

1 J. DAVID HADDEN (CSB No. 176148)
dhadden@fenwick.com
2 SAINA S. SHAMILOV (CSB No. 215636)
sshamilov@fenwick.com
3 MELANIE L. MAYER (admitted *pro hac vice*)
mmayer@fenwick.com
4 TODD R. GREGORIAN (CSB No. 236096)
tgregorian@fenwick.com
5 RAVI R. RANGANATH (CSB No. 272981)
rranganath@fenwick.com
6 FENWICK & WEST LLP
Silicon Valley Center
7 801 California Street
Mountain View, CA 94041
8 Telephone: 650.988.8500
Facsimile: 650.938.5200

9
10 Counsel for AMAZON.COM, INC.,
AMAZON WEB SERVICES INC., and
11 TWITCH INTERACTIVE, INC.

12 UNITED STATES DISTRICT COURT
13 NORTHERN DISTRICT OF CALIFORNIA
14 SAN JOSE DIVISION

15 IN RE: PERSONALWEB TECHNOLOGIES,
LLC ET AL., PATENT LITIGATION,

16
17 AMAZON.COM, INC., and AMAZON WEB
SERVICES, INC.,

18 Plaintiffs,

19 v.

20 PERSONALWEB TECHNOLOGIES, LLC and
LEVEL 3 COMMUNICATIONS, LLC,

21 Defendants.

22 PERSONALWEB TECHNOLOGIES, LLC and
LEVEL 3 COMMUNICATIONS, LLC,

23 Plaintiffs,

24 v.

25 TWITCH INTERACTIVE, INC.,

26 Defendant.

Case No.: 5:18-md-02834-BLF

Case No.: 5:18-cv-00767-BLF

Case No. 5:18-cv-05619-BLF

**DECLARATION OF TODD R.
GREGORIAN IN SUPPORT OF
REQUEST OF AMAZON.COM, INC.,
AMAZON WEB SERVICES, INC., AND
TWITCH INTERACTIVE, INC. FOR
CASE MANAGEMENT CONFERENCE**

FENWICK & WEST LLP
ATTORNEYS AT LAW

28

1 1. I am a partner at Fenwick & West LLP and counsel to Amazon.com, Inc., Amazon
2 Web Services, Inc. and Twitch Interactive, Inc. (collectively, “Amazon”) in this matter. I submit
3 this declaration in support of the Request of Amazon.com, Inc., Amazon Web Services, Inc., and
4 Twitch Interactive, Inc. For Case Management Conference. I have personal knowledge of the facts
5 set forth in this declaration.

6 2. Attached as **Exhibit 1** is a true and correct copy of the Superior Court of California,
7 County of Los Angeles – Complaint of Brilliant Digital Entertainment, Inc., Europlay Capital
8 Advisors, LLC, Claria Innovations, LLC, and Monto Holdings Pty Ltd against PersonalWeb
9 Technologies, LLC, filed April 27, 2021.

10 3. Attached as **Exhibit 2** is a true and correct copy of the proposed Superior Court of
11 California, County of Los Angeles – Complaint-in-Intervention of Amazon.com, Inc., Amazon
12 Web Services, Inc., and Twitch Interactive, Inc., dated August 10, 2021.

13 4. Attached as **Exhibit 3** is a true and correct copy of the Superior Court of California,
14 County of Los Angeles – Declaration of Michael Weiss Re: No Opposition to Plaintiffs’ Ex Parte
15 Application of Receiver and Preliminary Injunction in Aid of the Receiver, filed May 3, 2021.

16 5. Attached as **Exhibit 4** is a true and correct copy of the Superior Court of California,
17 County of Los Angeles – Stipulation for Entry of Preliminary Injunction in Aid of the Receiver,
18 filed May 20, 2021.

19 6. Attached as **Exhibit 5** is a true and correct copy of the Superior Court of California,
20 County of Los Angeles – Order for Entry of Preliminary Injunction in Aid of the Receiver, filed
21 June 1, 2021.

22 7. Attached as **Exhibit 6** is a true and correct copy of the Superior Court of California,
23 County of Los Angeles – Notice of Motion and Motion of Receiver, Robb Evans & Associates
24 LLC, for an Order Authorizing Issuance of Receiver’s Certificates in an Aggregate Amount Up to
25 \$1,000,000; Memorandum of Points and Authorities in Support Thereof, dated November 12, 2021.

26 8. Attached as **Exhibit 7** is a true and correct copy of the Superior Court of California,
27 County of Los Angeles – Order re Motion of Receiver, Robb Evans & Associates LLC, for an
28

FENWICK & WEST LLP
ATTORNEYS AT LAW

1 Order Authorizing Issuance of Receiver’s Certificates in an Aggregate Amount Up to \$1,000,000,
2 filed December 8, 2021.

3 9. Attached as **Exhibit 8** is a true and correct copy of PersonalWeb Technologies,
4 LLC’s Responses to Amazon.com, Inc., Amazon Web Services, Inc., and Twitch Interactive, Inc.’s
5 First Set of Interrogatories, served July 30, 2021.

6 10. Attached as **Exhibit 9** is a true and correct copy of an e-mail exchange between Mr.
7 Jeffrey Gersh, Stubbs Alderton, counsel for PersonalWeb and Christopher Lavin, Fenwick & West
8 LLP, counsel for Amazon.com, Inc., Amazon Web Services, Inc., and Twitch Interactive, Inc.,
9 dated August 27, 2021 through September 14, 2021.

10 11. Attached as **Exhibit 10** is a true and correct copy of the Superior Court of California,
11 County of Los Angeles – Order Denying Amazon.com, Amazon Web Services, Inc., and Twitch
12 Interactive, Inc.’s Motion for Leave to Intervene, filed November 17, 2021.

13 12. Attached as **Exhibit 11** is a true and correct copy of the Operating Agreement of
14 PersonalWeb Technologies, LLC, dated as of August 5, 2010 (Bates Nos. PWEB-PJ- 000020 –
15 PWEB-PJ- 000033).

16 I declare under penalty of perjury under the laws of the United States that the foregoing is
17 true and correct. Executed in San Francisco, California on this 7th day of January, 2022.

18
19 

20 _____
21 Todd R. Gregorian
22
23
24
25
26
27
28

FENWICK & WEST LLP
ATTORNEYS AT LAW