

**UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF FLORIDA
TAMPA DIVISION**

MALIBU MEDIA, LLC,)	
)	
Plaintiff,)	Civil Action No.
)	8:14-cv-02138-VMC-MAP
v.)	
)	
WILLIAM SHARP,)	
)	
Defendant.)	
)	

**DECLARATION OF NEIL T. SCHMIDT IN SUPPORT OF VERIZON ONLINE
LLC'S MOTION FOR PROTECTIVE ORDER**

I, Neil T. Schmidt, state and declare:

1. I am an employee of Verizon and member of Verizon Online LLC's Subpoena Compliance Team and have worked for Verizon since 2008. I have personal knowledge of the facts stated herein, and if called upon to do so, I could testify competently to them.

2. My job responsibilities include assisting Verizon in responding to subpoenas. During the last two years, a significant portion of my time has been devoted to responding to subpoenas issued by plaintiffs who allege to be owners of sexually explicit films and are seeking the personal identifying information for Verizon's Internet subscribers based on IP Addresses. Other Verizon employees (including in-house

counsel and other staff) also have been required to expend significant time and effort in responding to these types of subpoenas and the legal and privacy issues that they raise.

3. Verizon has received at least several hundred subpoenas from Malibu Media LLC alone, seeking personal identifying information for Verizon's subscribers.

4. The volume of subpoenas issued by Malibu Media and other owners of pornographic films, and the competing and sometimes overlapping requests for information that these subpoenas seek, are particularly problematic for Verizon because they compete for employees' time and with other pressing requests for information by law enforcement officials and others in unrelated investigations.

5. Verizon received a copy of Plaintiff's subpoena in the above-captioned case on September 22, 2015, a true and correct copy of which is attached as Exhibit A. The subpoena requested the appearance of a Verizon employee to testify on a number of topics, and the production of documents, in San Angelo, Texas, on September 28, 2015. Verizon's employees who are likely to be knowledgeable of the topics requested in plaintiff's deposition subpoena are located in the Washington, D.C. area, near Verizon's corporate offices in Arlington, Virginia.

6. To my knowledge, the subpoena was not accompanied by the required witness fee to require a Verizon employee to appear for a deposition in Texas. If Plaintiff

had provided a check for an appearance fee with its subpoena, our records would reflect it, and they do not.

I declare under penalty of perjury of the laws of the United States that the foregoing is true and correct. Executed on October 5, 2015 in Cockeysville, Maryland.



Neil T. Schmidt