UNITED STATES DISTRICT COURT FOR THE DISTRICT OF MASSACHUSETTS

AF HOLDINGS, LLC,) Civil Action No. 1:12-cv-12105-JLT
Plaintiff/Counterdefendant, v.)))
SANDIPAN CHOWDHURY,))
Defendant/Counterplaintiff.)))

I, Jason E. Sweet, do hereby swear and say as follows:

I am an attorney at law licensed to practice before the Courts of the State of Massachusetts and
the First Circuit, among others. I am a partner in the law firm of Booth Sweet LLP, attorneys for
Defendant Sandipan Chowdhury ("Chowdhury"). Unless otherwise stated, I have personal
knowledge of the following facts and, if called and sworn as a witness, could and would
competently testify thereto.

I. NOTICE VIA ECF

- 2. On July 10, 2013, Chowdhury filed a Request for Notice of Default. ECF No. 21.
- 3. This Request was served on all parties via the ECF system, including Prenda Law's ("Prenda") local counsel at the time, Daniel Ruggiero ("Ruggiero").
- 4. In addition, Ruggiero has stated "I added firm email addresses onto any ECF notices and pleadings that allowed Prenda and Livewire to know everything going on within the docket of each case." See, Exhibit B ¶13.

II. NOTICE VIA EMAIL

- 5. On August 13, 2013 I emailed Paul Duffy ("Duffy"), Prenda's "sole principal" and AF Holdings' ("AFH") "national counsel", regarding the Request for Notice of Default filed in *Chowdhury* and *Olivas*, and to inquire why bond had not yet been posted in *Chowdhury* per the Court's Order. *See*, *Exhibit G*.
- 6. I sent the email to the following known addresses Duffy had given in pending federal litigation, including this matter.:

- a) paduffy@pduffygroup.com
- b) paduffy@wefightpiracy.com
- c) docket@wefightpiracy.com
- 4. The email sent to Duffy at the address identified in $\P6(a)$ bounced back as undeliverable. *Id.*
- 5. I received an automatic reply to the email sent to Duffy at the address identified in ¶6(b), stating the account was "no longer active."
- 6. I received no confirmation for the email sent to the address identified in $\P6(c)$.
- 7. I sent the email once again, this time to an address provided by Attorney Paul Godfread. The address was one given by Duffy in pending federal litigation in Minnesota—paulduffy2005@gmail.com.
- 8. That evening I received an email from Prenda's former local counsel, Ruggiero, inquiring if I had a valid email address for Duffy as he was unable to contact Duffy or anyone else associated with Prenda. I gave him the one provided by Attorney Godfread.
- 9. On August 14, 2013, I received responses to the address identified in ¶7 wherein Duffy stated:
 - a) "neither I nor any firm I have been associated with is counsel in the matters [Chowdhury and Olivas] you mention"; and
 - b) I "do not accept service of documents by email".
- 10. On September 13, 2013, I once again emailed Duffy at the address identified in ¶7. I notified Duffy of my intention to file a Motion for Default Judgment. I attached copies of the Motion [ECF No. 28] and supporting Memorandum [ECF No. 29] that were filed later that day with the Court.
- 11. That same evening, but after I had filed the Motion and Memorandum I received a response from Duffy stating:
 - a) "I am not counsel in this case."
 - b) "I decline to accept service by email."

c) "I have placed you in my "spam" filter."

III. NOTICE VIA CERTIFIED MAILINGS

- 12. On September 13, 2013, I personally prepared and mailed copies of the Motion for Default Judgment (ECF No. 28), the Memorandum in Support of Default (ECF No. 29), Exhibit A (ECF No. 29-1) and Exhibit B (ECF No. 29-2) to AFH, Prenda, Duffy, John Steele ("Steele"), Paul Hansmeier ("Hansmeier"), and Mark Lutz ("Lutz") via certified mail with a return receipt to the following known addresses:
 - a) AF Holdings LLC, c/o Mark Lutz, 910 West Avenue, #1014, Miami Beach, FL 33139;
 - b) Prenda Law, Inc., c/o Paul Duffy, 161 N. Clark Street, Suite 3200, Chicago, IL 60601;
 - c) John L. Steele, 1111 Lincoln Road, Suite 400, Miami Beach, FL 33139;
 - d) Class Justice PLLC, c/o Paul Hansmeier, 100 South 5th Street, Suite 1900, Minneapolis, MN 55402;
 - e) Class Action Justice Institute PLLC, c/o Paul Hansmeier, 900 IDS Center, 80 South 8th Street, Minneapolis, MN 55402;
 - f) Duffy Law Group LLC, c/o Paul A. Duffy, 2 N. LaSalle Street, 13th Floor, Chicago, IL 60602; and
 - g) Mark Lutz, 2100 M Street Northwest, Suite 170-417, Washington, D.C. 20037.
- 13. A true and correct copy of the respective receipts for the mailing described in paragraph twelve is annexed hereto.
- 14. The address for AFH identified in ¶12(a) was the address given by AFH in this matter.
- 15. The address for Prenda identified in ¶12(b) was the address given by Prenda in its corporate filings with the Illinois Secretary of State.
- 16. The address for Steele identified in ¶12(c) was given as his current mailing address in pending federal litigation, including this matter. It is also the business address on record with the Florida Secretary of State for Prenda.
- 17. The address for Hansmeier identified in ¶12(d) was the address given by Hansmeier in corporate filings with the Minnesota Secretary of State.

- 18. The address for Hansmeier identified in ¶12(e) was the address given by Hansmeier in corporate filings with the Minnesota Secretary of State.
- 19. The address for Duffy identified in ¶12(f) was the address given by Duffy as his current mailing address in pending federal litigation, including this matter.
- 20. The address for Lutz identified in ¶12(g) was the address identified by Steele as his current mailing address in pending federal litigation. It is also the address for LiveWire Holdings.

IV. CONFIRMED DELIVERIES

- 21. I received a return receipt evidencing successful delivery of the mailing to Steele, at 1111 Lincoln Rd., Suite 400, Miami Beach, FL 33139. A copy of the receipt is annexed hereto.
- 22. I received a return receipt evidencing successful delivery of the mailing to Hansmeier, at Class Justice PLLC, c/o Paul Hansmeier, 100 South 5th Street, Suite 1900, Minneapolis, MN 55402. A copy of the receipt is annexed hereto.
- 23. I received a return receipt evidencing successful delivery of the mailing to Duffy, at Duffy Law Group LLC, c/o Paul A. Duffy, 2 N. LaSalle Street, 13th Floor, Chicago, IL 60602. A copy of the receipt is annexed hereto.
- 24. The mailings to the addresses identified for: AFH in ¶12(a); Prenda in ¶12(b); Hansmeier in ¶12 (d); and Lutz in ¶12(g) were all returned unopened to my office.
- 25. Given that Hansmeier, Steele and Duffy each claim to have received only the motion for default judgment (ECF No. 28), I opened the returned mailing addressed to Hansmeier and confirmed copies of the Motion for Default Judgment (ECF No. 28), the Memorandum in Support of Default (ECF No. 29), Exhibit A (ECF No. 29-1) and Exhibit B (ECF No. 29-2) were all included in the mailings.

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I declare under penalty of perjury un	der the laws of the United States of America that the
foregoing is true and correct.	1
Dated: November 22, 2013	Jason E. Sweet
within instrument and acknowledged to me and that by her signature on the instrument t acted, executed the instrument.	to me to be the person whose name is subscribed to the that she executed the same in her authorized capacity, the person or the entity upon behalf of which that person
WITNESS my hand and official seal: Wheelal' My	Commiscion Expises 9/22/2016,



SENDER: COMPLETE THIS SECTION OCUMENT	COMPLETE THIS SECTION ON DELIVERY 42-9 Filed 11/25/13 Page 7 of 24
 Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired. Print your name and address on the reverse so that we can return the card to you. Attach this card to the back of the mailpiece, or on the front if space permits. 	A. Signature Agent Addressee B. Received by (Printed Name) C. Date of pelivery D. Is delivery address different from item 1?
1. Article Addressed to: JOHN STEELE JULI LINEAN RD. SoltE 400 M. AMI BEACH, FL 33139	3. Service Type Certified Mail Express Mall Registered Receipt for Merchandise
3339	☐ Insured Mail ☐ C.O.D.
	4. Restricted Delivery? (Extra Fee) Yes
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SENDER: COMPLETE THIS SECTION DOCUMENT	COMPLETE THIS SECTION ON DELIVERY 42-9 Filed 11/25/13 Page 9 of 24
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13th Floor 1 huage, K 60602	3. Service Type 13-Certified Mail □ Express Mail □ Registered □ Return Receipt for Merchandise □ Insured Mail □ C.O.D.
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See Reverse for Instructions

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PS Form 3800, August 2006

(Endorsement Required)

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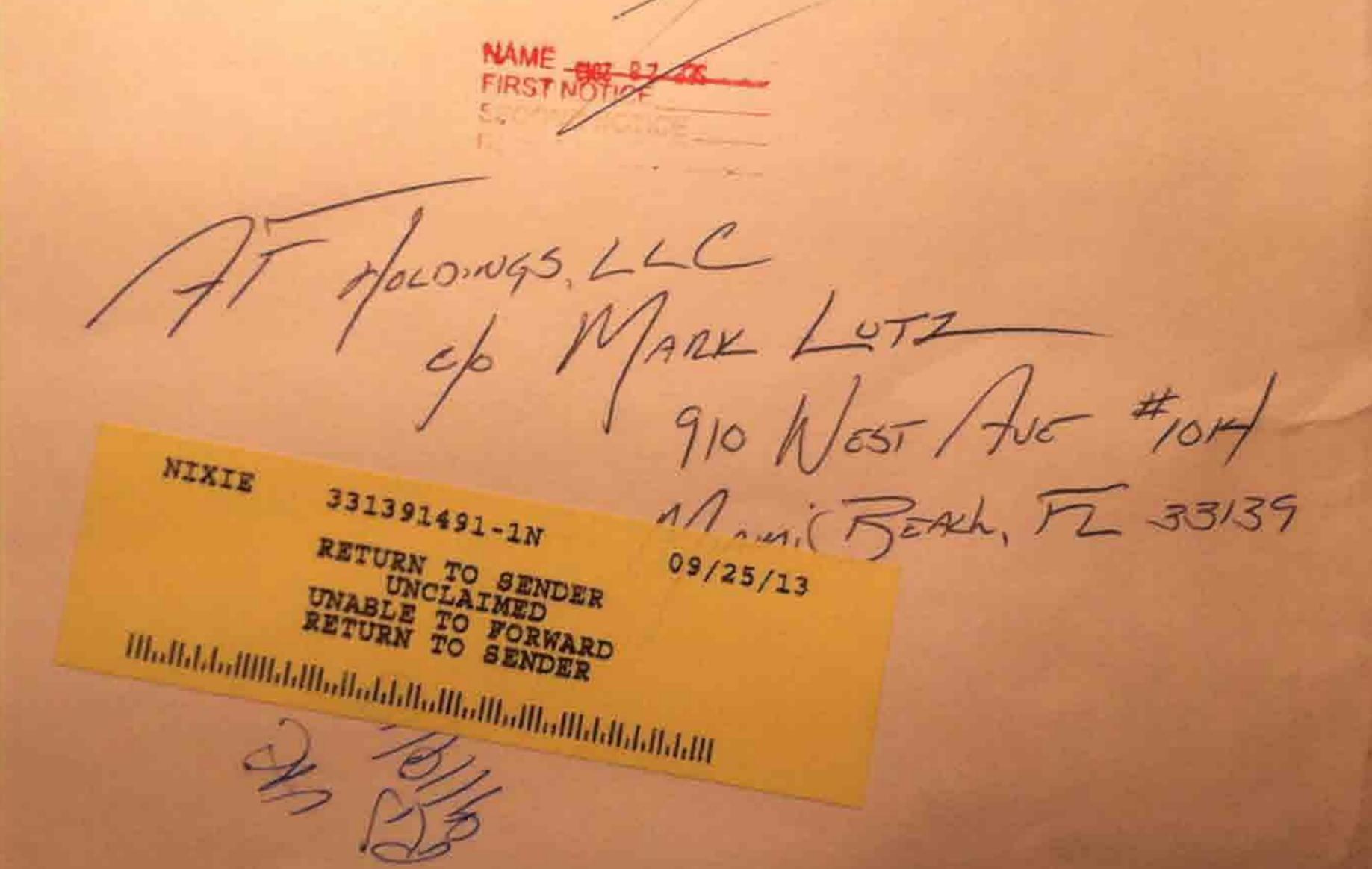


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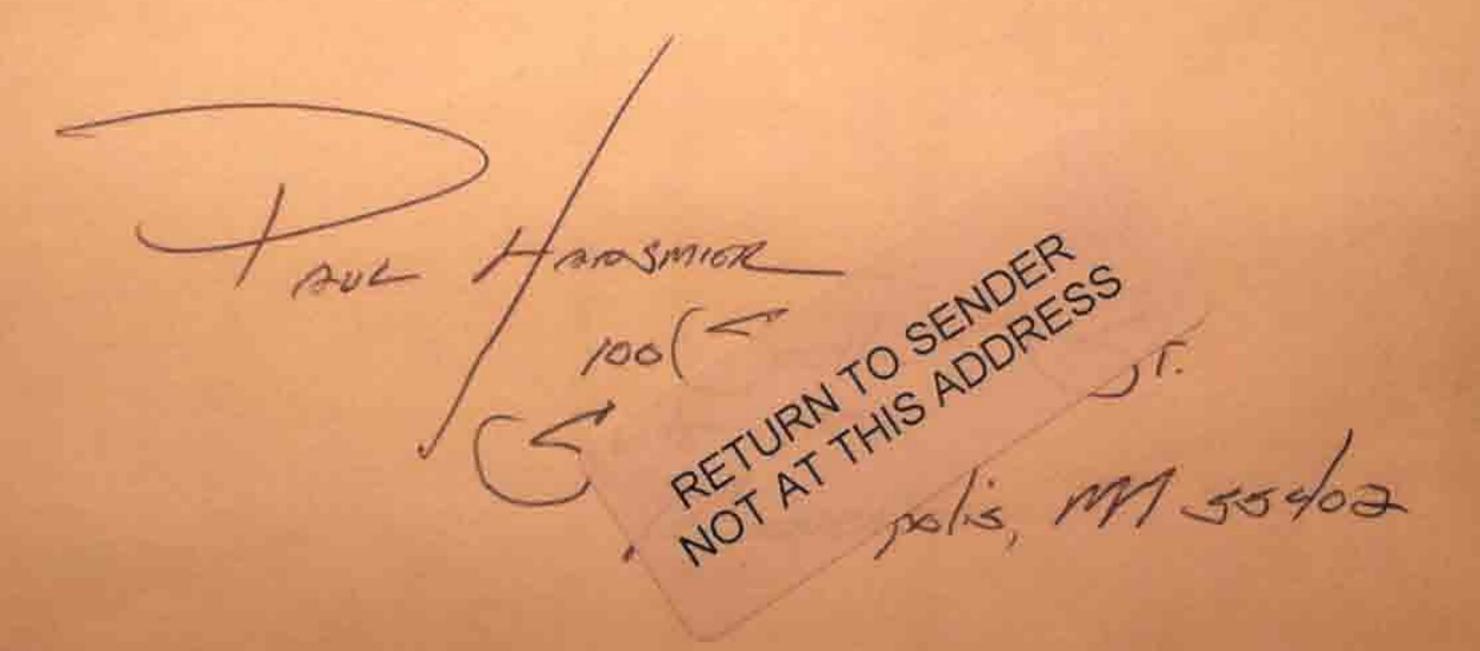
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(Endorsement Required) Restricted Delivery Fee (Endorsement Required)

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09/13/2013

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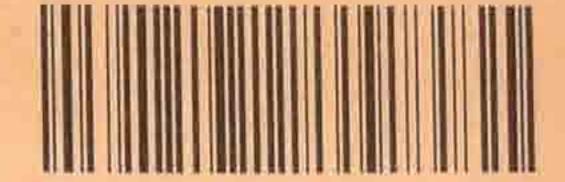
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Washington DC 20037 PS Form 3800, August 2006

See Reverse for Instructions

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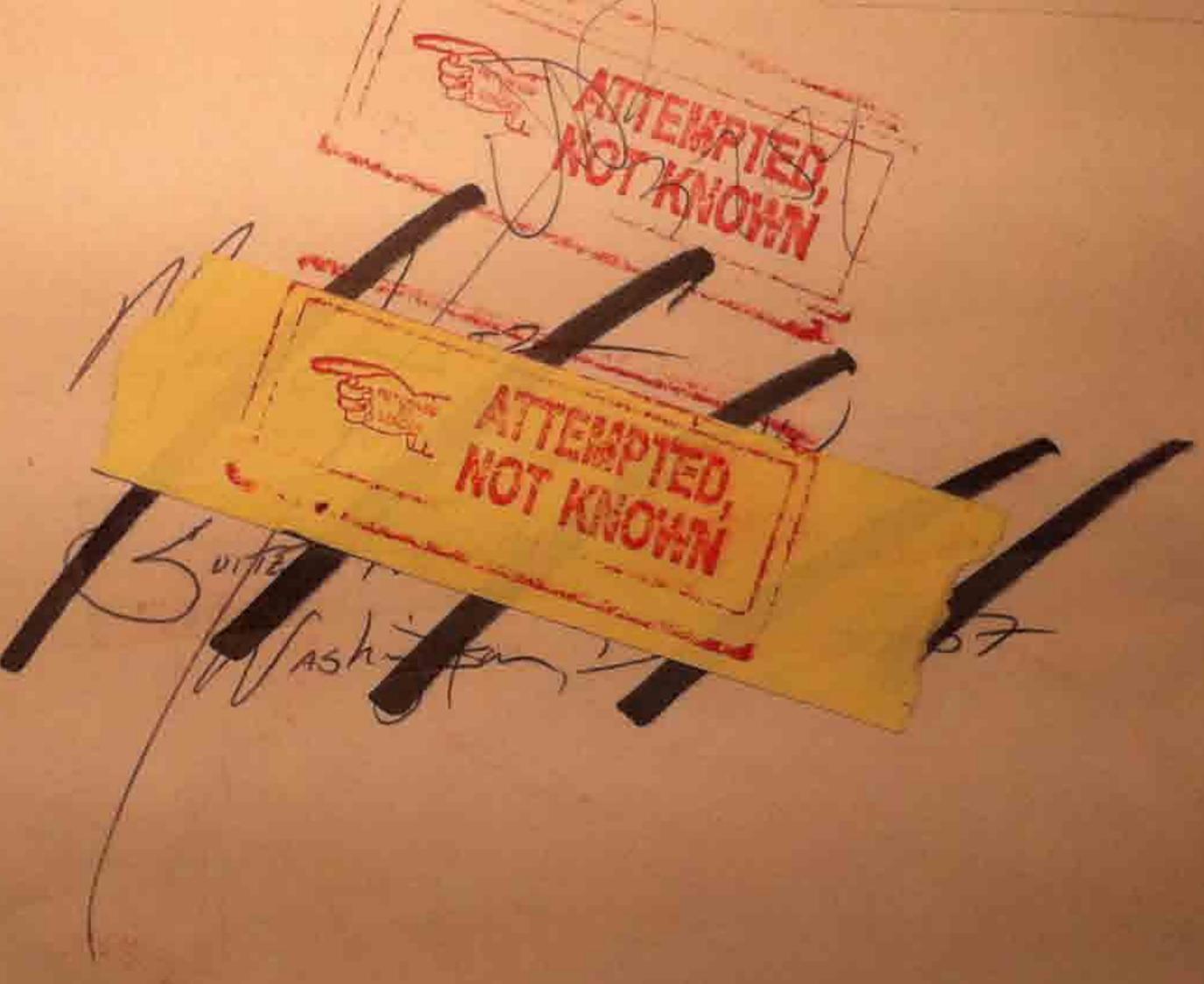




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Document A2-9 Filed 11/25/13
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 @@ For tracking or inquiries go to
 USPS.com or call 1-800-222-1811.
 In a hurry? Self-service kiosks offer quick and easy check-out. Any
 Retail Associate can show you how.
 Order stamps at usps.com/shop or
 call 1-300-Stamp24. Go to usps.com/clicknship to print
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  1-800-A3K-USPS.
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 Get your mail when and where you
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