.

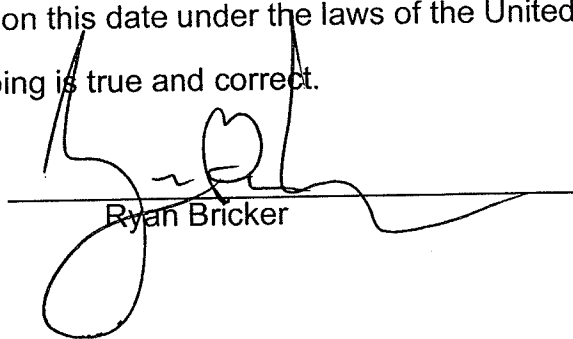
3 30. Attached hereto as Exhibit CC is a true and correct copy of a forum entry titled
4 "Full Backup Working on Geohot CFW 3.55," providing instructions of how to play copied,
5 pirated games using the code distributed by George Hotz. The page was accessed on
6 January 10, 2010.

7 31. Attached hereto as Exhibit DD is a true and correct copy of a redacted PayPal
8 receipt from George Hotz, using an account registered to <geohot@gmail.com>. The
9 transaction was processed on January 7, 2011.

10 32. In accordance with Local Rule 65-1(b), I will deliver Notice of this matter via
11 email to Defendant George Hotz through his known email addresses (geohot@gmail.com,
12 which is verified through his PayPal, and dudeitsaballoon@gmail.com) today promptly after
13 filing the Complaint and this Motion. We will also attempt to deliver by email a copy of the
14 Motion, Proposed Order and, if practicable, the supporting Declarations. We also are
15 attempting personal service of the Complaint.

16
17 I declare under penalty of perjury on this date under the laws of the United States in
18 San Francisco, California that the foregoing is true and correct.

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20 DATED: January 11, 2011


Ryan Bricker

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