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10  
11 **IN THE UNITED STATES DISTRICT COURT**  
12 **FOR THE DISTRICT OF ARIZONA**

13 AF HOLDINGS, L.L.C., a St. Kitts and  
14 Nevis limited liability company,

Case No.: 2:12-cv-02144-PHX – GMS

15 Plaintiff,

**NON-PARTIES' REQUEST FOR  
LEAVE TO FILE REPLY TO  
PLAINTIFF'S RESPONSE TO  
ORDER TO SHOW CAUSE**

16 v.

17 DAVID HARRIS,

18 Defendant.

19  
20 Non-parties, who are identified by IP Address Nos. 72.223.91.187,  
21 68.230.120.162, 68.106.45.9, 68.2.87.48, 98.165.107.179 and 68.2.92.187 and targeted  
22 through a subpoena duces tecum issued in connection with this matter, hereby request  
23 leave to file a reply of approximately 4 1/2 pages with four attached exhibits in response  
24 to Plaintiff's Response to Order to Show Cause (Doc. No. 56). On May 29, 2013,  
25 undersigned counsel, inquired from Plaintiff's counsel if he planned on objecting in the  
26 event the non-parties intended on replying to Plaintiff's Response and exhibits thereto.  
27 Plaintiff's counsel has no indicated one way or the other, therefore, non-parties are  
28 requesting leave.

The proposed pleading would focus on discrediting Plaintiff's Response, namely,

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1 John Steele's declaration in three primary ways:

2 (1) GoDaddy.com, LLC records, which were subpoenaed in connection with  
3 the Minnesota state action of *Cooper v. Steele, et al*, rebuts the inferences that Mr.  
4 Steele's affidavit attempts to create, namely, he never used Mr. Cooper's name, and his  
5 involvement was limited to offering to refer Mr. Cooper to Mark Lutz. The records  
6 establish that on November 6, 2010 Mr. Steele set up a GoDaddy account, initially under  
7 his name and business address, but on the same day switched the customer name to Alan  
8 Cooper and a Phoenix address belonging to an individual by the name of Jayme Steele.

9 (2) One of Prenda Law's other principals, Paul Hansmeier, testified on  
10 February 19, 2013, as Plaintiff's Designated 30(b)(6) deponent concerning a number of  
11 particularized topics, including the assignment, Alan Cooper and Plaintiff's ownership  
12 structure and operations. Mr. Hansmeier's deposition testimony directly contradicts Mr.  
13 Steele's declaration that he had limited involvement with Mr. Cooper, Plaintiff and the  
14 assignment.

15 (3) Plaintiff has painted Mr. Cooper's repudiation as motivated by revenge.  
16 However, Mr. Steele is the one who has acted vengeful and is seeking revenge against  
17 Mr. Cooper. Immediately after Mr. Cooper's attorney, Paul Godfread, contacted Mr.  
18 Steele concerning the misappropriated identity, Mr. Steele left threatening voice  
19 messages and text messages for Mr. Cooper.

20 A proposed order granting leave is filed herewith.

21 RESPECTFULLY submitted this 4th day of June, 2013.

22  
23  
24 **KELLY / WARNER, PLLC**

25 By /s/ Paul D. Ticen  
26 Paul D. Ticen  
27 8283 N. Hayden Rd., #229  
28 Scottsdale, Arizona 85258  
Attorney for Non-Party Subpoena Targets

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**CERTIFICATE OF FILING AND SERVICE**

Pursuant to the Case Management/Electronic Case Filing Administrative Policies and Procedures Manual (“CM/ECF Manual”) of the United States District Court for the District of Arizona, I hereby certify that on June 4, 2013, I electronically filed:

**NON-PARTIES' REQUEST FOR LEAVE TO FILE REPLY TO PLAINTIFF'S RESPONSE TO ORDER TO SHOW CAUSE**

with the U.S. District Court clerk’s office using the ECF system, which will send notification of such filing to the assigned Judge and to the following counsel of record:

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