



2100 M STREET NORTHWEST | SUITE 170-417 | WASHINGTON DC | 20037
P 888-588-WIRE (9473) | F 888-964-WIRE (9473)

01/30/2013

SENT VIA U.S. MAIL

[REDACTED]
[REDACTED]
[REDACTED]

Re: Guava LLC v. Comcast Cable Communications LLC
12-MR-417 Ref # [REDACTED]

Dear [REDACTED]

This letter is to provide you legal notice that a lawsuit involving you has been filed in St. Clair County, Illinois. The case, Guava LLC v. Comcast Cable Communications, LLC, was filed on November 20, 2012 in the Circuit Court of the Twentieth Judicial Circuit, St. Clair County, Illinois Law Division. The purpose of this letter is to put you on notice of impending litigation and allow you the opportunity to seek legal counsel or speak with someone from our office regarding this matter.

Our company, Guava LLC, operates computer systems on behalf of our clients, who are adult content producers. Our computers were breached and our files were stolen. Our engineers observed your Internet account distributing these files via BitTorrent. BitTorrent is associated with such websites and software as the Pirate Bay and Transmission. For more information regarding BitTorrent you may reference online sources.

In the course of discovery, we issued subpoenas to various Internet Service Providers (ISPs) to obtain the identifying information of the wrongdoers. On [REDACTED], our engineers observed your IP address, [REDACTED] trading in the files that were taken from our company's computers. Your ISP, Comcast, turned over records confirming that you were the account holder of IP [REDACTED] on the date in question. Based on this information, we will seek to hold you (or the person who used your Internet account) liable for this conduct. For your reference, we have enclosed a copy of the petition that was filed in this lawsuit. Please understand that if we are forced to proceed against you individually for the acts we observed your subscriber account committing, the actual complaint naming you as a defendant could possibly include additional counts, depending on what violations were observed.

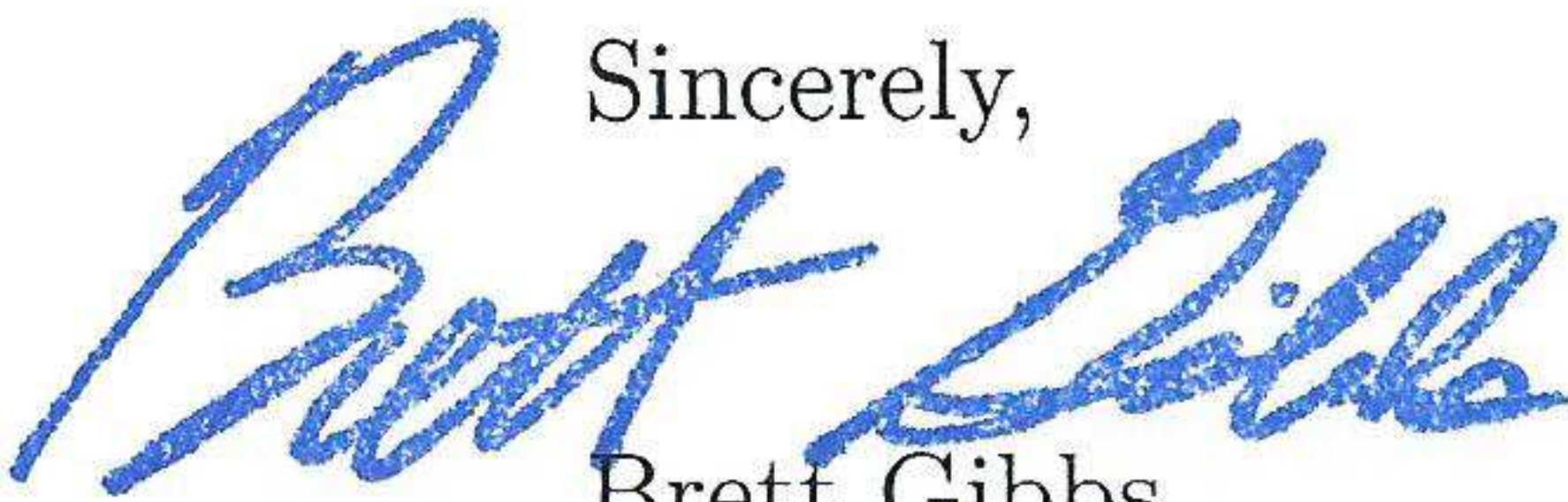
Under the applicable rules of civil procedure, our lawsuit against you personally will not commence unless we serve you with a complaint. Please consider this letter to constitute formal notice that we demand that you not delete any files from your computer or any other devices under your control or in your possession. You have an affirmative obligation to preserve evidence, including router logs and computer files. A failure to do so may subject you to additional liability. You should consult an attorney to understand your obligations in this regard.

Many account holders contact our company to find out more about our claims or to resolve them before we refer this matter to our attorneys. While we certainly are willing to discuss resolution, we are also preparing to litigate this matter in the event a resolution is not reached. We have found that the earlier we are able to reach a resolution, the less expensive it is for both you and our company. As time passes, we (and you) will incur attorney's fees and court costs. The amount for which we would be willing to resolve this matter for today will increase over time in proportion to the fees and expenses we incur.

As you know, being named as a defendant in a lawsuit can be time-consuming, distressing and expensive. Although we have endeavored to provide you with accurate information, our interests are directly adverse to yours and you should not rely on the information provided in this letter for assessing your position in this case. Only an attorney who represents you can be relied upon for a comprehensive analysis of our company's claims. Our records indicate that you are not represented by an attorney. If you are represented by an attorney please forward this letter to him or her and have your attorney contact our office immediately to indicate their representation.

PLEASE BE ON NOTICE: Due to the serious nature of this matter, we are referring this matter to our attorneys for further prosecution against you in 21 days if we do not hear from you.

Sincerely,



Brett Gibbs

In-House Counsel, Guava LLC

Licensed only in the state of California.

Notice of Offer of Settlement

Formal Date of Offer: 01/31/2013

Pursuant to our obligation to attempt to resolve our legal claims prior to filing a lawsuit against you personally, we hereby provide you the following settlement offer. If you reject our offer, or we do not hear from you within 21 days of the date of this letter, we will direct our attorneys to file a lawsuit against you personally. We believe that due to several factors, including our good faith offer to settle at this early stage of the case, we would be entitled to full damages.

We have weighed several aspects of this case, including our likelihood of success, our likely recovery of damages, the availability of an attorney's fees award, and the extreme burden of litigation on all parties. In exchange for a comprehensive release of all legal claims in this matter, which will enable you to avoid becoming a named defendant in a lawsuit, we will accept the sum of \$4,000.00 as full settlement for our claims. This offer will expire in 21 days at 4:00 p.m. CST.

To reiterate: If you act promptly, you will avoid being named as a defendant in a lawsuit. You may pay the settlement amount by:

- (a) Mailing a check or money order payable to "Guava LLC" to:

Guava LLC
2100 M Street Northwest, Suite 170-417
Washington DC, 20037-1233

- (b) Completing and faxing the enclosed payment authorization to
1-888-964-9473.

It is very important to include your five digit reference number on your method of payment. Regardless of your payment method, once we have processed the settlement, we will send you your signed Release as confirmation that your payment has been processed and that our company's claims have been released.

Our records indicate that you are not represented by an attorney. If you are represented by an attorney please forward this offer of settlement to your attorney and have your attorney contact our office immediately to indicate their representation.



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PAYMENT AUTHORIZATION

I hereby authorize Guava, LLC to withdraw funds from the bank account or credit card listed below for the settlement amount and legal issue referred to on my Release and herein below.

Case Name and Reference #: _____

PAYOR INFORMATION

Payor's Name: _____

Billing Address: _____

Telephone Number: _____ Email address: _____

Signature: _____ Date: _____

PAYMENT INFORMATION

Payment amount: \$ _____

Name on Bank Account / Credit Card: _____

If paying via bank account:

Type of Account: Checking / Savings

Routing Number: _____ Account Number: _____

If paying via credit or debit card:

Card Number: _____ Exp. Date: _____

Card Type: ☐ Master Card ☐ Visa ☐ AmEx ☐ Discover

CID Number: _____ (this is the last three digits on the back of your Master Card, Visa, or Discover Card, or the four digit number in the upper right corner on the front of your AmEx)

Fax, scan & email, or mail this authorization to:

Guava, LLC
2100 M Street Northwest, Suite 170-417
Washington, DC 20037
Fax: 888.964.WIRE (9473)
email: accounting@livewireholdings.com

www.livewireholdings.com