

1 RICHARD R. WIEBE (SBN 121156)
2 425 California Street, Suite 2025
3 San Francisco, CA 94104
4 Telephone: (415) 433-3200
5 Facsimile: (415) 433-6382

6 THOMAS E. MOORE III (SBN 115107)
7 TOMLINSON ZISKO MOROSOLI & MASER LLP
8 200 Page Mill Road, Second Floor
9 Palo Alto, CA 94306
10 Telephone: (650) 325-8666
11 Facsimile: (650) 324-1808

12 ALLONN E. LEVY (SBN 187251)
13 HS LAW GROUP
14 210 N. Fourth St., Second Floor
15 San Jose, CA 95112
16 Telephone: (408) 295-7034
17 Facsimile: (408) 295-5799

18 ROBIN D. GROSS (SBN 200701)
19 ELECTRONIC FRONTIER FOUNDATION
20 454 Shotwell Street
21 San Francisco CA 94110
22 Telephone: (415) 436-9333
23 Facsimile: (415) 436-9993

24 Attorneys for Defendant ANDREW BUNNER

25 SUPERIOR COURT OF THE STATE OF CALIFORNIA
26 COUNTY OF SANTA CLARA

27 DVD COPY CONTROL ASSOCIATION,
28 INC.,

Plaintiff,

v.

ANDREW THOMAS MCLAUGHLIN;
ANDREW BUNNER; et al.,
Defendants.

Case No. CV - 786804

**DECLARATION OF DEFENDANT
ANDREW BUNNER**

**IN SUPPORT OF HIS
MOTION FOR SUMMARY
JUDGMENT**

1 I, ANDREW BUNNER, declare:

- 2 1. I am one of the defendants in this action.
- 3 2. I had no involvement in or first-hand knowledge of the creation or programming of
- 4 DeCSS or any other DVD descrambling program.
- 5 3. I had no involvement in or first-hand knowledge of whatever reverse engineering or
- 6 technical analysis of CSS may have occurred in connection with the creation of DeCSS
- 7 or any other DVD descrambling program.
- 8 4. I had no involvement in the original publication of DeCSS or any other DVD
- 9 descrambling program on the Internet.
- 10 5. I first learned of DeCSS after CSS had been reverse engineered and after DeCSS had
- 11 been created and published in October 1999 on the Internet.
- 12 6. After the creation and publication on the Internet of DeCSS, I then downloaded a copy of
- 13 DeCSS from an unrestricted, publicly available web site on the Internet and placed it on
- 14 my personal web site.
- 15 7. In December 1999, before being served with the summons and complaint in this action, I
- 16 spoke by telephone by an attorney for plaintiff DVD Copy Control Association, Inc.
- 17 ("DVD CCA"). I immediately removed DeCSS from my web site server during my
- 18 telephone conversation with DVD CCA's attorney. I have not disclosed or distributed
- 19 DeCSS or any other DVD descrambling program since that time and I have obeyed the
- 20 Court's preliminary injunction.

21 I, ANDREW BUNNER, declare under penalty of perjury under the laws of the State of

22 California that the foregoing is true and correct.

23

24 Dated: _____

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Andrew Bunner

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