

# ***EXHIBIT***



Exhibit "B"

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UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF MICHIGAN

MALIBU MEDIA, LLC,

Plaintiff,

vs.

Civil Action Case No. 1:13-CV-360-RJJ

JESSE RALEIGH,

Defendant.

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The Deposition of JESSE RALEIGH,  
Taken at 2095 East Big Beaver Road, Suite 400,  
Troy, Michigan,  
Commencing at 11:13 a.m.,  
Thursday, September 24, 2015,  
Before Cheri L. Gleyre, RPR, CSR-6548.

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1 A. Yes, sir.  
 2 Q. And immediately before that where did you live?  
 3 A. 343 Norwood Avenue, also Grand Rapids.  
 4 Q. Do you remember when you moved in there?  
 5 A. Not specifically, no. Early 2012 -- no 2013, early  
 6 2013.  
 7 Q. That would have been sometime the first quarter of  
 8 2013, do you think?  
 9 A. First or very beginning of the second.  
 10 Q. And that's the -- what was the address, 111 -- no,  
 11 that's right, 218 Michigan Street, Apartment 1 where  
 12 you moved from; is that correct?  
 13 A. That is correct.  
 14 Q. And that was the quadruplex at which you lived during  
 15 the material time that we're alleging this incident  
 16 occurred, correct?  
 17 A. I paid rent there. I wasn't there very often through  
 18 that time period.  
 19 Q. When did you move in there at the 218 address?  
 20 A. Approximately two years prior.  
 21 Q. So we're talking somewhere in time around 2011?  
 22 A. Sounds about right.  
 23 Q. When did you stop spending a lot of time there?  
 24 A. January.  
 25 MR. WILCZYNSKI: Of what year?

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1 BY MR. LIPSCOMB:  
 2 Q. What changed?  
 3 A. January 2013 I took a job in Grand Rapids and had to  
 4 stay down there through the week and come back up on  
 5 weekends.  
 6 Q. Petoskey is, what, about 190 miles away from Grand  
 7 Rapids?  
 8 A. It's 178 miles.  
 9 Q. You were driving, what, that Jeep Cherokee?  
 10 A. Correct.  
 11 Q. Every week?  
 12 A. I don't believe it was every week. I can't recall.  
 13 Q. When in January '13 did you start moving up to Grand  
 14 Rapids?  
 15 A. Well, I didn't start moving. I took a job in Grand  
 16 Rapids and stayed with friends while I got  
 17 reestablished and got on my feet and got my bearings  
 18 within the city and figured out what neighborhoods  
 19 were good and bad and whatnot.  
 20 Q. With whom did you stay?  
 21 A. A friend of mine named Ryan Jackson.  
 22 Q. What was the name of the company for which you worked  
 23 in Grand Rapids?  
 24 A. Agent-X Marketing, L.L.C.  
 25 Q. When were you hired by Agent-X Marketing?

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1 A. I accepted my offer letter I believe in December of  
 2 2012.  
 3 Q. Where were you working prior to that?  
 4 A. Silversmith, Incorporated in Gaylord, Michigan.  
 5 Q. Do you remember your last -- when you stopped working  
 6 for Silversmith?  
 7 A. Early January.  
 8 Q. Do you currently still work for Agent-X?  
 9 A. No, I do not.  
 10 Q. Did they pay you through -- in January of 2013?  
 11 A. Yes, they did.  
 12 Q. Were you employed on a full-time basis beginning in  
 13 January of '13?  
 14 A. Yes, I was, and then some.  
 15 Q. Did you use direct bank deposits?  
 16 A. Yes.  
 17 Q. Did you stay with anybody other than Ryan Jackson?  
 18 A. No. Actually let me correct that. For approximately  
 19 three weeks I stayed with my wife's relatives.  
 20 Q. From when to when?  
 21 A. I cannot recall.  
 22 Q. In January of '13 or February?  
 23 A. It was not in January, it was closer to when we moved  
 24 down here.  
 25 Q. Which, I'm sorry, again, was in, what, March or --

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1 A. It's hazy for me because I was down here for six to  
 2 seven weeks living out of a suitcase. Approximately  
 3 March.  
 4 Q. Did you have any other jobs other than Agent-X  
 5 while -- the first quarter of '13?  
 6 A. No.  
 7 Q. And you taught yourself how to use computers; is that  
 8 right?  
 9 A. Yes.  
 10 Q. I'm going to kind of go over a lot of your work  
 11 history because you provided it. There was one thing  
 12 in this though that struck me. You assist with  
 13 patents, drafting the patents; is that correct?  
 14 A. I've written six patents which have since been  
 15 consolidated into two that are currently pending,  
 16 correct.  
 17 Q. You're the inventor named in the patents?  
 18 A. Yes.  
 19 Q. Who's the owner of those patents?  
 20 A. I believe at this point in time it is either Modustri,  
 21 L.L.C. or Intuitos Corporation. I can't remember if  
 22 Intuito is a corp. or an L.L.C. at this point. I'm  
 23 sorry.  
 24 Q. At some level though you definitely appreciate and  
 25 respect intellectual property; is that right?



<p style="text-align: right;">Page 46</p> <p>1 Q. Let's talk about that Wi-Fi router Charter set up for 2 you, okay? 3 A. Uh-huh. 4 Q. Part of what you've done in your career is some 5 network administration, right? 6 A. Correct. 7 Q. In that line of work is it usually important to have 8 passwords? 9 A. Depends on your threat prospects. 10 Q. Do you advise your customers not to have passwords? 11 A. Not at this point. 12 Q. Charter puts a password on every router that they 13 install, right? 14 A. I just don't know. 15 MR. WILCZYNSKI: Hang on. What time period 16 are we talking about, now or back then? 17 BY MR. LIPSCOMB: 18 Q. Well, Charter has done that since it started 19 installing Internet, which is standard operating 20 procedures for all IPs. Did you know that, that 21 Charter puts on a password to routers? 22 A. I am aware that they come with a default password, I'm 23 also aware that most of the time the technician will 24 pull that off at your request. 25 Q. At the time that you were getting your router set up</p>	<p style="text-align: right;">Page 48</p> <p>1 A. Yes. 2 Q. Has she always been a stay-at-home mom? 3 A. She worked briefly after our first son was born, but 4 generally yes, she's been a stay-at-home mom. 5 Q. Who watches your kids during the day? 6 A. My wife. 7 Q. Do you ever recall while you were living in that 8 quadruplex anybody bringing over additional desktop 9 computers? 10 A. Desktop computers, no. 11 Q. Additional laptop computers? 12 A. Nearly every single person I know and interact with in 13 my life has a computer and carries them with them or 14 some form of telecommuting device, so yes, everybody I 15 ever saw probably had a computer. 16 Q. Do you remember them bringing them to your house and 17 using laptop computers in your house? 18 A. Yes, I recall numerous people through the years. 19 Q. Can you give me some names? 20 A. Not off the top of my head, no. 21 Q. Do you remember what type of laptop computers those 22 were? 23 A. Netbooks, Windows machines, MacBooks. It would have 24 been all over the board. It depends on which of the 25 people it was and their particular economic situation.</p>
<p style="text-align: right;">Page 47</p> <p>1 by Charter did you tell the technician to pull it off? 2 A. I cannot recall. 3 Q. Did you change it at some other point? 4 A. I don't recall when the configuration was made. I do 5 know that I did not have web or WPA encryption enabled 6 and there was no requirement for a password to join my 7 access point. 8 Q. Why? 9 A. Because telling everybody who visits my house while 10 I'm at work what the Wi-Fi password is or anybody else 11 that happened to be by is inconvenient and feels a lot 12 like tech support, and just having an open access 13 point is far easier for everybody to use. 14 Q. So at some point you took off the password? 15 A. I don't recall how it was removed or when it was 16 removed, I just know that it was not on there. 17 Q. Both you and your wife work, right? I'm sorry, strike 18 that. 19 From 2009 to the present your wife hasn't 20 been employed, correct? 21 A. I don't recall the date of her last employment 22 currently. 23 Q. Is that about right? 24 A. I don't recall. 25 Q. Is she a stay-at-home mom?</p>	<p style="text-align: right;">Page 49</p> <p>1 Q. Why would somebody bring over another computer to your 2 house, were you playing games with them? 3 A. Potentially. I also was involved in numerous side 4 business ventures and would have been working with 5 other people on those endeavors as well. 6 Q. You don't ever remember anybody bringing over desktops 7 though, right? 8 A. No. Most of the people that I associate with stopped 9 using desktops in the '90s. 10 Q. Have you ever received any DMCA notices? 11 A. I believe I received one prior to this litigation. 12 Q. Do you remember when that was? 13 A. Not specifically, no. 14 Q. Was it while you were living in the quadruplex? 15 A. Perhaps. I can't recall. 16 Q. Do you remember which work, which copyrighted work, 17 the sender said was illegally downloaded? 18 A. I do not. I got a very long list of alleged 19 infringements after the fact. 20 Q. Was this in 2012? 21 A. I don't recall. 22 Q. Was it in 2013? 23 A. I don't recall. 24 Q. Was it in 2014? 25 A. No.</p>