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Electronically FILED by
 Superior Court of California,
 County of Los Angeles
 10/24/2023 6:22 PM
 David W. Slayton,
 Executive Officer/Clerk of Court,
 By K. Hung, Deputy Clerk

Attorneys for Plaintiff, WILLIAM JAMES MITCHELL

SUPERIOR COURT OF THE STATE OF CALIFORNIA
COUNTY OF LOS ANGELES, CENTRAL DISTRICT

WILLIAM JAMES MITCHELL,
 Plaintiff,
 v.
 TWIN GALAXIES, LLC,
 Defendants.

Case No. 19STCV12592
 [Hon. Hon. Wendy Chang, Department 36]

**COMPENDIUM OF EVIDENCE IN
 SUPPORT OF PLAINTIFF'S MOTION
 TO DISQUALIFY DAVID A.
 TASHROUDIAN AND THE
 TASHROUDIAN LAW GROUP, APC**

*[Filed concurrently with Notice of Motion and
 Plaintiff's Motion to Disqualify; Declaration
 of Anthony J. Ellrod]*

Date: November 17, 2023
 Time: 8:30 a.m.
 Place: Dept. 36

Reservation No.: 298026945777

Action Filed: 04/11/2019
 Trial Date: 01/26/2023

TO THE HONORABLE COURT, ALL PARTIES AND THEIR COUNSEL OF RECORD:

Plaintiff WILLIAM JAMES MITCHELL ("Plaintiff") hereby submit the following
 compendium of exhibits in support of his Motion to Disqualify:

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Exhibit A	Declaration of Jerry Byrum;
Exhibit B	Declaration of William Mitchell;
Exhibit C	Declaration of Isaiah Johnson;
Exhibit D	A true and correct copy of relevant portions of Deposition of Walter Day;
Exhibit E	Declaration of Robert Cohen, Esq.;
Exhibit F	A true and correct copy of relevant portions of Deposition of Jerry Byrum;
Exhibit G	A true and correct copy of email correspondence between Plaintiff and Defendant's counsels regarding deposition dissemination;
Exhibit H	A true and correct copy of relevant portions of deposition of Robert Mruczek;
Exhibit I	A true and correct copy of relevant portions of Requests for Production of Documents, Set One, to Defendant;
Exhibit J	A true and correct copy of relevant portions of Defendant's Responses to Requests for Production of Documents, Set One;
Exhibit K	A true and correct copy of documents produced by Defendant and bates stamped as TG5846 and TG5852;
Exhibit L	A true and correct copy of relevant portions of YouTube video posted by Karl Jobst on July 31, 2023 submitted on a flash drive;
Exhibit M	A true and correct copy of relevant portions of Requests for Production of Documents, Set Three, to Defendant;
Exhibit N	A true and correct copy of relevant portions of Defendant's Further Responses to Requests for Production of Documents, Set Three;
Exhibit O	A true and correct copy of relevant portions of Special Interrogatories, Set Five;
Exhibit P	A true and correct copy of relevant portions of Defendant's Responses to Special Interrogatories, Set Five;

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- 1 Exhibit Q A true and correct copy of email correspondence between Plaintiff and
 2 Defendant's counsels regarding the subpoena for records from Florida
 3 Association of Mortgage Broker's convention;
 4 Exhibit R A true and correct copy of declarations Defendant submitted in support of
 5 Anti-Slapp;
 6 Exhibit S A true and correct copy of email correspondence between Plaintiff and
 7 Defendant's counsels dated July 11, 2023 regarding an IDC meet and
 8 confer;
 9 Exhibit T A true and correct copy of email correspondence between Plaintiff and
 10 Defendant's counsels dated April 12, 2023 regarding mediation.
 11 Exhibit U A true and correct copy of an article from perfectpacman.com printed on
 12 October 11, 2023 by Anthony J. Ellrod.
 13 Exhibit V A true and correct copy a screenshot taken by Anthony J. Ellrod of the face
 14 page of the Reply of David A. Tashroudian linked on perfectpacman.com.
 15

16 DATED: October 24, 2023

**MANNING & KASS
 ELLROD, RAMIREZ, TRESTER LLP**

17
 18
 19 By: 

Anthony J. Ellrod
 Kristina Ross
 Attorneys for Plaintiff
 WILLIAM JAMES MITCHELL

EXHIBIT A

1 Anthony J. Ellrod (State Bar No. 136574)
anthony.ellrod@manningkass.com

2 Kristina Ross (State Bar No. 325440)
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3 **MANNING & KASS**
4 **ELLROD, RAMIREZ, TRESTER LLP**

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6 Attorneys for Plaintiff, WILLIAM JAMES
7 MITCHELL

8
9 **SUPERIOR COURT OF THE STATE OF CALIFORNIA**
10 **COUNTY OF LOS ANGELES, CENTRAL DISTRICT**

11 WILLIAM JAMES MITCHELL,
12
13 Plaintiff,

14 v.

15 TWIN GALAXIES, LLC,
16 Defendants.

Case No. 19STCV12592
The Honorable Wendy Chang, Dept. 36

**DECLARATION OF JERRY LEE
BYRUM**

Action Filed: 4-11-2019

17 I, Jerry Lee Byrum, declare as follows:

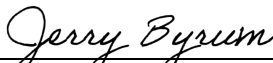
18 1. I am an individual of the age of majority. The facts declared herein are known to
19 me personally to be true, and if called to testify to these facts, I could and would do so
20 competently.

21 2. Attached to this declaration as **EXHIBIT 1** is a true and correct copy of my text
22 message communications with David Tashroudian, Esq. I recognize these text messages as having
23 been sent and received by me. The text messages on the right with the blue background and white
24 font were sent by me. The screenshots and text messages on the left with the grey background and
25 white font were sent by Mr. Tashroudian.

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I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct. Executed on this 6th day of October, 2023, in Ottumwa, Iowa.



Jerry Lee Byrum

EXHIBIT 1

9:38

LTE

◀ Clock

< 76



+1 (626) 252-0778 >

Thursday 9:44 PM

Hey Jerry — David the snake here.
Billy is saying you have the plaques
now. Is that true?

9:44 PM

Isn't it time someone stood up for the
truth?

9:45 PM

And you really think I am going to
believe TriForce found the plaques in
your arcade

9:46 PM

Does Billy really believe a jury will
believe that?

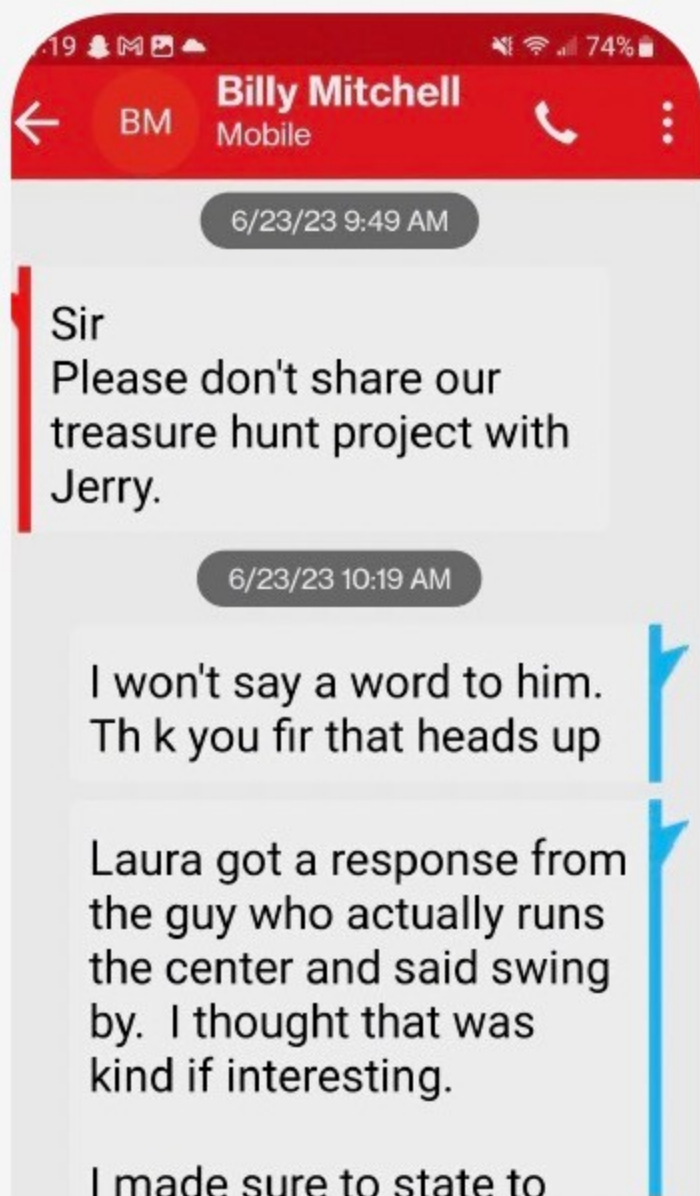
9:46 PM

This conspiracy is going to destroy
your organization because no one will
believe anything that you or anyone
from the IVGHOF says

9:46 PM

You have lost all of your credibility sir,
its a shame

9:47 PM



9:49 PM



iMessage



9:38

LTE

◀ Clock

< 76



+1 (626) 252-0778 >

Maybe Billy is lying to you too about the "Treasure Hunt"

9:49 PM

Ever thought about that?

9:49 PM

Yesterday 5:11 PM

Have you decided to tell the truth yet?

5:11 PM

I got a tell ya, you're an idiot. I've never seen any attorney, harass people with unethical practices in my life like you do.

5:24 PM

Nothing unethical here

5:24 PM

What's unethical are the lies

5:25 PM

You know billy is claiming triform found the plaques in your arcade

5:25 PM

Did he tell you that? And that you have them now.

5:25 PM

Keep going, keep digging a hole deeper. It won't look good for you in court.

5:26 PM

How much money do we have to spend to get the truth? I was hoping you'd come around. I really feel bad for John Grunwald

5:26 PM



iMessage





+1 (626) 252-0778 >

Let's see. I'm doing my job to uncover the trith

5:26 PM

John is an honest man

5:28 PM

Are you?

5:28 PM

Jacob Pilkington 7:06 AM
To: David Cc: Scott >

**RE: Bridge View Center CCTV
[Mitchell v. Twin Galaxies]**

David, everything that is requested for June 23rd is saved onto a separate storage device. In total it's around 140gb of video for the whole day of June 23rd in the highlighted requested areas. What is the best way to get this footage to you?

Jacob Pilkington

Operations Manager, Bridge View Center
C: 217-219-3930 | O: 641-684-7000 x 224
jacob@bridgeviewcenter.com



Bridge View Center
Delivering *Outstanding* Experiences

Proudly Powered by [VenuWorks](#)

[See More](#)



5:47 PM

What do you think I'll find?

5:47 PM

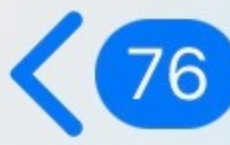
You're another obsessed, Billy, Mitchell stocker, you really need to

5:48 PM



iMessage





+1 (626) 252-0778 >

I'm a lawyer proving my defense

5:48 PM

I wish he would stop

5:48 PM

Is there anything you want to tell me about what I'll find?

5:48 PM

Are you are a stalker beyond belief, and you are harassing me on evenings and weekends and this is the last opportunity you get to stop or I will do it legally

5:49 PM

I'm seeking information from a key witness. I was hoping your morals would kick in sometime. I'm still hopeful. Have a good evening sir. I'll see you soon.

5:49 PM

You have zero grounds to do so, zero! Stop harassing me, and whoever else, you're probably harassing, read a book on character in ethics because he's an attorney, you're supposed to have both

5:51 PM

I hope you'll tell me the truth next time you're asked.

6:00 PM

Stalker!

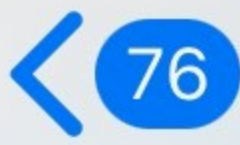
6:01 PM

Only stalking the truth. Please help



iMessage





+1 (626) 252-0778 >

Stop harassing me, and whoever else, you're probably harassing, read a book on character in ethics because he's an attorney, you're supposed to have both

5:51 PM

I hope you'll tell me the truth next time you're asked.

6:00 PM

Stalker!

6:01 PM

Only stalking the truth. Please help me. I implore you

6:01 PM

You're an obsessed stalker, I suggest you seek help

6:03 PM

Delivered

Help me please. It'll be lots of good karma for you.

6:05 PM

I'm here if you change your mind. I'm not mad at you.

6:05 PM

Tell me. Did triforme find the plaques in your arcade? Did he mail them back to you from Fort Lauderdale on June 26? Do you have them now?



6:06 PM

That's Billy's story. Don't let him use you like he did John

6:07 PM



iMessage





+1 (626) 252-0778 >

I'm here if you change your mind. I'm not mad at you.

6:05 PM

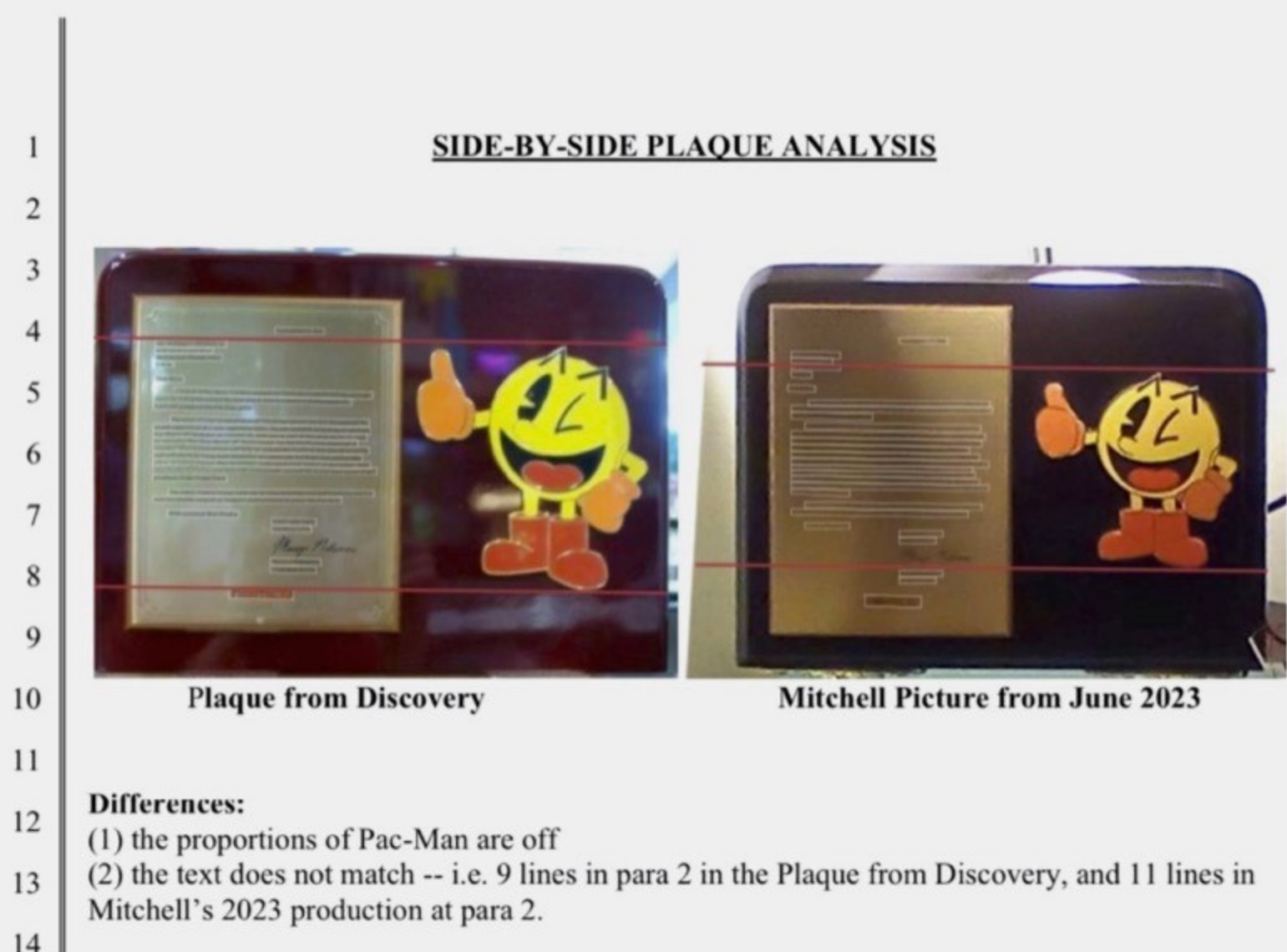
Tell me. Did triforme find the plaques in your arcade? Did he mail them back to you from Fort Lauderdale on June 26? Do you have them now?

6:06 PM

That's Billy's story. Don't let him use you like he did John

6:07 PM

Today 4:10 PM



4:10 PM

I know the plaque is fake.

4:11 PM

I have subpoenaed the plaque from you. You have it. Will you produce it?

4:15 PM

Submitting false evidence and concealing evidence is a crime in California.

4:16 PM



iMessage






concealing evidence is a crime in California.

4:16 PM

ot' **Keyword(s):** **Search**

[Up^](#) [<< Previous](#) [Next >>](#) [cross-reference](#)
[chapered bills](#) [PDF](#) | [Add To My Favorites](#) 

Search Phrase: **Highlight**

PENAL CODE - PEN

PART 1. OF CRIMES AND PUNISHMENTS [25 - 680.4] (
Part 1 enacted 1872.)

TITLE 7. OF CRIMES AGAINST PUBLIC JUSTICE [92 -
186.36] (Title 7 enacted 1872.)

CHAPTER 6. Falsifying Evidence, and Bribing, Influencing,
Intimidating or Threatening Witnesses [132 - 141] (Heading
of Chapter 6 amended by Stats. 1985, Ch. 962, Sec. 2.)

135. A person who, knowing that any book,
paper, record, instrument in writing, digital
image, video recording owned by another, or
other matter or thing, is about to be produced
in evidence upon a trial, inquiry, or
investigation, authorized by law, willfully
destroys, erases, or conceals the same, with



4:16 PM

4:16 PM

I am an ethical person and am not threatening you with prosecution. I just hope that knowing this will compel you to do the right thing and comply with the subpoena in the interests of Justice

4:22 PM



iMessage





+1 (626) 252-0778 >

I am an ethical person and am not threatening you with prosecution. I just hope that knowing this will compel you to do the right thing and comply with the subpoena in the interests of Justice

4:22 PM

Thursday 6:31 PM



2 - Decl of DAT re Twin Galaxies.pdf

PDF Document · 996 KB

6:31 PM



1 - Compendium of Evidence re Twin Galaxies reduced...

PDF Document · 8.3 MB



6:31 PM



6 - Motion to Compel re Twin Galaxies.pdf

PDF Document · 616 KB

6:31 PM



4 - Decl of Gabler re Twin Galaxies.pdf

PDF Document · 50.8 MB



6:32 PM

Jerry - I know you and I have butt heads in the past but I am only looking for the truth. Please help me find the truth.

6:32 PM



iMessage



EXHIBIT B

DECLARATION OF WILLIAM MITCHELL

I, William Mitchell, declare that:

1. I am an adult over the age of 18. The following is true and if called upon to do so, I could and would competently testify to the following from my personal knowledge.

2. Copies of the transcripts of the depositions of at least five witnesses in this action – Josh Ryan, Valerie Saunders, Jerry Byrum, Brian Cady, John Grunwald, and Steve Wiebe – have been disseminated to third parties as I have personally viewed them posted online. Portions those transcripts were posted on YouTube by Karl Jobst, the same individual to whom Mr. Tashroudian admits he sent the video of the deposition of the plaintiff. (Exh. “G” to Motion to Disqualify.) The dissemination of at least three of these third party witness deposition transcripts necessarily occurred after Mr. Tashroudian was notified that such actions violate the provisions of the California Government Code and Code of Civil Procedure, given that those depositions took place after July 14, 2023, the date he was notified of the applicable law and his violation of same with respect to the dissemination of the Mitchell transcript. (Exh. “G” to Motion to Disqualify.)

3. I have spoken to Robert Childs and his counsel who have informed me that Mr. Childs, a Florida resident, refuses to voluntarily sit for deposition for fear that the deposition will be plastered all over the internet and he will be harassed, humiliated and shamed.

4. Defendant has made awards Plaintiff received from NAMCO an issue in this case. It is believed that Mr. Byrum is currently in possession of those awards. Earlier in this litigation Mr. Byrum was relatively cooperative. However, while I was able to get Mr. Byrum to sign his declaration and send me the text string with Mr. Tashroudian, he is no longer cooperative and wants nothing to do with the litigation. Attached to the Motion to Disqualify as Exhibit “A” is the Declaration of Jerry Byrum along with a true and correct copy of the text string between him and Mr. Tashroudian.

5. Attached as Exh. “C” to the Motion to Disqualify is the declaration of independent third party witness Isaiah “TriForce” Johnson, which includes an email string between Mr. Tashroudian and Mr. Johnson. Mr. Johnson is Rastafarian and lives in Jamaica. Mr. Johnson has informed me that he will not voluntarily sit for deposition in this case because he believes that if he

1 does Mr. Tashroudian will provide the transcript and video to individuals who will post it online
2 and subject him to online attacks and harassment.

3 6. Attached to the Motion to Disqualify as Exhibit “D” are true and correct excerpts
4 from the deposition of Walter Day.

5 7. Attached Motion to Disqualify as Exhibit “F” are true and correct excerpts from the
6 deposition of Jerry Byrum.

7 8. I have reviewed all of the documents produced by Defendant in this action. No
8 documents were produced by Defendant relating to the Florida Association of Mortgage Brokers’
9 convention on July 14, 2007 in response to Plaintiff’s requests for production of documents prior
10 to April 3, 2023, when defendant produced TG 5845 and 5852-5853. True and correct copies of
11 TG 5845 and 5852-5853 are attached to the Motion to Disqualify as Exhibit “K”.

12 9. Attached Motion to Disqualify as Exhibit “L” is a true and correct copy of portions
13 of the YouTube posting by Karl Jobst at <https://youtu.be/9umbsmrFk08?t=51>.

14 10. I have reviewed all of the documents produced by Defendant in this action. In
15 response to the request to produce communications with Karl Jobst, Defendant disclosed only two
16 emails between itself and Jobst. These two emails were from 2019 and are irrelevant to both of
17 Mitchell’s lawsuits against Twin Galaxies and Jobst.

18 11. I have reviewed all of the documents produced by Defendant in this action. In
19 response to the requests to produce communications with Carlos Pineiro, Steven Kleisath, Robert
20 Mruczek, Chris Gleed, and Dwayne Richard, no communications between Mr. Tashroudian and
21 these individuals were produced.

22 12. Attached hereto as Exhibit “1” are copies of communications between Jace Hall of
23 Twin Galaxies and Paul Dean that were provided to me by Mr. Dean.

24 13. Attached hereto as Exhibit “2” are copies of communications between Jace Hall of
25 Twin Galaxies and Steve Harris that were provided to me by Mr. Harris.

1 I declare under penalty of perjury under the laws of the State of California that the foregoing is true
2 and correct and that this declaration was executed on October 5, 2023 in Seattle, Washington.

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4 William Mitchell

5 William Mitchell - Declarant
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EXHIBIT C

1 Anthony J. Ellrod (State Bar No. 136574)
anthony.ellrod@manningkass.com

2 Kristina Ross (State Bar No. 325440)
kristina.ross@manningkass.com

3 **MANNING & KASS**
4 **ELLROD, RAMIREZ, TRESTER LLP**

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Los Angeles, California 90017-3012
Telephone: (213) 624-6900
Facsimile: (213) 624-6999

6 Attorneys for Plaintiff, WILLIAM JAMES
7 MITCHELL

8
9 **SUPERIOR COURT OF THE STATE OF CALIFORNIA**
10 **COUNTY OF LOS ANGELES, CENTRAL DISTRICT**

11 WILLIAM JAMES MITCHELL,
12
13 Plaintiff,

14 v.

15 TWIN GALAXIES, LLC,
16 Defendants.

Case No. 19STCV12592
The Honorable Wendy Chang, Dept. 36

**DECLARATION OF ISAIAH TRIFORCE
JOHNSON**

Action Filed: 4-11-2019

17 I, Isaiah TriForce Johnson, declare as follows:

18 1. I am an individual of the age of majority. The facts declared herein are known to
19 me personally to be true, and if called to testify to these facts, I could and would do so
20 competently.

21 2. Attached to this declaration as **EXHIBIT 1** is a true and correct copy of my email
22 correspondence with David Tashroudian, Esq. I recognize these emails as having been sent and
23 received by me. I recognize the emails originating from emptriforcegm@gmail.com as having
24 been sent by myself. I recognize the emails originating from david@tashlawgroup.com as having
25 been received from Mr. Tashroudian.

26 3. In this correspondence, Tashroudian made several unsolicited, questionable
27 comments on my culture's religion, Rastafarianism, which is a religion in Jamaica that focuses
28

1 attention on the African diaspora and believes it to be oppressed by Western society, or
2 “Babylon.” On July 27, 2023, at 9:11PM PST, Mr. Tashroudian said, “Emancipate my mind from
3 mental slavery.”

4 4. On July 31, 2023, at 8:20AM PST, Mr. Tashroudian emailed me asking, “are you
5 willing to sit for deposition?” I did not reply to this email, because only three days prior on July
6 28, 2023, Karl Jobst published a YouTube video in which he falsely calls me a “liar and fraudster”
7 in a “con artist clique.” I believe that Mr. Jobst sourced this false narrative from Mr. Tashroudian
8 and materials provided to him by Mr. Tashroudian. On September 10, 2023, Mr. Tashroudian
9 again emailed me asking me to sit for a deposition. I decline to sit for deposition in this litigation
10 to preclude myself from receiving online attacks and harassment.

11
12 I declare under penalty of perjury under the laws of the State of California that the foregoing is
13 true and correct. Executed on this 6th day of October, 2023, in Kingston, Jamaica.

14
15 *Isaiah TriForce Johnson*

16 Isaiah TriForce Johnson
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EXHIBIT 1



EmpireArcadia <emptriforcegm@gmail.com>

Re: Billy Mitchell

David Tashroudian <david@tashlawgroup.com>
To: EmpireArcadia <emptriforcegm@gmail.com>

Thu, Jul 27, 2023 at 12:14 PM

The bottom is falling out. Are you willing to tell me the truth yet sir?



David A. Tashroudian, Esq.
TASH LAW GROUP
12400 Ventura Blvd., Suite 300
Studio City, California 91604
(818) 561-7381

The contents of this message, together with any attachments, are intended only for the use of the individual or entity to which they are addressed and may contain information that is legally privileged, confidential and exempt from disclosure. If you have received this message in error, please notify the original sender immediately by telephone or by return e-mail and delete this message, along with any attachments, from your computer. Thank you.

On Sun, Jul 23, 2023 at 1:28 PM David Tashroudian <david@tashlawgroup.com> wrote:
????

Sent from my iPhone

On Jul 22, 2023, at 7:29 PM, David Tashroudian <david@tashlawgroup.com> wrote:

The fake plaques are not the truth. You and I both know this.

The story about you finding the plaques in Jerry's arcade is not the truth. You and I both know this.

The story about you mailing the plaques back to Jerry from the Fort Lauderdale airport is also not the truth.

Are you willing to send me the pictures you took on your iPad of the awards in the conference room at the Bridge View Center with a John Grunwald? That will be the truth.

Let me know which side of this you stand on.

Sent from my iPhone

On Jul 22, 2023, at 7:16 PM, EmpireArcadia <emptriforcegm@gmail.com> wrote:

Those men wouldn't support fraud and neither do I. I do not know who you are and why you would send me these emails, but I do not defend Billy because he's my friend. I defend the truth and he just so happens to be on the side of truth. Do not mistake this as me having some form of idolatry for him, that is not the case. I just know the truth because I'm involved in it deeply and for my own reasons. I see wrong being done to him and Walter and I will not stand by and do nothing. I have a ton of things waiting in the light. When the time comes, I will reveal all, and those who are against Billy will, unfortunately, suffer the wrath of the truth.


Isaiah TriForce Johnson

Founder & CEO | Empire Arcadia
International Video Game Hall of Fame eSports Inductee
Ghana International eSports Ambassador
Architect & Consultant

 emp.triforce.gm

 emptriforcegm@gmail.com

 [New York, United States | Kingston, Jamaica](#)

 +1 (216) 210-0192



Empire Arcadia (otherwise known as "The Empire" or "EMP") is a diverse and versatile eSports brand team. The organization helps to develop the Digital Culture, Community and Industry of gaming. Utilizing its 20 years of experience in the Competitive Gaming Industry also known as eSports, EMP helps integrate technology and entertainment to further revolutionize the 40 plus years of the eSports scene that was founded by Walter Day, the creator of Twin Galaxies.

Founded in 1984 as a community and Established in 2002 as a organized eSports team, Empire Arcadia was awarded and certified by Guinness World Record in 2012 for the "[Most Documented Tournament Wins for a Gaming Team](#)". As the world's most winning eSports team, Empire Arcadia is committed in using its Dynastic eSports brand in furthering the development of markets for Fashion, Art, Media, Technology, Competition, Music, Health and, Education in gaming. The brand now pivots its focus to the underrepresented, underdeveloped regions and groups in the world, throughout the eSports industry.

On Sat, Jul 22, 2023 at 9:04 PM David Tashroudian <david@tashlawgroup.com> wrote:

I really don't think great men like Haile Sellasie or Marcus Garvey would support fraud. These great men, and all great men, stand up for the truth. After all, every day the bucket goes to the well, one day the bottom will fall out.

Sent from my iPhone

On Jul 22, 2023, at 6:57 PM, David Tashroudian
<david@tashlawgroup.com> wrote:

Praise be to the most high.

Tell me what there is more to this. Let's resolve this matter. Hit me up. I'd like to know. We can do a Zoom call.

David

Sent from my iPhone

On Jul 22, 2023, at 5:01 PM, EmpireArcadia
<emptriforcegm@gmail.com> wrote:

I'm the original Rasta, YAH's Israelite. Am that is why I'm helping Billy. He is in the right and there is more to this than you think. Forces of evil seek to rewrite history for their gain and not the people who wrote it.

I do not have a phone for I do not follow the ways of Babylon, which is why I left it to come live in Jamaica.

"And I heard another voice from heaven, saying, Come out of her, my people, that ye be not partakers of her sins, and that ye receive not of her plagues."

All Praise be to YAH the most high.

On Sat, 22 Jul 2023 at 5:21 PM David Tashroudian
<david@tashlawgroup.com> wrote:

Hi TriForce — I am writing to you because I am hoping that you will tell me the truth. Are you willing to talk? Off the record if you want.

Billy's Babylon throne is being held up with lies. You know it. And you know the the rasta way. We will win with rasta and there will be no more war. Billy will always have to fight again.

Call me anytime. 626.252.0778

David

Sent from my iPhone

--

Isaiah TriForce Johnson

Founder & CEO | Empire Arcadia

International Video Game Hall of Fame eSports Inductee


Ghana International eSports Ambassador

Architect & Consultant

 emp.triforce.gm

 emptriforcegm@gmail.com

 New York, United States | Kingston, Jamaica

 +1 (216) 210-0192





Empire Arcadia (otherwise known as "The Empire" or "EMP") is a diverse and versatile eSports brand team. The organization helps to develop the Digital Culture, Community and Industry of gaming. Utilizing its 20 years of experience in the Competitive Gaming Industry also known as eSports, EMP helps integrate technology and entertainment to further revolutionize the 40 plus years of the eSports scene that was founded by Walter Day, the creator of Twin Galaxies.

Founded in 1984 as a community and Established in 2002 as a organized eSports team, Empire Arcadia was awarded and certified by Guinness World Record in 2012 for the "[Most Documented Tournament Wins for a Gaming Team](#)". As the world's most winning eSports team, Empire Arcadia is committed in using its Dynastic eSports brand in furthering the development of markets for Fashion, Art, Media, Technology, Competition, Music, Health and, Education in gaming. The brand now pivots its focus to the underrepresented, underdeveloped regions and groups in the world, throughout the eSports industry.



EmpireArcadia <emptriforcegm@gmail.com>

Re: Billy Mitchell

David Tashroudian <david@tashlawgroup.com>
To: EmpireArcadia <emptriforcegm@gmail.com>

Thu, Jul 27, 2023 at 2:07 PM

Babylon throne gone down, gone down...



David A. Tashroudian, Esq.
TASH LAW GROUP
12400 Ventura Blvd., Suite 300
Studio City, California 91604
(818) 561-7381

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[Quoted text hidden]



EmpireArcadia <emptriforcegm@gmail.com>

Re: Billy Mitchell

David Tashroudian <david@tashlawgroup.com>
To: EmpireArcadia <emptriforcegm@gmail.com>

Thu, Jul 27, 2023 at 11:11 PM

Tell me so I know. That's all I ask. Emancipate my mind from mental slavery.

Sent from my iPhone

On Jul 27, 2023, at 8:56 PM, EmpireArcadia <emptriforcegm@gmail.com> wrote:

Looks like the bottom is solid to me. Keep digging though. You'll come to realize that what you think is a lie is the truth. I already told you. "I have a ton of things waiting in the light. When the time comes, I will reveal all, and those who are against Billy will, unfortunately, suffer the wrath of the truth. "

Isaiah TriForce Johnson

Founder & CEO | Empire Arcadia
International Video Game Hall of Fame eSports Inductee
Ghana International eSports Ambassador
Architect & Consultant

emp.triforce.gmemptriforcegm@gmail.com[New York, United States | Kingston, Jamaica](#)[+1 \(216\) 210-0192](#)

Empire Arcadia (otherwise known as "The Empire" or "EMP") is a diverse and versatile eSports brand team. The organization helps to develop the Digital Culture, Community and Industry of gaming. Utilizing its 20 years of experience in the Competitive Gaming Industry also known as eSports, EMP helps integrate technology and entertainment to further revolutionize the 40 plus years of the eSports scene that was founded by Walter Day, the creator of Twin Galaxies.

Founded in 1984 as a community and Established in 2002 as a organized eSports team, Empire Arcadia was awarded and certified by Guinness World Record in 2012 for the "Most Documented Tournament Wins for a Gaming Team". As the world's most winning eSports team, Empire Arcadia is committed in using its Dynastic eSports brand in furthering the development of markets for Fashion, Art, Media, Technology, Competition, Music, Health and, Education in gaming. The brand now pivots its focus to the underrepresented, underdeveloped regions and groups in the world, throughout the eSports industry.

On Thu, Jul 27, 2023 at 12:14 PM David Tashroudian <david@tashlawgroup.com> wrote:

The bottom is falling out. Are you willing to tell me the truth yet sir?

[Quoted text hidden]

[Quoted text hidden]



EmpireArcadia <emptriforcegm@gmail.com>

Re: Billy Mitchell

David Tashroudian <david@tashlawgroup.com>
To: EmpireArcadia <emptriforcegm@gmail.com>

Wed, Aug 9, 2023 at 5:21 PM

Are you ready to tell me the truth?

David A. Tashroudian, Esq.
TASH LAW GROUP
12400 Ventura Blvd., Suite 300
Studio City, California 91604
(818) 561-7381

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[Quoted text hidden]

EXHIBIT D

SUPERIOR COURT OF THE STATE OF CALIFORNIA
COUNTY OF LOS ANGELES

WILLIAM JAMES MITCHELL,

Plaintiff,

vs.

CASE NO. 19STCV12592

TWIN GALAXIES, LLC; and Does 1-10,

Defendants.

AND RELATED CROSS-ACTIONS.

CONFIDENTIAL VIDEOTAPED DEPOSITION OF WALTER DAY

APPEARING REMOTELY

VOLUME I

JUNE 26, 2021

8:04 a.m.

REPORTED STENOGRAPHICALLY BY:

Deborah L. Heskett

CSR No. 11797

APPEARING FROM SAN BERNARDINO COUNTY, CALIFORNIA

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[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED].

MR. COHEN: That's sounds to me like a
communication.

MR. TASHROUDIAN: It does not sound like a
communication.

MR. COHEN: Well, it does to me. I'm
instructing him not to answer.

BY MR. TASHROUDIAN:

Q Do you recall what the award looked like,
Mr. Day?

MR. COHEN: Same objection.

BY MR. TASHROUDIAN:

Q What's the big secret here, Mr. Day?

MR. COHEN: Same objection.

MR. TASHROUDIAN: What's the big secret, Rob?

MR. COHEN: Same objection.

BY MR. TASHROUDIAN:

Q What are you guys hiding? What are you hiding,
Mr. Day?

MR. COHEN: Same objection.

1 MR. ELLROD: Are you serious, David?

2 MR. TASHROUDIAN: Yes.

3 MR. ELLROD: I call that kind of harassing. I
4 call it a little bit argumentative. And I call it
5 entirely improper.

6 BY MR. TASHROUDIAN:

7 Q What did the award that Mr. Mitchell showed you
8 last week look like, Mr. Day?

9 MR. COHEN: Same objection. Let's not do this
10 anymore 'cause it's getting harassing, so that's the end
11 of that.

12 BY MR. TASHROUDIAN:

13 Q All right. I just want to make sure, though,
14 Mr. Mitchell sent you an award last week that's
15 different from --

16 MR. COHEN: Okay. You know what, this is
17 getting too much. It's really -- you're moving into
18 harassing territory and I won't allow it.

19 MR. TASHROUDIAN: Just let me finish the last
20 question and we will be done.

21 MR. COHEN: No, I won't. That's -- you've done
22 it, like, five times, more maybe. We are not doing it
23 anymore.

24 [REDACTED]

25 [REDACTED]

1

8

Q It made total sense, and I understand maybe

9

that's your -- your perception of the dispute, but I'm

10

not sure if you know this, but our theory of the case is

11

that Mr. Mitchell never achieved these scores, that it

12

wasn't --

13

A What?

14

Q Just listen to this. Just listen to this.

15

That there wasn't a MAME computer inside of, you know,

16

the arcade cabinets that he played. Instead, the

17

mortgage brokers score was a farce.

18

A Oh, you mean it never happened? You're saying

19

it never happened?

20

Q Yes, that it never happened. He put those --

21

he put those performances on as a show to legitimize the

22

score performance, but at all times he had these world

23

record scores ready by tape. And you haven't heard the

24

deposition of the mortgage brokers lady when she said

25

that Billy Mitchell achieved his score in 15 or 20

1 minutes after the -- the event had opened.

2 You didn't hear the testimony of Josh Ryan, the
3 guy that set it up, saying there was absolutely no way
4 that any recording performance -- any recording
5 equipment was set up and that any performance could be
6 recorded out of that machine. You didn't hear that
7 testimony.

8 You also -- I don't know if you're familiar
9 with the fake board slot video on the Boomers score. I
10 don't know if you're familiar with the technical
11 evidence regarding the orientation of these two tapes
12 from 1047 and 1050. I don't know if you're familiar
13 with the significant MAME girder transitions that show
14 up in Billy Mitchell's tapes.

15 It's not like we are saying that there was a
16 MAME computer inside of his arcade cabinets. These
17 performances, Walter, they never happened. He has been
18 lying about it to everybody for 12 or 15 years. It
19 needs to stop. Somebody needs to tell Billy Mitchell
20 this needs --

21 MS. ROSS: Objection.

22 BY MR. TASHROUDIAN:

23 Q -- to stop.

24 MS. ROSS: Is there a question? This is just
25 counsel testifying on the record at this point to facts

1 that are not in evidence.

2 MR. TASHROUDIAN: It's my diatribe. Anyhow,

3 that's our position, Mr. Day.

4 [REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

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1 STATE OF CALIFORNIA)

2) ss

3 COUNTY OF LOS ANGELES)

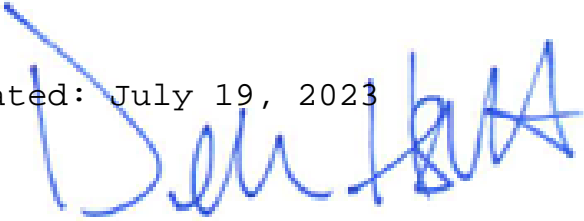
4
5 I, Deborah L. Heskett, a Certified Shorthand
6 Reporter, do hereby certify:

7 That prior to being examined, the witness in the
8 foregoing proceedings was by me duly sworn to testify to
9 the truth, the whole truth, and nothing but the truth;

10 That said proceedings were taken before remotely
11 me at the time and place therein set forth and were
12 taken down by me in shorthand and thereafter transcribed
13 into typewriting under my direction and supervision;

14 I further certify that I am neither counsel for,
15 nor related to, any party to said proceedings, nor in
16 any way interested in the outcome thereof.

17 In witness whereof, I have hereunto subscribed my
18 name.

19
20 Dated: July 19, 2023
21 

22 _____
23 DEBORAH L. HESKETT
24 CSR No. 11797
25

EXHIBIT E

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presented and thus could not provide the testimony Mr. Tashroudian wanted.

I declare under penalty of perjury under the laws of the State of California that all of the foregoing is true and correct. Executed October 6, 2023 at Los Angeles, California.

/s/ Robert W. Cohen

Robert W. Cohen

EXHIBIT F

SUPERIOR COURT OF CALIFORNIA,
COUNTY OF LOS ANGELES

WILLIAM JAMES)
MITCHELL,) Case No. 19STCV12592
)
Plaintiff,) DEPOSITION OF:
)
vs.) JERRY LEE BYRUM
)
TWIN GALAXIES,)
LLC; and DOES)
1-10,)
)
Defendants.)
)

TWIN GALAXIES,)
LLC,)
)
Cross-)
Complainant,)
)
vs.)
)
WILLIAM JAMES)
MITCHELL; WALTER)
DAY; and Roes)
1-25,)
)
Cross-)
Defendants.)

THE VIDEOCONFERENCE DEPOSITION OF JERRY LEE
BYRUM, taken before Tracy E. Barksdale,
Registered Professional Reporter and
Certified Shorthand Reporter, commencing at
6:38 p.m. CDT, June 26, 2023.

Reporter: Tracy E. Barksdale, RPR, CSR

1 Tom Lazio helped coordinate that. I don't
2 know who he was working with on the
3 Bridgeview side.

4 MS. ROSS: Okay. I think that's
5 all I have for now. Thank you.

6 MR. TASHROUDIAN: All right.

7 FURTHER EXAMINATION

8 BY MR. TASHROUDIAN:

9 Q. Mr. Byrum, have you shared any of the
10 text messages that you and I have had with
11 Mr. Mitchell?

12 A. No.

13 Q. Have you told him about the
14 conversations that we've had?

15 A. No.

16 Q. Are you sure about that?

17 A. I'm pretty sure, yeah. He and I don't
18 talk about those things.

19 Q. Well, the reason I asked is, while
20 Ms. Ross was sharing her screen, a message
21 popped up from Billy Mitchell, and that
22 message said that you told me that you've
23 seen pictures of your awards. How would he
24 know that -- of his awards, rather. How --

25 A. I'm sorry. What did it say, exactly?

1 Q. I'm trying to recall exactly. Maybe

2 Ms. Ross will share it with us, but what it

3 says --

4 MS. ROSS: That's not gonna happen.

5 MR. TASHROUDIAN: That's not gonna

6 happen?

7 MS. ROSS: No.

8 MR. TASHROUDIAN: Okay.

9 BY MR. TASHROUDIAN:

10 Q. Well, what it appeared to say,

11 Mr. Byrum, is that Mr. Mitchell knew that you

12 had told me you had seen pictures or copies

13 of his awards?

14 MS. ROSS: Counsel, object.

15 MR. ELLROD: Are you testifying as

16 to what you viewed as an attorney-client

17 communication between Mr. Mitchell and

18 Ms. Ross, and you're communicating that to

19 this witness? There are rules to deal with

20 inadvertent attorney-client communication.

21 So I just want to be clear on this record

22 that what you're doing is you're trying to

23 ask this witness about an attorney-client

24 communication that you observed

25 inadvertently.

1 MR. TASHROUDIAN: I don't know it
2 was inadvertent.

3 MS. ROSS: How was it not
4 inadvertent? I was sharing my screen for a
5 document, and an email popped up. Obviously,
6 that's inadvertent when an email comes in and
7 shows at the bottom.

8 MR. ELLROD: We'll deal with
9 inadvertent later. Let me make it clear for
10 the record that that's what you're doing.
11 You're questioning this witness about a
12 attorney-client communication that you
13 observed.

14 MR. TASHROUDIAN: Well, the witness
15 is lying to me.

16 MR. ELLROD: I'm asking you,
17 counsel, are you gonna question this witness
18 about an attorney-client communication that
19 you observed? I don't care whether you think
20 this witness is lying or not. The question
21 is your license is on the line here. Is that
22 what you're doing? Is that what you're
23 doing? You're asking questions about --

24 MR. TASHROUDIAN: Are you talking
25 about -- are you threatening my license?

1 MR. ELLROD: I'm asking you a
2 question. I'm meeting and conferring right
3 now. Are you asking a question about an
4 attorney-client communication that you
5 observed?

6 MR. TASHROUDIAN: I don't need to.
7 I don't need to. I'm done. Thank you. All
8 right. We're done.

9 THE WITNESS: Are we, like, done
10 done, finished, or done with this
11 questioning? I'm not sure where I stand
12 here. Just trying to be clear.

13 MR. TASHROUDIAN: Yeah, I'm done.

14 BY MR. TASHROUDIAN:

15 Q. Well, let me ask again. Let me ask you
16 again. Did Billy Mitchell share any of -- or
17 did you share any of the conversations I had
18 with you with Billy Mitchell?

19 A. No.

20 Q. Did you share any of the conversations
21 that I had with you with Billy Mitchell's
22 son?

23 A. No.

24 Q. Did you share any of the conversations
25 that I had with you with anybody?

C E R T I F I C A T E

I, Tracy E. Barksdale, Registered Professional Reporter, do hereby certify that there came before me via videoconference at the time and place hereinbefore indicated, the witness named on the caption sheet hereof, who was by me duly sworn to testify to the truth of said witness's knowledge, touching and concerning the matters in controversy in this cause; that the witness was thereupon examined under oath, the examination taken down by me in shorthand, and later reduced to printed form under my supervision and direction, and that the deposition is a true record of the testimony given and of all objections interposed.

I further certify that I am neither attorney or counsel for, or related to or employed by any of the parties to the action in which this deposition is taken, and further that I am not a relative or employee of any attorney or counsel employed by the parties hereto or financially interested in the action.

Dated this 19th day of July 2023.



TRACY E. BARKSDALE, RPR

EXHIBIT G

Kristina Ross

From: David Tashroudian <david@tashlawgroup.com>
Sent: Friday, July 14, 2023 10:47 AM
To: Anthony J. Ellrod; Kristina Ross
Subject: Re: Mitchell v. Twin Galaxies

I am not being flippant. Nothing was marked confidential in the deposition. And really, I would buy his testimony twice. He lied so many times in his deposition -- it was like nothing I have ever seen before.

He was making lies up on the spot. Like the lie about the 2 NAMCO plaques. There has always only been one. The only original plaque there is does not have the words Player of the Century on it. He made up this second plaque at deposition. And he is trying now to cover that lie up by falsifying evidence and creating a fake plaque. It will end up costing my client over ten thousand dollars to prove this lie -- as it is alleged in paragraph 17 of my cross-complaint reproduced below.

It is unbelievable and I wonder if you finally understand what Billy is capable of. Everyone that has defended Billy in all of this has reached an inflection point where they realize they have been misled and what Billy has been telling them is not always in the truth. You will see.

I am not sure what you intend to do but if you want to bring up my actions with the judge then go ahead. I am confident that I am on the right side here.

David

3 17. In 1999, Billy Mitchell and Walter Day worked to suppress earlier perfect Pac-Man
4 scores of other players, and altered the competitive rules to allow for Billy Mitchell to be crowned
5 by Old Twin Galaxies as the first person to achieve a perfect Pac-Man score when in fact he was
6 not. To further their deception, Billy Mitchell and Walter Day created an award with the title of
7 "Video Game Player of the Century" specifically for Billy Mitchell, and successfully developed
8 the false narrative that NAMCO, the creator of the Pac-man game, had directly given or endorsed
9 Billy Mitchell with that title. This lie was expressly intended to help legitimize and support the
10 fraudulent, larger narrative that Walter Day and Billy Mitchell perpetuated around Billy Mitchell's
11 gaming achievements, which has been repeated by Walter Day and Billy Mitchell so pervasively
12 that it is now mistakenly represented as fact in numerous places, including on Billy Mitchell's
13 public Wikipedia page.

14 18. Billy Mitchell being crowned the Video Game Player of the Century reimposed
15 Old Twin Galaxies' eminence as the world's most important videogame score database. But that
16 was not enough to increase the value of Old Twin Galaxies. Billy Mitchell had to remain a video
17 game world record holder to retain Old Twin Galaxies' recognition.

David A. Tashroudian, Esq.
TASH LAW GROUP
12400 Ventura Blvd., Suite 300

Studio City, California 91604
(818) 561-7381

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On Fri, Jul 14, 2023 at 10:36 AM Anthony J. Ellrod <Tony.Ellrod@manningkass.com> wrote:

Flippant response to a serious matter. Why are you asking me if portions were marked confidential? You were there, and you have a copy.

Anthony J. Ellrod

Founding Partner



801 S. Figueroa St., 15th Floor
Los Angeles, CA 90017

Main: (213) 624-6900 | Direct: (213) 430-2612

Tony.Ellrod@manningkass.com | manningkass.com

Dallas | Los Angeles | New York | Orange County | Phoenix | San Diego | San Francisco



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From: David Tashroudian <david@tashlawgroup.com>

Sent: Friday, July 14, 2023 10:34 AM

To: Anthony J. Ellrod <Tony.Ellrod@manningkass.com>

Cc: Kristina Ross <Kristina.Ross@manningkass.com>

Subject: Re: Mitchell v. Twin Galaxies

Was the deposition marked pursuant to the protective order? I do not recall that.

Feel free to report my violation of Government Code section 69954(d) to the court reporting agency if you deem it necessary. We will buy Billy's deposition testimony twice if required.

David

David A. Tashroudian, Esq.

TASH LAW GROUP

12400 Ventura Blvd., Suite 300

Studio City, California 91604

(818) 561-7381

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On Fri, Jul 14, 2023 at 10:19 AM Anthony J. Ellrod <Tony.Ellrod@manningkass.com> wrote:

That is a violation of the protective order. It is also a violation of Government Code section 69954(d).

We will need to bring this up with the court. Please identify all items of discovery in this litigation that you have provided to anyone.

Anthony J. Ellrod
Founding Partner



801 S. Figueroa St., 15th Floor
Los Angeles, CA 90017
Main: (213) 624-6900 | Direct: (213) 430-2612
Tony.Ellrod@manningkass.com | manningkass.com

Dallas | Los Angeles | New York | Orange County | Phoenix | San Diego | San Francisco



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From: David Tashroudian <david@tashlawgroup.com>
Sent: Friday, July 14, 2023 10:11 AM
To: Anthony J. Ellrod
Cc: Kristina Ross
Subject: Re: Mitchell v. Twin Galaxies

Yes, to Karl Jobst's lawyer Paris Galea.

David A. Tashroudian, Esq.

TASH LAW GROUP

12400 Ventura Blvd., Suite 300

Studio City, California 91604

(818) 561-7381

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On Fri, Jul 14, 2023 at 10:07 AM Anthony J. Ellrod <Tony.Ellrod@manningkass.com> wrote:

Hi David,

Did you or your client provide a copy of Bill Mitchell's deposition transcript to anyone?

Thanks,

Tony

Anthony J. Ellrod

Founding Partner

801 S. Figueroa St., 15th Floor

Los Angeles, CA 90017

Main: (213) 624-6900 | Direct: (213) 430-2612

Tony.Ellrod@manningkass.com | manningkass.com

Dallas | Los Angeles | New York | Orange County | Phoenix | San Diego | San Francisco

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EXHIBIT H

SUPERIOR COURT OF THE STATE OF CALIFORNIA
COUNTY OF LOS ANGELES

WILLIAM JAMES MITCHELL,

Plaintiff,

vs.

CASE NO. 19STCV12592

TWIN GALAXIES, LLC; and Does 1-10,

Defendants.

AND RELATED CROSS-ACTIONS.

VIDEOTAPED DEPOSITION OF ROBERT MRUCZEK

APPEARING REMOTELY

July 21, 2023

10:12 a.m.

REPORTED STENOGRAPHICALLY BY:

Deborah L. Heskett

CSR No. 11797

APPEARING FROM SAN BERNARDINO COUNTY, CALIFORNIA

1 exactly mirrors what the key points were that I
2 needed to sign, and that's it. That's all that
3 mattered to me. And I agree with everything that is
4 stated over here.

5 Q So you were interviewed by Jace Hall or
6 Mr. Tashroudian or both prior to signing this
7 declaration; is that correct?

8 A I spoke with them. I don't know if you
9 would call it a formal interview or not. These are
10 the key points that needed to be addressed, but was
11 it a formal interview? I can't say if it was a
12 formal interview or not. It was discussions.
13 That's all I can say.

14 Q About how many discussions did you have
15 with them prior to receiving this declaration?

16 A To be honest with you, I can't tell you.
17 I don't keep track of these things. I have
18 no reason to. Did I speak with them once?
19 Obviously. Did I speak with them more than once?
20 Sure. Did I speak with them 137 times? Probably
21 not. So how many times exactly did I speak with
22 them, I don't know.

23 Q Do you remember the first time you spoke
24 with Mr. Tashroudian?

25 A No, I do not know. No, I do not.

1 Q Can you tell me --

2 A Not the specific date or the specific year.

3 Q Can you give me an estimate of what year if
4 this was signed in --

5 A Well --

6 Q -- June of --

7 A -- if this was signed in 2000 --

8 Q Robert, wait for the question, please.

9 If this was signed in June of 2020, did you
10 talk to him for the first time a month before? Six
11 months before? A year before? What do you think?

12 A There's no way for me to remember that. It
13 could have been a week before, a month, three
14 months. I just simply don't know. It's too long
15 ago. I just don't remember the specifics. I
16 remember speaking with him obviously before this,
17 but how long exactly, I don't know.

18 Q So you remember stuff from 17 years ago
19 about who sent you tapes and exact game play, but
20 you don't remember from three years ago when you
21 signed a declaration?

22 MR. TASHROUDIAN: Objection.

23 Argumentative.

24 I don't have to -- you don't have to answer
25 that. You don't have to.

1 MS. ROSS: You are not his attorney. He
2 has to answer that.

3 MR. TASHROUDIAN: No, I'm instructing him
4 not to answer. That's fine.

5 MS. ROSS: You are going to instruct
6 somebody that's not your client not to answer?

7 MR. TASHROUDIAN: I'm telling him he
8 doesn't have to answer that argumentative question.
9 So, yeah, he doesn't have to answer.

10 MR. ELLROD: I just want the record to be
11 straight. You're instructing this witness not to
12 answer a question.

13 MR. TASHROUDIAN: Yeah. I'm telling him he
14 doesn't have to answer this question.

15 MS. ROSS: On what authority though?

16 MR. TASHROUDIAN: He can take my
17 instruction as he wants, but it's an argumentative
18 question. The form the improper.

19 Robert, you don't have to answer this
20 question if you don't want to.

21 THE WITNESS: I'd like to answer some form
22 of context, if I -- if I can.

23 BY MS. ROSS:

24 Q No, it's okay. You can answer the question
25 I asked, if you would like, which is: Why don't you

1 up for several years, because I don't have the time
2 to look at them. Even it's just -- it's said and
3 done, done with.

4 Q Do you know if you currently have any text
5 messages between you and Jace Hall?

6 A I might. I might have an email relating to
7 the upcoming depositions saying, Are you going to be
8 ready for it, can you connect to it, things like
9 that, the most current stuff. The rest of the stuff
10 I junk. I save the ones from David with the email
11 link to this deposition. I saved the one saying,
12 Are you going to be ready for it, yes; can we talk,
13 yes. That's about it maybe. I have David's phone
14 number in one of the emails I saved, but I don't
15 make cross of saving these messages.

16 Q Okay.

17 A It's not that I have to. No reason for me
18 to.

19 Q If I asked you to not delete any after
20 today until you've produced them, could you produce
21 them to us, any that you do have still?

22 MR. TASHROUDIAN: I'm going to object.

23 THE WITNESS: I can --

24 MR. TASHROUDIAN: No one has subpoenaed you
25 to produce any documents. You're not under any

1 obligation to produce any documents, Robert.

2 MS. ROSS: I'm not asking if he is -- I'm
3 not telling him he is under obligation. I'm asking
4 if he would.

5 MR. TASHROUDIAN: Well, you are under no
6 obligation to produce any documents, Robert, unless
7 you're subpoenaed.

8 MR. ELLROD: I'm going to -- however, that
9 if you destroy evidence which we believe -- if you
10 destroy or delete any emails or texts from this date
11 forward, which is obviously evidence, there could be
12 repercussions. You can talk with Mr. Tashroudian as
13 your legal counsel if you choose on that issue.

14 THE WITNESS: Okay. I'll talk to
15 Mr. Tashroudian, but at present I'm inclined to
16 follow his advice that I'm under no legal obligation
17 to provide anything, because such as not has been,
18 as he said, subpoenaed. It's my personal email
19 repository. It's not intended for any other
20 purpose.

21 BY MS. ROSS:

22 Q I understand. My question was just that if
23 I asked you to, could you not destroy any further
24 emails, text messages or any messages with Jace Hall
25 and Tashroudian? That way if you want us to get a

1 subpoena for those, we will, and then you can
2 produce them that way.

3 A I have to defer on David on this one
4 because I don't have -- you know, I'm not a lawyer
5 myself.

6 Q Okay.

7 A I have to defer to David.

8 Q Do you communicate on Facebook Messenger
9 with Jace Hall?

10 A Actually, I am not friends with Jace Hall
11 on Facebook.

12 Q That wasn't my question.

13 My question is: Have you communicated with
14 Jace Hall on Facebook Messenger?

15 A Via Facebook, chat, yes. But when you
16 delete someone as a friend on Facebook, all the chat
17 goes away. So whatever I did chat with Jace on
18 Facebook prior to deleting him from my friends list,
19 I don't know if that's recoverable. You'd have to
20 ask Facebook for that. But he's not part of my
21 friends roster, so I don't know how to properly
22 answer you.

23 Q When did you delete him as your friend?

24 A It was -- it was a range because I didn't
25 like the way he was handling the -- you know, my

1 STATE OF CALIFORNIA)

2) ss

3 COUNTY OF LOS ANGELES)

4
5 I, Deborah L. Heskett, a Certified Shorthand
6 Reporter, do hereby certify:

7 That prior to being examined, the witness in
8 the foregoing proceedings was by me duly sworn to
9 testify to the truth, the whole truth, and nothing
10 but the truth;

11 That said proceedings were taken before
12 remotely me at the time and place therein set forth
13 and were taken down by me in shorthand and
14 thereafter transcribed into typewriting under my
15 direction and supervision;

16 I further certify that I am neither counsel
17 for, nor related to, any party to said proceedings,
18 nor in any way interested in the outcome thereof.

19 In witness whereof, I have hereunto
20 subscribed my name.

21
22 Dated: August 10, 2023

23 
24 _____

25 DEBORAH L. HESKETT
CSR No. 11797

EXHIBIT I

Anthony J. Ellrod (State Bar No. 136574)
aje@manningllp.com
Natalya Vasyuk (State Bar No. 307419)
ndv@manningllp.com
MANNING & KASS
ELLROD, RAMIREZ, TRESTER LLP
801 S. Figueroa St, 15th Floor
Los Angeles, California 90017-3012
Telephone: (213) 624-6900
Facsimile: (213) 624-6999
Attorneys for Plaintiff WILLIAM JAMES MITCHELL

SUPERIOR COURT OF THE STATE OF CALIFORNIA
COUNTY OF LOS ANGELES, CENTRAL DISTRICT

WILLIAM JAMES MITCHELL,
Plaintiff,
v.
TWIN GALAXIES, LLC,
Defendants.

Case No. 19STCV12592
[The Hon. GREGORY W. ALARCON-
DEPT. 36]

**FIRST REQUEST FOR PRODUCTION
OF DOCUMENTS PROPOUNDED BY
PLAINTIFF WILLIAM JAMES
MITCHELL TO DEFENDANT TWIN
GALAXIES, LLC**

Action Filed: 4/11/2019

PROPOUNDING PARTY: Plaintiff WILLIAM JAMES MITCHELL
RESPONDING PARTY: Defendant TWIN GALAXIES, LLC
SET NO.: One

Pursuant to Sections 2031.010, *et seq.*, of the California Code of Civil Procedure, Plaintiff WILLIAM JAMES MITCHELL requests that Defendant TWIN GALAXIES, LLC produce and permit Plaintiff WILLIAM JAMES MITCHELL to inspect and to copy the following documents, and to inspect and to photograph, test, or sample the following tangible things, that are in Defendant TWIN GALAXIES, LLC's possession, custody, or control.

1 Complaint.

2 **REQUEST FOR PRODUCTION NO. 35:**

3 Any and all DOCUMENTS supporting YOUR allegations in Paragraph 24 of YOUR Cross-
4 Complaint.

5 **REQUEST FOR PRODUCTION NO. 36:**

6 Any and all DOCUMENTS supporting YOUR allegations in Paragraph 25 of YOUR Cross-
7 Complaint.

8 **REQUEST FOR PRODUCTION NO. 37:**

9 Any and all DOCUMENTS supporting YOUR allegations in Paragraph 28 of YOUR Cross-
10 Complaint.

11 **REQUEST FOR PRODUCTION NO. 38:**

12 Any and all DOCUMENTS supporting YOUR allegations in Paragraph 29 of YOUR Cross-
13 Complaint.

14 **REQUEST FOR PRODUCTION NO. 39:**

15 Any and all DOCUMENTS supporting YOUR allegations in Paragraph 41 of YOUR Cross-
16 Complaint.

17 **REQUEST FOR PRODUCTION NO. 40:**

18 Any and all DOCUMENTS supporting YOUR contention that "The intentional
19 misrepresentations of Billy Mitchell and Walter Day in their personal capacity and as agents of Old
20 Twin Galaxies to Cross-Complainant were made with malice, fraud, and oppression" as alleged in
21 Paragraph 49 of YOUR Cross-Complaint.

22 **REQUEST FOR PRODUCTION NO. 41:**

23 Any and all DOCUMENTS identifying insurance policies carried by Twin Galaxies, LLC,
24 on and after August 28, 2017.

25 **REQUEST FOR PRODUCTION NO. 42:**

26 Any and all COMMUNICATIONS YOU had with Robert Mruczek RELATED TO Billy
27 Mitchell or in reference to high scores by Billy Mitchell.

28

PROOF OF SERVICE

STATE OF CALIFORNIA, COUNTY OF LOS ANGELES

At the time of service, I was over 18 years of age and not a party to this action. I am employed in the County of Los Angeles, State of California. My business address is 801 S. Figueroa St, 15th Floor, Los Angeles, CA 90017-3012.

On February 17, 2022, I served true copies of the following document(s) described as **FIRST REQUEST FOR PRODUCTION OF DOCUMENTS PROPOUNDED BY PLAINTIFF WILLIAM JAMES MITCHELL TO DEFENDANT TWIN GALAXIES, LLC** on the interested parties in this action as follows:

David Tashroudian, Esq. Mona Tashroudian, Esq. TASHROUDIAN LAW GROUP, APC 12400 Ventura Blvd. Suite 300 Studio City, CA 91604 Telephone: (818) 561-7381 Facsimile: (818) 561-7381 Email: david@tashlawgroup.com Email: mona@tashlawgroup.com	Attorney for Defendants Twin Galaxies
---	--

BY E-MAIL OR ELECTRONIC TRANSMISSION: I caused a copy of the document(s) to be sent from e-mail address ndv@manningllp.com to the persons at the e-mail addresses listed in the Service List. I did not receive, within a reasonable time after the transmission, any electronic message or other indication that the transmission was unsuccessful.

ONLY BY ELECTRONIC TRANSMISSION: Only by emailing the document(s) to the persons at the e-mail address(es). This is necessitated during the declared National Emergency due to the Coronavirus (COVID-19) pandemic because this office will be working remotely, not able to send physical mail as usual, and is therefore using only electronic mail. No electronic message or other indication that the transmission was unsuccessful was received within a reasonable time after the transmission. We will provide a physical copy, upon request only, when we return to the office at the conclusion of the National Emergency.

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

Executed on February 17, 2022, at Los Angeles, California.



Natalya Vasyuk

EXHIBIT J

David A. Tashroudian [SBN 266718]
Mona Tashroudian [SBN 272387]
TASHROUDIAN LAW GROUP, APC
12400 Ventura Blvd., Suite 300
Studio City, California 91604
Telephone: (818) 561-7381
Facsimile: (818) 561-7381
Email: david@tashlawgroup.com
mona@tashlawgroup.com

Attorneys for Defendant and
Cross-Complainant Twin Galaxies, LLC

SUPERIOR COURT OF THE STATE OF CALIFORNIA
COUNTY OF LOS ANGELES

WILLIAM JAMES MITCHELL,

Plaintiff,

v.

TWIN GALAXIES, LLC; and Does 1-10,

Defendants.

TWIN GALAXIES, LLC,

Cross-Complainant,

v.

WILLIAM JAMES MITCHELL; WALTER
DAY; and Roes 1-25,

Cross-Defendants.

Case No. 19STCV12592

Assigned to: Hon. Wendy Chang
[Dept. 36]

**TWIN GALAXIES, LLC'S RESPONSE TO
THE REQUESTS FOR PRODUCTION OF
DOCUMENTS, SET ONE OF WILLIAM
JAMES MITCHELL**

Action Filed: 4/11/2019

PROPOUNDING PARTY: WILLIAM JAMES MITCHELL

RESPONDING PARTY: TWIN GALAXIES, LLC

SET NUMBER: ONE

1 that arty and to which no objection is being made will be included in the production.

2 **RESPONSE TO REQUEST FOR PRODUCTION OF DOCUMENTS NO. 35**

3 Twin Galaxies will comply with this request. The production, inspection, copying,
4 testing, or sampling, and related activity demanded, will be allowed either in whole, and that all
5 documents or things in the demanded category that are in the possession, custody, or control of
6 that arty and to which no objection is being made will be included in the production.

7 **RESPONSE TO REQUEST FOR PRODUCTION OF DOCUMENTS NO. 36**

8 Twin Galaxies will comply with this request. The production, inspection, copying,
9 testing, or sampling, and related activity demanded, will be allowed either in whole, and that all
10 documents or things in the demanded category that are in the possession, custody, or control of
11 that arty and to which no objection is being made will be included in the production.

12 **RESPONSE TO REQUEST FOR PRODUCTION OF DOCUMENTS NO. 37**

13 Twin Galaxies will comply with this request. The production, inspection, copying,
14 testing, or sampling, and related activity demanded, will be allowed either in whole, and that all
15 documents or things in the demanded category that are in the possession, custody, or control of
16 that arty and to which no objection is being made will be included in the production.

17 **RESPONSE TO REQUEST FOR PRODUCTION OF DOCUMENTS NO. 38**

18 Twin Galaxies will comply with this request. The production, inspection, copying,
19 testing, or sampling, and related activity demanded, will be allowed either in whole, and that all
20 documents or things in the demanded category that are in the possession, custody, or control of
21 that arty and to which no objection is being made will be included in the production.

22 **RESPONSE TO REQUEST FOR PRODUCTION OF DOCUMENTS NO. 39**

23 Twin Galaxies will comply with this request. The production, inspection, copying,
24 testing, or sampling, and related activity demanded, will be allowed either in whole, and that all
25 documents or things in the demanded category that are in the possession, custody, or control of
26 that arty and to which no objection is being made will be included in the production.

27 **RESPONSE TO REQUEST FOR PRODUCTION OF DOCUMENTS NO. 40**

28 Twin Galaxies will comply with this request. The production, inspection, copying,

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I, Jace Hall, declare:

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct and that this verification was executed at Los Angeles, California on this 5th day of April, 2022.

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PROOF OF SERVICE
Case No. 19STCV12592

I am a resident of the State of California, over the age of eighteen years, and not a party to the within action. My business address is **TASHROUDIAN LAW GROUP, APC**, located 12400 Ventura Blvd., No. 300, Studio City, CA 91604. On April 5, 2022, I served the herein described document(s):

TWIN GALAXIES, LLC'S RESPONSE TO THE REQUESTS FOR PRODUCTION OF DOCUMENTS, SET ONE OF WILLIAM JAMES MITCHELL

by transmitting via facsimile the document(s) listed above to the fax number(s) set forth below on this date before 5:00 p.m.

by placing the document(s) listed above in a sealed envelope with postage thereon fully prepaid, in the United States mail at Woodland Hills, California addressed as set forth below.

X E-File - by electronically transmitting the document(s) listed above to ndv@manningllp.com pursuant to an agreement of the parties.

by personally delivering the document(s) listed above to the person(s) at the address(es) set forth below.

by overnight courier of the document(s) listed above to the person(s) at the address(es) set forth below.

Natalya Vasyuk
ndv@manningllp.com
MANNING & KASS
ELLROD, RAMIREZ, TRESTER LLP
801 S. Figueroa St, 15th Floor
Los Angeles, California 90017-3012
Telephone: (213) 624-6900
Facsimile: (213) 624-6999

Attorneys for Plaintiff & Cross-
Defendant
WILLIAM JAMES MITCHELL

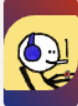
I am readily familiar with the firm's practice of collection and processing correspondence for mailing. Under that practice it would be deposited with the U.S. Postal Service on that same day with postage thereon fully prepaid in the ordinary course of business. I am aware that on motion of the party served, service is presumed invalid if postal cancellation date or postage meter date is more than one day after date of deposit for mailing in affidavit.

I declare under penalty of perjury under the laws of the State of California that the above is true and correct. Executed on April 5, 2022 at Los Angeles, California.



David A. Tashroudian

EXHIBIT K


Unfollow

WCopeland
 Verified Senior Member

Join Date	Apr 2014
Credibility:	2,553
Posts	551
Thanks (Received)	453
Likes (Received)	1301
Mentioned	23 Post(s)
Tagged	4 Thread(s)

Follows

0

Following

0

Re: Lawsuit

 05-10-2020, 02:21 PM

Originally Posted by **Jace Hall**
 Wes,

 I've been told that a class action lawsuit or something of that nature is being brought against Billy by a number of people who have been harmed by his actions.

 It looks like everyone from Apollo Legend to Dwayne Richard is participating.

 They may reach out to you as it is an opportunity for you to file your aforementioned grievances.

 My impression is that this is going to be quite an effort with numerous game communities participating.

 You can reach Apollo Legend at apollolegendgsa@gmail.com

 Up to you but I think your moment has arrived.

 Hope you have been safe and healthy during these challenging times!

Hey Jace,

Thanks for reaching out. I hope you and yours are staying safe during these challenging times.

Apollo reached out to me the other day asking if I could provide documents demonstrating Billy's defamation of me. I'm not sure what to do, I'm generally trying to stay under the radar. It wasn't until very recently that I was still fearful of my personal safety and considering filing for a restraining order against Robbie Lakeman.

I've heard a few rumors about the (understandably) aggressive approach you're taking with the legal situation. I hope Jeremy, yourself, and I will be able to our photos taken together at the TG Restaurant in Florida one day.

Best,
Wes

Forward

On Sat, Oct 24, 2020 at 7:07 PM Jace Hall <jace@twingalaxies.com> wrote:
Coolness.

Please take a look at this picture. (Confidential) It is from the Mortgage Brokers event where Billy claims to have got his 1050.

I believe that this photo shows an 8-way joystick as well as it being a non-original arcade stick. Do you agree?

Ben?

Ben Gold?

From: Hank Chien <hank.chien@gmail.com>
Date: Saturday, October 24, 2020 at 5:35 AM
To: Jace Hall <jace@twingalaxies.com>
Subject: Re: Footage July 2007 FAMB

Yes,

Billy->Todd->Dwayne->Ben->Hank

I obtained it thinking I'd learn how to get 1M. Instead, I came out not believing the score.

On Sat, Oct 24, 2020 at 8:34 AM Hank Chien <hank.chien@gmail.com> wrote:

Yes:

On Sat, Oct 24, 2020 at 4:50 AM Jace Hall <jace@twingalaxies.com> wrote:

Hank.

Do you have a DVD copy of the 1050 score? If so, where did you get it?

In your presentation you show a clip of the 1050 flicker....

From: Hank Chien <hank.chien@gmail.com>
Date: Friday, October 23, 2020 at 6:34 PM
To: Jace Hall <jace@twingalaxies.com>
Subject: Fwd: Footage July 2007 FAMB

FMB pics.

These are from:

Melissa Grosvenor <melissa@famb.org> sent on Wed, Mar 30, 2011



Good luck!

EXHIBIT L

PLEASE SEE FLASHDRIVE

EXHIBIT M

Anthony J. Ellrod (State Bar No. 136574)
anthony.ellrod@manningkass.com
 Kristina Ross (State Bar No. 325440)
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MANNING & KASS
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 Telephone: (213) 624-6900
 Facsimile: (213) 624-6999

Attorneys for Plaintiff, WILLIAM JAMES MITCHELL

SUPERIOR COURT OF THE STATE OF CALIFORNIA
COUNTY OF LOS ANGELES, CENTRAL DISTRICT – STANLEY MOSK

WILLIAM JAMES MITCHELL,
 Plaintiff,
 v.
 TWIN GALAXIES, LLC,
 Defendants.

Case No. 19STCV12592
 [The Honorable Wendy Chang, Dept. 36]

PLAINTIFF WILLIAM JAMES MITCHELL'S REQUESTS FOR PRODUCTION OF DOCUMENTS, SET THREE, TO DEFENDANT TWIN GALAXIES, LLC.

Action Filed: 4-11-2019

PROPOUNDING PARTY: Plaintiff WILLIAM JAMES MITCHELL
 RESPONDING PARTY: Defendant TWIN GALAXIES, LLC.
 SET NO.: Three (3)

Pursuant to Sections 2031.010, *et seq.*, of the California Code of Civil Procedure, Plaintiff WILLIAM JAMES MITCHELL ("PLAINTIFF") requests that Defendant TWIN GALAXIES, LLC. ("DEFENDANT") produce and permit Plaintiff WILLIAM JAMES MITCHELL to inspect and to copy the following documents, and to inspect and to photograph, test, or sample the following tangible things, that are in the possession, custody or control of Defendant TWIN GALAXIES, LLC..

The production and inspection shall take place at Manning & Kass, Ellrod, Ramirez, Trester LLP, 801 S. Figueroa St, 15th Floor, Los Angeles, CA 90017-3012, on February 20, 2023,

REQUEST FOR PRODUCTION NO. 8:

Any and all COMMUNICATIONS between DEFENDANT and Corey Chambers RELATED TO PLAINTIFF since January 2017.

REQUEST FOR PRODUCTION NO. 9:

Any and all COMMUNICATIONS between DEFENDANT and Dan Desjardins RELATED TO PLAINTIFF since January 2017.

REQUEST FOR PRODUCTION NO. 10:

Any and all COMMUNICATIONS between DEFENDANT and Ethan Daniels RELATED TO PLAINTIFF since January 2017.

REQUEST FOR PRODUCTION NO. 11:

Any and all COMMUNICATIONS between DEFENDANT and Graham Hawkins RELATED TO PLAINTIFF since January 2017.

REQUEST FOR PRODUCTION NO. 12:

Any and all COMMUNICATIONS between DEFENDANT and Todd Rogers RELATED TO PLAINTIFF since January 2017.

REQUEST FOR PRODUCTION NO. 13:

Any and all COMMUNICATIONS between DEFENDANT and Walter Day RELATED TO PLAINTIFF since January 2017.

REQUEST FOR PRODUCTION NO. 14:

Any and all COMMUNICATIONS between DEFENDANT and Dwayne Richard RELATED TO PLAINTIFF since January 2017.

REQUEST FOR PRODUCTION NO. 15:

Any and all COMMUNICATIONS between DEFENDANT and Robert Childs RELATED TO PLAINTIFF since January 2017.

REQUEST FOR PRODUCTION NO. 16:

Any and all COMMUNICATIONS between DEFENDANT and Carlos Pineiro RELATED TO PLAINTIFF since January 2017.

///

REQUEST FOR PRODUCTION NO. 17:

Any and all COMMUNICATIONS between DEFENDANT and Jeremy Young RELATED TO PLAINTIFF since January 2017.

REQUEST FOR PRODUCTION NO. 18:

Any and all COMMUNICATIONS between DEFENDANT and Rick Fox RELATED TO PLAINTIFF since January 2017.

REQUEST FOR PRODUCTION NO. 19:

Any and all COMMUNICATIONS between DEFENDANT and Stratton Sclavos RELATED TO PLAINTIFF since January 2017.

REQUEST FOR PRODUCTION NO. 20:

Any and all COMMUNICATIONS between DEFENDANT and Karl Jobst RELATED TO PLAINTIFF since January 2017.

REQUEST FOR PRODUCTION NO. 21:

Any and all COMMUNICATIONS between DEFENDANT and Amit Raizada RELATED TO PLAINTIFF since January 2017.

REQUEST FOR PRODUCTION NO. 22:

Any and all COMMUNICATIONS between DEFENDANT and Benjamin Smith RELATED TO PLAINTIFF since January 2017.

REQUEST FOR PRODUCTION NO. 23:

Any and all COMMUNICATIONS between DEFENDANT and Chris Gleed RELATED TO PLAINTIFF since January 2017.

REQUEST FOR PRODUCTION NO. 24:

Any and all COMMUNICATIONS between DEFENDANT and Kyle Orland RELATED TO PLAINTIFF since January 2017.

REQUEST FOR PRODUCTION NO. 25:

Any and all COMMUNICATIONS between DEFENDANT and Greg Sakundiak RELATED TO PLAINTIFF since January 2017.

///

REQUEST FOR PRODUCTION NO. 26:

Any and all COMMUNICATIONS between DEFENDANT and Robert Mruczek RELATED TO PLAINTIFF since January 2017.

REQUEST FOR PRODUCTION NO. 27:

Any and all COMMUNICATIONS between DEFENDANT and Wayne Shirk RELATED TO PLAINTIFF since January 2017.

REQUEST FOR PRODUCTION NO. 28:

Any and all COMMUNICATIONS between DEFENDANT and Valerie Saunders RELATED TO PLAINTIFF since January 2017.

REQUEST FOR PRODUCTION NO. 29:

Any and all COMMUNICATIONS between DEFENDANT and Sheila Kiniry RELATED TO PLAINTIFF since January 2017.

REQUEST FOR PRODUCTION NO. 30:

Any and all COMMUNICATIONS between DEFENDANT and any current or former employee of Guinness World Records RELATED TO PLAINTIFF since January 2017.

REQUEST FOR PRODUCTION NO. 31:

Any and all COMMUNICATIONS between DEFENDANT and John Kowalski RELATED TO PLAINTIFF since January 2017.

REQUEST FOR PRODUCTION NO. 32:

Any and all COMMUNICATIONS between DEFENDANT and Barry Rodewald RELATED TO PLAINTIFF since January 2017.

REQUEST FOR PRODUCTION NO. 33:

Any and all COMMUNICATIONS between DEFENDANT and David Race RELATED TO PLAINTIFF since January 2017.

REQUEST FOR PRODUCTION NO. 34:

Any and all COMMUNICATIONS between DEFENDANT and the owner of Perfectpacman.com RELATED TO PLAINTIFF since January 2017.

///

1 TO PLAINTIFF since January 2017.

2 **REQUEST FOR PRODUCTION NO. 55:**

3 Any and all COMMUNICATIONS between DEFENDANT and David Hawksett
4 RELATED TO PLAINTIFF since January 2017.

5 **REQUEST FOR PRODUCTION NO. 56:**

6 Any and all COMMUNICATIONS between DEFENDANT and Elizabeth Montoya
7 RELATED TO PLAINTIFF since January 2017.

8 **REQUEST FOR PRODUCTION NO. 57:**

9 Any and all COMMUNICATIONS between DEFENDANT and Esratz Cats RELATED TO
10 PLAINTIFF since January 2017.

11 **REQUEST FOR PRODUCTION NO. 58:**

12 Any and all COMMUNICATIONS between DEFENDANT and Steve Kleisath RELATED
13 TO PLAINTIFF since January 2017.

14 **REQUEST FOR PRODUCTION NO. 59:**

15 Any and all COMMUNICATIONS between DEFENDANT and Rick Fothergill RELATED
16 TO PLAINTIFF since January 2017.

17 **REQUEST FOR PRODUCTION NO. 60:**

18 Any and all COMMUNICATIONS between DEFENDANT and Eric Kozoil, also known as
19 Omni Gamer, RELATED TO PLAINTIFF since January 2017.

20 **REQUEST FOR PRODUCTION NO. 61:**

21 Any and all COMMUNICATIONS between DEFENDANT and Ben Heckendorn
22 RELATED TO PLAINTIFF since January 2017.

23 **REQUEST FOR PRODUCTION NO. 62:**

24 Any and all COMMUNICATIONS between DEFENDANT and Greg Erway RELATED
25 TO PLAINTIFF since January 2017.

26 **REQUEST FOR PRODUCTION NO. 63:**

27 Any and all COMMUNICATIONS between DEFENDANT and Mark Longridge
28 RELATED TO PLAINTIFF since January 2017.

REQUEST FOR PRODUCTION NO. 82:

Any and all COMMUNICATIONS between DEFENDANT and John Kinkel RELATED TO PLAINTIFF since January 2017.

REQUEST FOR PRODUCTION NO. 83:

Any and all COMMUNICATIONS between DEFENDANT and Casey Ross RELATED TO PLAINTIFF since January 2017.

REQUEST FOR PRODUCTION NO. 84:

Any and all COMMUNICATIONS between DEFENDANT and Robert “Tipster” Santellan RELATED TO PLAINTIFF since January 2017.

REQUEST FOR PRODUCTION NO. 85:

Any and all COMMUNICATIONS between DEFENDANT and Tanner Falkins RELATED TO PLAINTIFF since January 2017.

REQUEST FOR PRODUCTION NO. 86:

Any and all COMMUNICATIONS between DEFENDANT and William Rosa RELATED TO PLAINTIFF since January 2017.

REQUEST FOR PRODUCTION NO. 87:

Any and all COMMUNICATIONS between DEFENDANT and John McAllister RELATED TO PLAINTIFF since January 2017.

REQUEST FOR PRODUCTION NO. 88:

Any and all COMMUNICATIONS between DEFENDANT and Paul Dean RELATED TO PLAINTIFF since January 2015.

REQUEST FOR PRODUCTION NO. 89:

Any and all COMMUNICATIONS between DEFENDANT and Daniel Paul Yaminitz RELATED TO PLAINTIFF since January 2017.

REQUEST FOR PRODUCTION NO. 90:

Any and all COMMUNICATIONS between DEFENDANT and Mike Klug RELATED TO PLAINTIFF since January 2017.

///

1 January 2017.

2 **REQUEST FOR PRODUCTION NO. 100:**

3 Any and all COMMUNICATIONS between DEFENDANT and any current or former
4 employee of Guinness World Records RELATED TO any past Pac-Man world record since January
5 2017.

6 **REQUEST FOR PRODUCTION NO. 101:**

7 Any and all COMMUNICATIONS between DEFENDANT and any current or former
8 employee of Guinness World Records RELATED TO any present Pac-Man world record since
9 January 2017.

10 **REQUEST FOR PRODUCTION NO. 102:**

11 Any and all COMMUNICATIONS between DEFENDANT and Jordan Adler since October
12 1, 2013 RELATED TO the purchase and sale of Twin Galaxies, LLC.

13 **REQUEST FOR PRODUCTION NO. 103:**

14 Any and all COMMUNICATIONS between DEFENDANT and Nancy Bouvier RELATED
15 TO PLAINTIFF since October 2013.

16 **REQUEST FOR PRODUCTION NO. 104:**

17 Any and all COMMUNICATIONS between DEFENDANT and Michael Sroka RELATED
18 TO PLAINTIFF since January 2017.

19 **REQUEST FOR PRODUCTION NO. 105:**

20 Any and all COMMUNICATIONS between DEFENDANT and Michael Ward RELATED
21 TO PLAINTIFF since January 2017.

22 **REQUEST FOR PRODUCTION NO. 106:**

23 Any and all COMMUNICATIONS between DEFENDANT and Steve Harris RELATED
24 TO Cross-Defendant Walter Day since January 2017.

25 **REQUEST FOR PRODUCTION NO. 107:**

26 Any and all COMMUNICATIONS between DEFENDANT and any member of the
27 direction and production team of The King Of Kong: A Fistful of Quarters, RELATED TO
28 PLAINTIFF since January 2017.

PROOF OF SERVICE

STATE OF CALIFORNIA, COUNTY OF LOS ANGELES

At the time of service, I was over 18 years of age and not a party to this action. I am employed in the County of Los Angeles, State of California. My business address is 801 S. Figueroa St, 15th Floor, Los Angeles, CA 90017-3012.

On January 17, 2023, I served true copies of the following document(s) described as **PLAINTIFF WILLIAM JAMES MITCHELL'S REQUESTS FOR PRODUCTION OF DOCUMENTS, SET THREE, TO DEFENDANT TWIN GALAXIES, LLC.** on the interested parties in this action as follows:

David Tashroudian, Esq. Mona Tashroudian, Esq. TASHROUDIAN LAW GROUP, APC 12400 Ventura Blvd. Suite 300 Studio City, CA 91604 Telephone: (818) 561-7381 Facsimile: (818) 561-7381 Email: david@tashlawgroup.com Email: mona@tashlawgroup.com	<i>Attorney for Defendants</i> <i>TWIN GALAXIES</i>
---	--

ONLY BY ELECTRONIC TRANSMISSION: Only by emailing the document(s) to the persons at the e-mail address(es). This is necessitated during the declared National Emergency due to the Coronavirus (COVID-19) pandemic because this office will be working remotely, not able to send physical mail as usual, and is therefore using only electronic mail. No electronic message or other indication that the transmission was unsuccessful was received within a reasonable time after the transmission. We will provide a physical copy, upon request only, when we return to the office at the conclusion of the National Emergency.

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

Executed on January 17, 2023, at Los Angeles, California.

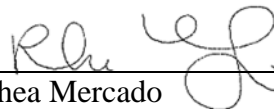

Rhea Mercado

EXHIBIT N

David A. Tashroudian [SBN 266718]
Mona Tashroudian [SBN 272387]
TASHROUDIAN LAW GROUP, APC
12400 Ventura Blvd., Suite 300
Studio City, California 91604
Telephone: (818) 561-7381
Facsimile: (818) 561-7381
Email: david@tashlawgroup.com
mona@tashlawgroup.com

Attorneys for Defendant and
Cross-Complainant Twin Galaxies, LLC

SUPERIOR COURT OF THE STATE OF CALIFORNIA
COUNTY OF LOS ANGELES

WILLIAM JAMES MITCHELL,

Plaintiff,

v.

TWIN GALAXIES, LLC; and Does 1-10,

Defendants.

TWIN GALAXIES, LLC,

Cross-Complainant,

v.

WILLIAM JAMES MITCHELL; WALTER
DAY; and Roes 1-25,

Cross-Defendants.

Case No. 19STCV12592

Assigned to: Hon. Wendy Chang
[Dept. 36]

**TWIN GALAXIES, LLC'S FURTHER
RESPONSE TO THE REQUESTS FOR
PRODUCTION OF DOCUMENTS, SET
THREE OF WILLIAM JAMES
MITCHELL**

Action Filed: 4/11/2019

PROPOUNDING PARTY: WILLIAM JAMES MITCHELL

RESPONDING PARTY: TWIN GALAXIES, LLC

SET NUMBER: THREE

RESPONSE TO INSPECTION DEMAND NO. 11

Objection: overbroad as to time and scope, burdensome, and calls for the disclosure of attorney work product. Without waiving these objections, none have ever existed.

RESPONSE TO INSPECTION DEMAND NO. 12

Objection: overbroad as to time and scope, burdensome, and calls for the disclosure of attorney work product. Without waiving these objections, these documents have already been produced.

RESPONSE TO INSPECTION DEMAND NO. 13

Objection: overbroad as to time and scope, burdensome, and calls for the disclosure of attorney work product. Without waiving these objections, these documents have already been produced.

RESPONSE TO INSPECTION DEMAND NO. 14

Objection: overbroad as to time and scope, burdensome, and calls for the disclosure of attorney work product. Without waiving these objections, Responding Party will produced non-privileged documents responsive to this request.

RESPONSE TO INSPECTION DEMAND NO. 15

Objection: overbroad as to time and scope, burdensome, and calls for the disclosure of attorney work product. Without waiving these objections, no documents exist.

RESPONSE TO INSPECTION DEMAND NO. 16

Objection: overbroad as to time and scope, burdensome, and calls for the disclosure of attorney work product. Without waiving these objections, Responding Party will produced non-privileged documents responsive to this request.

RESPONSE TO INSPECTION DEMAND NO. 17

Objection: overbroad as to time and scope, burdensome, and calls for the disclosure of attorney work product. Without waiving these objections, Responding Party will produced non-privileged documents responsive to this request.

RESPONSE TO INSPECTION DEMAND NO. 18

Objection: overbroad as to time and scope, burdensome, and calls for the disclosure of

1 attorney work product. Without waiving these objections, Responding Party responds that none
2 have ever existed.

3 **RESPONSE TO INSPECTION DEMAND NO. 19**

4 Objection: overbroad as to time and scope, burdensome, and calls for the disclosure of
5 attorney work product. Without waiving these objections, Responding Party responds that none
6 have ever existed.

7 **RESPONSE TO INSPECTION DEMAND NO. 20**

8 Objection: overbroad as to time and scope, burdensome, and calls for the disclosure of
9 attorney work product. Without waiving these objections, Responding Party will produced non-
10 privileged documents responsive to this request.

11 **RESPONSE TO INSPECTION DEMAND NO. 21**

12 Objection: overbroad as to time and scope, burdensome, and calls for the disclosure of
13 attorney work product. Without waiving these objections, Responding Party responds that none
14 have ever existed.

15 **RESPONSE TO INSPECTION DEMAND NO. 22**

16 Objection: overbroad as to time and scope, burdensome, and calls for the disclosure of
17 attorney work product. Without waiving these objections, Responding Party will produced non-
18 privileged documents responsive to this request.

19 **RESPONSE TO INSPECTION DEMAND NO. 23**

20 Objection: overbroad as to time and scope, burdensome, and calls for the disclosure of
21 attorney work product. Without waiving these objections, Responding Party will produced non-
22 privileged documents responsive to this request.

23 **RESPONSE TO INSPECTION DEMAND NO. 24**

24 Objection: overbroad as to time and scope, burdensome, and calls for the disclosure of
25 attorney work product. Without waiving these objections, Responding Party will produced non-
26 privileged documents responsive to this request.

27 **RESPONSE TO INSPECTION DEMAND NO. 25**

28 Objection: overbroad as to time and scope, burdensome, and calls for the disclosure of

1 attorney work product. Without waiving these objections, Responding Party will produced non-
2 privileged documents responsive to this request.

3 **RESPONSE TO INSPECTION DEMAND NO. 26**

4 Objection: overbroad as to time and scope, burdensome, and calls for the disclosure of
5 attorney work product. Without waiving these objections, Responding Party will produced non-
6 privileged documents responsive to this request.

7 **RESPONSE TO INSPECTION DEMAND NO. 27**

8 Objection: overbroad as to time and scope, burdensome, and calls for the disclosure of
9 attorney work product. Without waiving these objections, none have ever existed.

10 **RESPONSE TO INSPECTION DEMAND NO. 28**

11 Objection: overbroad as to time and scope, burdensome, and calls for the disclosure of
12 attorney work product. Without waiving these objections, none have ever existed.

13 **RESPONSE TO INSPECTION DEMAND NO. 29**

14 Objection: overbroad as to time and scope, burdensome, and calls for the disclosure of
15 attorney work product. Without waiving these objections, none have ever existed.

16 **RESPONSE TO INSPECTION DEMAND NO. 30**

17 Objection: overbroad as to time and scope, burdensome, and calls for the disclosure of
18 attorney work product. Without waiving these objections, Responding Party will produced non-
19 privileged documents responsive to this request.

20 **RESPONSE TO INSPECTION DEMAND NO. 31**

21 Objection: overbroad as to time and scope, burdensome, and calls for the disclosure of
22 attorney work product. Without waiving these objections, none have ever existed

23 **RESPONSE TO INSPECTION DEMAND NO. 32**

24 Objection: overbroad as to time and scope, burdensome, and calls for the disclosure of
25 attorney work product. Without waiving these objections, none have ever existed

26 **RESPONSE TO INSPECTION DEMAND NO. 33**

27 Objection: overbroad as to time and scope, burdensome, and calls for the disclosure of
28 attorney work product. Without waiving these objections, Responding Party will produced non-

1 Objection: overbroad as to time and scope, burdensome, and calls for the disclosure of
2 attorney work product. Without waiving these objections, none have ever existed

3 **RESPONSE TO INSPECTION DEMAND NO. 52**

4 Objection: overbroad as to time and scope, burdensome, and calls for the disclosure of
5 attorney work product. Without waiving these objections, none have ever existed

6 **RESPONSE TO INSPECTION DEMAND NO. 53**

7 Objection: overbroad as to time and scope, burdensome, and calls for the disclosure of
8 attorney work product. Without waiving these objections, none have ever existed

9 **RESPONSE TO INSPECTION DEMAND NO. 54**

10 Objection: overbroad as to time and scope, burdensome, and calls for the disclosure of
11 attorney work product. Without waiving these objections Responding Party will produce all
12 responsive and non-privileged documents in its possession.

13 **RESPONSE TO INSPECTION DEMAND NO. 55**

14 Objection: overbroad as to time and scope, burdensome, and calls for the disclosure of
15 attorney work product. Without waiving these objections Responding Party will produce all
16 responsive and non-privileged documents in its possession.

17 **RESPONSE TO INSPECTION DEMAND NO. 56**

18 Objection: overbroad as to time and scope, burdensome, and calls for the disclosure of
19 attorney work product. Without waiving these objections, none have ever existed

20 **RESPONSE TO INSPECTION DEMAND NO. 57**

21 Objection: overbroad as to time and scope, burdensome, and calls for the disclosure of
22 attorney work product. Without waiving these objections Responding Party will produce all
23 responsive and non-privileged documents in its possession.

24 **RESPONSE TO INSPECTION DEMAND NO. 58**

25 Objection: overbroad as to time and scope, burdensome, and calls for the disclosure of
26 attorney work product. Without waiving these objections Responding Party will produce all
27 responsive and non-privileged documents in its possession.

28 **RESPONSE TO INSPECTION DEMAND NO. 59**

1 attorney work product. This request is also irrelevant. Without waiving these objections
2 Responding Party will produce all responsive and non-privileged documents in its possession.

3 **RESPONSE TO INSPECTION DEMAND NO. 84**

4 Objection: overbroad as to time and scope, burdensome, and calls for the disclosure of
5 attorney work product. This request is also irrelevant. Without waiving these objections
6 Responding Party will produce all responsive and non-privileged documents in its possession.

7 **RESPONSE TO INSPECTION DEMAND NO. 85**

8 Objection: overbroad as to time and scope, burdensome, and calls for the disclosure of
9 attorney work product. This request is also irrelevant. Without waiving these objections, none
10 have ever existed.

11 **RESPONSE TO INSPECTION DEMAND NO. 86**

12 Objection: overbroad as to time and scope, burdensome, and calls for the disclosure of
13 attorney work product. This request is also irrelevant. Without waiving these objections, none
14 have ever existed.

15 **RESPONSE TO INSPECTION DEMAND NO. 87**

16 Objection: overbroad as to time and scope, burdensome, and calls for the disclosure of
17 attorney work product. This request is also irrelevant. Without waiving these objections, none
18 have ever existed.

19 **RESPONSE TO INSPECTION DEMAND NO. 88**

20 Objection: overbroad as to time and scope, burdensome, and calls for the disclosure of
21 attorney work product. This request is also irrelevant. Without waiving these objections, none
22 have ever existed.

23 **RESPONSE TO INSPECTION DEMAND NO. 89**

24 Objection: overbroad as to time and scope, burdensome, and calls for the disclosure of
25 attorney work product. This request is also irrelevant. Without waiving these objections, none
26 have ever existed.

27 **RESPONSE TO INSPECTION DEMAND NO. 90**

28 Objection: overbroad as to time and scope, burdensome, and calls for the disclosure of

RESPONSE TO INSPECTION DEMAND NO. 106

Objection: overbroad as to time and scope, burdensome, and calls for the disclosure of attorney work product. Without waiving these objections, none have ever existed.

RESPONSE TO INSPECTION DEMAND NO. 107

Objection: overbroad as to time and scope, burdensome, and calls for the disclosure of attorney work product. Without waiving these objections Responding Party will produce all responsive and non-privileged documents in its possession.

RESPONSE TO INSPECTION DEMAND NO. 108

Objection: overbroad as to time and scope, burdensome, and calls for the disclosure of attorney work product. This request is also irrelevant. Without waiving these objections, none have ever existed.

RESPONSE TO INSPECTION DEMAND NO. 109

Objection: overbroad as to time and scope, burdensome, and calls for the disclosure of attorney work product. This request is also irrelevant. Without waiving these objections, none have ever existed.

RESPONSE TO INSPECTION DEMAND NO. 110

Objection: overbroad as to time and scope, burdensome, and calls for the disclosure of attorney work product. This request is also irrelevant. Without waiving these objections, none have ever existed.

RESPONSE TO INSPECTION DEMAND NO. 111

Responding Party will comply with this request.

RESPONSE TO INSPECTION DEMAND NO. 112

Responding Party will comply with this request.

RESPONSE TO INSPECTION DEMAND NO. 113

Responding Party will comply with this request.

RESPONSE TO INSPECTION DEMAND NO. 114

Objection: overbroad as to time and scope, burdensome, and calls for the disclosure of attorney work product. Without waiving these objections, none have ever existed.

VERIFICATION

STATE OF CALIFORNIA)
)
COUNTY OF LOS ANGELES)

I, Jace Hall, declare:

I have read the foregoing **TWIN GALAXIES, LLC'S RESPONSE TO THE REQUESTS FOR PRODUCTION OF DOCUMENTS, SET THREE OF WILLIAM JAMES MITCHELL** on file herein and know the contents thereof. The same is true of my own knowledge, except as to those matters which are therein stated on information and belief, and, as to those matters, I believe them to be true.

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct and that this verification was executed at Los Angeles, California on this 3rd day of April, 2023.



Jace Hall

PROOF OF SERVICE
Case No. 19STCV12592

I am a resident of the State of California, over the age of eighteen years, and not a party to the within action. My business address is **TASHROUDIAN LAW GROUP, APC**, located 12400 Ventura Blvd., No. 300, Studio City, CA 91604. On April 3, 2023, I served the herein described document(s):

TWIN GALAXIES, LLC'S FURTHER RESPONSE TO THE REQUESTS FOR PRODUCTION OF DOCUMENTS, SET THREE OF WILLIAM JAMES MITCHELL

X E-File - by electronically transmitting the document(s) listed above to
aje@manningllp.com; Kristina.Ross@manningkass.com &
rwc@robertwcohenlaw.com pursuant to an agreement of the parties.

Anthony J. Ellrod aje@manningllp.com
Kristina Ross Kristina.Ross@manningkass.com
MANNING & KASS
ELLROD, RAMIREZ, TRESTER LLP
801 S. Figueroa St, 15th Floor
Los Angeles, California 90017-3012

Attorneys for Plaintiff
WILLIAM JAMES MITCHELL

Robert W. Cohen rwc@robertwcohenlaw.com
Law Offices of Robert W. Cohen, APC
1901 Avenue of the Stars, Suite 1910
Los Angeles, CA 90067

Attorneys for Cross-Defendant
WALTER DAY

I am readily familiar with the firm's practice of collection and processing correspondence for mailing. Under that practice it would be deposited with the U.S. Postal Service on that same day with postage thereon fully prepaid in the ordinary course of business. I am aware that on motion of the party served, service is presumed invalid if postal cancellation date or postage meter date is more than one day after date of deposit for mailing in affidavit.

I declare under penalty of perjury under the laws of the State of California that the above is true and correct. Executed on April 3, 2023 at Los Angeles, California.



David A. Tashroudian



David A. Tashroudian

EXHIBIT O

Anthony J. Ellrod (State Bar No. 136574)
tony.ellrod@manningkass.com
 Kristina P. Ross (State Bar No. 325440)
kristina.ross@manningkass.com
MANNING & KASS
ELLROD, RAMIREZ, TRESTER LLP
 801 S. Figueroa St, 15th Floor
 Los Angeles, California 90017-3012
 Telephone: (213) 624-6900
 Facsimile: (213) 624-6999

Attorneys for Plaintiff, WILLIAM JAMES MITCHELL

SUPERIOR COURT OF THE STATE OF CALIFORNIA
COUNTY OF LOS ANGELES, CENTRAL DISTRICT

WILLIAM JAMES MITCHELL,
 Plaintiff,
 v.
 TWIN GALAXIES, LLC,
 Defendants.

Case No. 19STCV12592

[Hon. Hon. Wendy Chang, Department 36]

**PLAINTIFF WILLIAM JAMES
 MITCHELL'S SPECIAL
 INTERROGATORIES, SET FIVE, TO
 DEFENDANT TWIN GALAXIES, LLC**

Trial Date: 11/17/2023

PROPOUNDING PARTY: Plaintiff WILLIAM JAMES MITCHELL

RESPONDING PARTY: Defendant TWIN GALAXIES, LLC

SET NO.: Five

Pursuant to Sections 2030.010, *et seq.*, of the California Code of Civil Procedure, Plaintiff WILLIAM JAMES MITCHELL requests that Defendant TWIN GALAXIES, LLC answer the following special interrogatories.

DEFINITIONS AND INSTRUCTIONS

1. "PERSON(S)" includes any natural person, firm, association, organization, partnership, business, trust, corporation, governmental or public entity or any other form of legal entity.

2. "DOCUMENT" or "DOCUMENTS" shall mean all documents, electronically stored

1 **SPECIAL INTERROGATORY NO. 184:**

2 IDENTIFY all DOCUMENTS RELATED TO DEFENDANT's decision to provide persons
3 identified in Special Interrogatory No. 179 DOCUMENTS RELATED TO this litigation.

4 **SPECIAL INTERROGATORY NO. 185:**

5 State all facts RELATED TO DEFENDANT's decision to provide persons identified in
6 Special Interrogatory No. 180 DOCUMENTS RELATED TO this litigation.

7 **SPECIAL INTERROGATORY NO. 186:**

8 IDENTIFY all DOCUMENTS RELATED TO DEFENDANT's decision to provide persons
9 identified in Special Interrogatory No. 180 DOCUMENTS RELATED TO this litigation. SPECIAL
10 INTERROGATORY NO. 187:

11 Describe in detail DEFENDANT's relationship with Ersatz_cats.

12 **SPECIAL INTERROGATORY NO. 188:**

13 Describe in detail DEFENDANT's relationship with Karl Jobst.

14 **SPECIAL INTERROGATORY NO. 189:**

15 State all facts for DEFENDANT's failure to produce photographs provided to
16 DEFENDANT by Hank Chien on October 23, 2020 RELATED TO the Florida Association of
17 Mortgage Brokers conference where Plaintiff claims to have achieved a 1,050,200 point score
18 performance prior to January 2023.

19 **SPECIAL INTERROGATORY NO. 190:**

20 IDENTIFY all DOCUMENTS RELATED TO DEFENDANT's decision to not produce
21 photographs provided to DEFENDANT by Hank Chien on October 23, 2020 RELATED TO the
22 Florida Association of Mortgage Brokers conference where Plaintiff claims to have achieved a
23 1,050,200 point score performance prior to January 2023.SPECIAL INTERROGATORY NO. 191:

24 **SPECIAL INTERROGATORY NO. 191:**

25 State every date DEFENDANT provided any DOCUMENT RELATED TO this litigation
26 to any PERSON since April 11, 2019.

27 **SPECIAL INTERROGATORY NO. 192:**

28 State every date DEFENDANT provided any deposition transcript RELATED TO this

PROOF OF SERVICE

STATE OF CALIFORNIA, COUNTY OF LOS ANGELES

At the time of service, I was over 18 years of age and not a party to this action. I am employed in the County of Los Angeles, State of California. My business address is 801 S. Figueroa St, 15th Floor, Los Angeles, CA 90017-3012.

On August 30, 2023, I served true copies of the following document(s) described as **PLAINTIFF WILLIAM JAMES MITCHELL'S SPECIAL INTERROGATORIES, SET FIVE, TO DEFENDANT TWIN GALAXIES, LLC** on the interested parties in this action as follows:

David Tashroudian, Esq. Mona Tashroudian, Esq. TASHROUDIAN LAW GROUP, APC 12400 Ventura Blvd. Suite 300 Studio City, CA 91604 Telephone: (818) 561-7381 Facsimile: (818) 561-7381 Email: david@tashlawgroup.com Email: mona@tashlawgroup.com <i>Attorney for Defendants, TWIN GALAXIES</i>	Robert W. Cohen, Esq. Law Offices of Robert W. Cohen 1901 Avenue of The Stars, Suite 1910 Los Angeles, CA 90067 Telephone: (310) 282-7586 Email: rwcohenlaw.com <i>Attorneys for Cross-Defendant, WALTER DAY</i>
--	--

ONLY BY ELECTRONIC TRANSMISSION: Only by emailing the document(s) to the persons at the e-mail address(es). This is necessitated during the declared National Emergency due to the Coronavirus (COVID-19) pandemic because this office will be working remotely, not able to send physical mail as usual, and is therefore using only electronic mail. No electronic message or other indication that the transmission was unsuccessful was received within a reasonable time after the transmission. We will provide a physical copy, upon request only, when we return to the office at the conclusion of the National Emergency.

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

Executed on August 30, 2023, at Los Angeles, California.

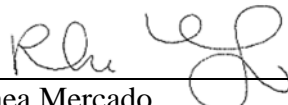

Rhea Mercado

EXHIBIT P

David A. Tashroudian [SBN 266718]
Mona Tashroudian [SBN 272387]
TASHROUDIAN LAW GROUP, APC
12400 Ventura Blvd., Suite 300
Studio City, California 91604
Telephone: (818) 561-7381
Facsimile: (818) 561-7381
Email: david@tashlawgroup.com
mona@tashlawgroup.com

Attorneys for Defendant and
Cross-Complainant Twin Galaxies, LLC

SUPERIOR COURT OF THE STATE OF CALIFORNIA
COUNTY OF LOS ANGELES

WILLIAM JAMES MITCHELL,

Plaintiff,

v.

TWIN GALAXIES, LLC; and Does 1-10,

Defendants.

TWIN GALAXIES, LLC,

Cross-Complainant,

v.

WILLIAM JAMES MITCHELL; WALTER
DAY; and Roes 1-25,

Cross-Defendants.

Case No. 19STCV12592

Assigned to: Hon. Wendy Chang
[Dept. 36]

**TWIN GALAXIES, LLC'S RESPONSE TO
THE SPECIAL INTERROGATORIES, SET
FIVE OF WILLIAM JAMES MITCHELL**

Action Filed: 4/11/2019

PROPOUNDING PARTY: WILLIAM JAMES MITCHELL

RESPONDING PARTY: TWIN GALAXIES, LLC

SET NUMBER: FIVE

1 Responding party objects to this interrogatory on ground basis that it is irrelevant.
2 Responding Party objects to this interrogatory on the ground that it is vague and ambiguous as
3 phrased. Responding Party objects to this interrogatory on that ground that it assumes facts not in
4 evidence. Responding Party objects to this interrogatory on the grounds that it calls for disclosure
5 of information that is protected by the attorney work product doctrine. Responding Party objects
6 to this interrogatory on the ground that it calls for disclosure of information that is protected by
7 the attorney-client privilege. Responding Party objects to this interrogatory on the ground that it
8 is not self-contained. Responding Party objects to this interrogatory on the ground that it is
9 overbroad.

10 Subject to, and without waiving these objections, Responding Party replies as follows:
11 Responding Party has a professional relationship with Karl Jobst.

12 **RESPONSE TO SPECIAL INTERROGATORY NO. 189**

13 Responding party objects to this interrogatory on ground basis that it is irrelevant.
14 Responding Party objects to this interrogatory on the ground that it is vague and ambiguous as
15 phrased. Responding Party objects to this interrogatory on that ground that it assumes facts not in
16 evidence. Responding Party objects to this interrogatory on the grounds that it calls for disclosure
17 of information that is protected by the attorney work product doctrine. Responding Party objects
18 to this interrogatory on the ground that it calls for disclosure of information that is protected by
19 the attorney-client privilege. Responding Party objects to this interrogatory on the ground that it
20 is not self-contained. Responding Party objects to this interrogatory on the ground that it is
21 overbroad.

22 Subject to, and without waiving these objections, Responding Party replies as follows:
23 Responding Party was not obligated to make such a production. Propounding Party was in
24 possession of these documents and had equal access to them.

25 **RESPONSE TO SPECIAL INTERROGATORY NO. 190**

26 Responding party objects to this interrogatory on ground basis that it is irrelevant.
27 Responding Party objects to this interrogatory on the ground that it is vague and ambiguous as
28 phrased. Responding Party objects to this interrogatory on that ground that it assumes facts not in

1 evidence. Responding Party objects to this interrogatory on the grounds that it calls for disclosure
2 of information that is protected by the attorney work product doctrine. Responding Party objects
3 to this interrogatory on the ground that it calls for disclosure of information that is protected by
4 the attorney-client privilege. Responding Party objects to this interrogatory on the ground that it
5 is not self-contained. Responding Party objects to this interrogatory on the ground that it is
6 overbroad.

7 Subject to, and without waiving these objections, Responding Party replies as follows:
8 Responding Party was not obligated to make such a production. Propounding Party was in
9 possession of these documents and had equal access to them.

10 **RESPONSE TO SPECIAL INTERROGATORY NO. 191**

11 Responding party objects to this interrogatory on ground basis that it is irrelevant.
12 Responding Party objects to this interrogatory on the ground that it is vague and ambiguous as
13 phrased. Responding Party objects to this interrogatory on that ground that it assumes facts not in
14 evidence. Responding Party objects to this interrogatory on the grounds that it calls for disclosure
15 of information that is protected by the attorney work product doctrine. Responding Party objects
16 to this interrogatory on the ground that it calls for disclosure of information that is protected by
17 the attorney-client privilege. Responding Party objects to this interrogatory on the ground that it
18 is not self-contained. Responding Party objects to this interrogatory on the ground that it is
19 overbroad.

20 **RESPONSE TO SPECIAL INTERROGATORY NO. 192**

21 Responding party objects to this interrogatory on ground basis that it is irrelevant.
22 Responding Party objects to this interrogatory on the ground that it is vague and ambiguous as
23 phrased. Responding Party objects to this interrogatory on that ground that it assumes facts not in
24 evidence. Responding Party objects to this interrogatory on the grounds that it calls for disclosure
25 of information that is protected by the attorney work product doctrine. Responding Party objects
26 to this interrogatory on the ground that it calls for disclosure of information that is protected by
27 the attorney-client privilege. Responding Party objects to this interrogatory on the ground that it
28 is not self-contained. Responding Party objects to this interrogatory on the ground that it is

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I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct and that this verification was executed at Los Angeles, California on this second day of October, 2023.

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PROOF OF SERVICE

Case No. 19STCV12592

I am a resident of the State of California, over the age of eighteen years, and not a party to the within action. My business address is **TASHROUDIAN LAW GROUP, APC**, located 12400 Ventura Blvd., No. 300, Studio City, CA 91604. On October 2, 2023, I served the herein described document(s):

**TWIN GALAXIES, LLC'S RESPONSE TO THE SPECIAL INTERROGATORIES,
SET FIVE OF WILLIAM JAMES MITCHELL**

X E-File - by electronically transmitting the document(s) listed above to
aje@manningllp.com; Kristina.Ross@manningkass.com &
rwc@robertwcohenlaw.com pursuant to an agreement of the parties.

Anthony J. Ellrod aje@manningllp.com
Kristina Ross Kristina.Ross@manningkass.com
MANNING & KASS
ELLROD, RAMIREZ, TRESTER LLP
801 S. Figueroa St, 15th Floor
Los Angeles, California 90017-3012

Attorneys for Plaintiff
WILLIAM JAMES MITCHELL

Robert W. Cohen rwc@robertwcohenlaw.com
Law Offices of Robert W. Cohen, APC
1901 Avenue of the Stars, Suite 1910
Los Angeles, CA 90067

Attorneys for Cross-Defendant
WALTER DAY

I am readily familiar with the firm's practice of collection and processing correspondence for mailing. Under that practice it would be deposited with the U.S. Postal Service on that same day with postage thereon fully prepaid in the ordinary course of business. I am aware that on motion of the party served, service is presumed invalid if postal cancellation date or postage meter date is more than one day after date of deposit for mailing in affidavit.

I declare under penalty of perjury under the laws of the State of California that the above is true and correct. Executed on October 2, 2023 at Los Angeles, California.



David A. Tashroudian

EXHIBIT Q

Anthony J. Ellrod

From: David Tashroudian <david@tashlawgroup.com>
Sent: Tuesday, February 28, 2023 5:42 PM
To: Kristina Ross; Anthony J. Ellrod
Cc: Mona Tashroudian
Subject: Subpoena re FAMP [Mitchell/Twin Galaxies]

Good afternoon Kristina and Anthony --

I learned today that plaintiff issued a subpoena to the Florida Association of Mortgage Professionals. Twin Galaxies did not receive notice of the subpoena and no documents were produced to us.

Will you please send us a copy of the subpoena and the documents that were produced in response? Tony told me today at Valerie Saunders' deposition that the subpoenaed documents were produced to me but I have no record of that happening.

Thank you.

David A. Tashroudian, Esq.
TASH LAW GROUP
12400 Ventura Blvd., Suite 300
Studio City, California 91604
(818) 561-7381

The contents of this message, together with any attachments, are intended only for the use of the individual or entity to which they are addressed and may contain information that is legally privileged, confidential and exempt from disclosure. If you have received this message in error, please notify the original sender immediately by telephone or by return e-mail and delete this message, along with any attachments, from your computer. Thank you.

EXHIBIT R

David A. Tashroudian [SBN 266718]
Mona Tashroudian [SBN 272387]
TASHROUDIAN LAW GROUP, APC
5900 Canoga Ave., Suite 250
Woodland Hills, California 91367
Telephone: (818) 561-7381
Facsimile: (818) 561-7381
Email: david@tashlawgroup.com
mona@tashlawgroup.com

Attorneys for defendant Twin Galaxies, LLC

SUPERIOR COURT OF THE STATE OF CALIFORNIA
COUNTY OF LOS ANGELES

WILLIAM JAMES MITCHELL,

Plaintiff,

v.

TWIN GALAXIES, LLC; and Does 1-10,

Defendants.

Case No. 19STCV12592

Assigned to: Hon. Gregory W. Alarcon
[Dept. 36]

**DECLARATION OF CHRIS GLEED ISO
SPECIAL MOTION TO STRIKE OF
DEFENDANT TWIN GALAXIES, LLC
[CCP § 425.16]**

*[Filed concurrently with: (1) Declaration of
Steven Kleisath; (2) Declaration of Robert
Mruczek; (3) Declaration of Carlos Pineiro; (4)
Declaration of Dwayne Richard; (5)
Declaration of Jason Hall; (6) Objections to
Evidence; and (7) Reply]*

Hearing

Date: July 6, 2020

Time: 9:00 a.m.

Place: Department 36

RESERVATION ID: 095658146502

Action Filed: 4/11/2019

DECLARATION OF CHRIS GLEED

I, Chris Gleed, declare that:

1. I am an individual of the age of majority, and I make this declaration in support of the special motion to strike of Twin Galaxies, LLC ("Twin Galaxies"). The matters declared to herein are known to me personally to be true, and if called to testify to these facts, I could and would do so.

2. I am a video game hobbyist and am interested in video game records leaderboards. I am also a member of the Twin Galaxies community. I am a frequent contributor to the public discussions that take place on Twin Galaxies' message boards and forums.

3. In, or about, February 2018, I learned that Twin Galaxies user Jeremy Young posted a dispute claim in the Twin Galaxies dispute claim forum claiming that two of the videotapes historically used to justify Billy Mitchell's 1,047,200 (the King of Kong "tape"), and 1,050,200 (the Mortgage Brokers score) score performances could not be from original Donkey Kong hardware. I became interested in Mr. Young's claim and, like many others in the video game records community, sought to perform my own investigation into the claim.

4. From at least February 2018 through April 2018, I engaged in my own investigation of Jeremy Young's claim. I tested hardware, and I tested software to determine the validity of Mr. Young's claim. After countless hours of testing and analysis, I came to the conclusion that Mr. Young's claim is valid. It is simply impossible for the artifacts – particularly the Finger Girder – that appear in Mr. Mitchell's videotaped gameplay of these performances to come from an original, unmodified Donkey Kong printed circuit board.

5. I would regularly publish my findings in the Mitchell Score Dispute Claim Thread on the Twin Galaxies Website. In connection therewith, I would discuss my findings with the community, and with Jason Hall through public postings in the thread.

6. I was never hired by Twin Galaxies as a third-party investigator of Mr. Mitchell's claim. I did all of this out of my own desire to discover the truth, and out of an obligation to my brethren in the classic video game records community. Twin Galaxies did not direct my investigation in any way and I was not working on its behalf.

7. I personally harbor no ill will, animosity, or bias against Billy Mitchell. I was not investigating his scores to vex or annoy him. Rather, I was investigating his scores to discover the truth. And I firmly believe the truth is that the videotaped performances were not from an original Donkey Kong arcade PCB.

8. The balance of the Twin Galaxies community shares my sentiment. From my analysis and review of the comments posted on the Twin Galaxies Website, and from my conversation with other video game enthusiasts, I can say without hesitation that the consensus among the community members is that Billy Mitchell's videotape recording of his 1,047,200 (the King of Kong "tape"), and 1,050,200 (the Mortgage Brokers score) score performances did not come from an original Donkey Kong arcade PCB. The evidence supporting this assertion is overwhelming. There is more evidence than the fact the Girder Finger appears in Mr. Mitchell's gameplay, but not on original hardware. That is the tip of the iceberg but it is the easiest for the general public to understand.

I swear, under penalty of perjury of the laws of the State of California, that the foregoing is true and correct. Executed this 26th day of June, 2020 at Escondido, California.

/s/ Chris Gleed (original on file)

PROOF OF SERVICE
Case No. 19STCV12592

I am a resident of the State of California, over the age of eighteen years, and not a party to the within action. My business address is **TASHROUDIAN LAW GROUP, APC**, located 5900 Canoga Ave, Suite 250, Woodland Hills, CA 91367-5017. On June 26, 2020, I served the herein described document(s):

**DECLARATION OF CHRIS GLEED ISO SPECIAL MOTION TO STRIKE OF
DEFENDANT TWIN GALAXIES, LLC [CCP § 425.16]**

by transmitting via facsimile the document(s) listed above to the fax number(s) set forth below on this date before 5:00 p.m.

by placing the document(s) listed above in a sealed envelope with postage thereon fully prepaid, in the United States mail at Woodland Hills, California addressed as set forth below.

X E-File - by electronically transmitting the document(s) listed above to jeg@manningllp.com pursuant to an agreement of the parties.

by personally delivering the document(s) listed above to the person(s) at the address(es) set forth below.

by overnight courier of the document(s) listed above to the person(s) at the address(es) set forth below.

James E. Gibbons (State Bar No. 130631)
jeg@manningllp.com
**MANNING & KASS
ELLROD, RAMIREZ, TRESTER LLP**
801 S. Figueroa St, 15th Floor
Los Angeles, California 90017-3012
Telephone: (213) 624-6900
Facsimile: (213) 624-6999

Attorneys for Plaintiff
WILLIAM JAMES MITCHELL

I am readily familiar with the firm's practice of collection and processing correspondence for mailing. Under that practice it would be deposited with the U.S. Postal Service on that same day with postage thereon fully prepaid in the ordinary course of business. I am aware that on motion of the party served, service is presumed invalid if postal cancellation date or postage meter date is more than one day after date of deposit for mailing in affidavit.

I declare under penalty of perjury under the laws of the State of California that the above is true and correct. Executed on June 26, 2020 at Woodland Hills, California.



Mona Tashroudian

David A. Tashroudian [SBN 266718]
Mona Tashroudian [SBN 272387]
TASHROUDIAN LAW GROUP, APC
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Facsimile: (818) 561-7381
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mona@tashlawgroup.com

Attorneys for defendant Twin Galaxies, LLC

SUPERIOR COURT OF THE STATE OF CALIFORNIA
COUNTY OF LOS ANGELES

WILLIAM JAMES MITCHELL,

Plaintiff,

v.

TWIN GALAXIES, LLC; and Does 1-10,

Defendants.

Case No. 19STCV12592

Assigned to: Hon. Gregory W. Alarcon
[Dept. 36]

**DECLARATION OF STEVEN KLEISATH
ISO SPECIAL MOTION TO STRIKE OF
DEFENDANT TWIN GALAXIES, LLC
[CCP § 425.16]**

*[Filed concurrently with: (1) Declaration of
Chris Glead; (2) Declaration of Robert
Mruczek; (3) Declaration of Carlos Pineiro; (4)
Declaration of Dwayne Richard; (5)
Declaration of Jason Hall; (6) Objections to
Evidence; and (7) Reply]*

Hearing

Date: July 6, 2020

Time: 9:00 a.m.

Place: Department 36

RESERVATION ID: 095658146502

Action Filed: 4/11/2019

DECLARATION OF STEVEN KLEISATH

I, Steven Kleisath, declare that:

1. I am an individual of the age of majority, and I make this declaration in support of the special motion to strike of Twin Galaxies, LLC ("Twin Galaxies"). The matters declared to herein are known to me personally to be true, and if called to testify to these facts, I could and would do so.

2. I have known Billy Mitchell and Robert Childs since 2011. For years prior to April 2018, I worked with Mr. Mitchell and Mr. Childs to organize a regular event called Retro Arcade Night which took place at Mr. Childs' place of business called Arcade Game Sales in Fort Lauderdale, Florida.

3. In or about February 2018, I became aware of a claim made by Jeremy Young in the Mitchell Score Dispute Claim Thread where Mr. Young asserted that Billy Mitchell's 1,047,200 (the King of Kong "tape"), 1,050,200 (the Mortgage Brokers score), and 1,062,800 (the Boomers score) scores were not created on an original Donkey Kong Arcade platform system because the videotape recordings of those performances contain images and other artifacts that couldn't have originated from an unmodified original Donkey Kong Arcade system.

4. After learning about Mr. Young's dispute, I informed Mr. Childs about it and suggested that he tell Mr. Mitchell.

5. After I told Mr. Childs about the Jeremy Young dispute, I noticed that Carlos Pineiro commented on a Facebook post authored by Mr. Childs about the way a direct feed from an arcade printed circuit board (PCB) works. After reading Mr. Pineiro's comment, I thought that he would be the perfect person to help Billy Mitchell address the validity of Jeremy Young's dispute.

6. I contacted Carlos and asked him to come to Arcade Game Sales to meet Robert Childs, Billy Mitchell, and others. I also asked him if he was willing to investigate Jeremy Young's claim on Billy Mitchell's behalf to exonerate him. He agreed to do both.

7. Starting in February 2018 through the first week of April 2018, I assisted Carlos Pineiro in his investigation into Jeremy Young's dispute. I spent approximately 2-4 hours a day,

1 2 to 3 days a week, for about 6 weeks at Arcade Game Sales testing equipment to disprove Jeremy
2 Young's dispute claim. Billy Mitchell was present at Arcade Game Sales about half the time that
3 I was there.

4 8. To assist Mr. Pineiro, I would play the Donkey Kong game so that Mr. Pineiro
5 could record the gameplay to perform his analysis. I witnessed Billy Mitchell doing the same
6 thing.

7 9. I would also post Mr. Pineiro's findings on the Mitchell Score Dispute Thread as
8 those findings became available. I did so with Mr. Pineiro's permission and because he was not a
9 Twin Galaxies forum member, but I was under the pseudonym "Maximumsteve."

10 10. Also during the investigation, I spoke to Jace Hall of Twin Galaxies on a few
11 occasions to update him on the status of our investigation and to discuss our findings up to that
12 point. There was one instance where I contacted Mr. Hall to request more time to perform our
13 analysis. Billy Mitchell was present when I made the call and he listened quietly and I never told
14 Mr. Hall that Mr. Mitchell was present and listening. Mr. Hall agreed and gave us more time to
15 perform our analysis and publish our findings.

16 11. After weeks of testing, and countless hours of analysis, Mr. Pineiro, in my presence,
17 came to the final conclusion that at least as to Billy Mitchell's 1,047,200 (the King of Kong "tape"),
18 1,050,200 (the Mortgage Brokers score), scores performances as they exist on videotape were not
19 achieved on an original Donkey Kong arcade system and PCB. Although I at first set out to
20 exonerate Mr. Mitchell, after working with Mr. Pineiro on the investigation, I too was satisfied
21 that the score performances were not from an original Donkey Kong arcade system.

22 12. On April 9, 2018, I posted in the Twin Galaxies Dispute Thread Mr. Pineiro's
23 findings that the 1,047,200 (the King of Kong "tape"), and the 1,050,200 (the Mortgage Brokers
24 score) score performances were not made on an original Donkey Kong arcade system. My post
25 to the thread is identified as post number 2935 and can be found here:
26 [https://www.twingalaxies.com/showthread.php/176004-Dispute-Jeremy-Young-Arcade-Donkey-](https://www.twingalaxies.com/showthread.php/176004-Dispute-Jeremy-Young-Arcade-Donkey-Kong-Points-Hammer-Allowed-Player-Billy-L-Mitchell-Score-1-062-800?p=963313&viewfull=1#post963313)
27 [Kong-Points-Hammer-Allowed-Player-Billy-L-Mitchell-Score-1-062-](https://www.twingalaxies.com/showthread.php/176004-Dispute-Jeremy-Young-Arcade-Donkey-Kong-Points-Hammer-Allowed-Player-Billy-L-Mitchell-Score-1-062-800?p=963313&viewfull=1#post963313)
28 [800?p=963313&viewfull=1#post963313.](https://www.twingalaxies.com/showthread.php/176004-Dispute-Jeremy-Young-Arcade-Donkey-Kong-Points-Hammer-Allowed-Player-Billy-L-Mitchell-Score-1-062-800?p=963313&viewfull=1#post963313)

1 13. After my post, Robert Childs and Billy Mitchell cut all ties with me.

2 14. Billy Mitchell was an integral part of the investigation that Carlos and I performed.
3 Mr. Mitchell played Donkey Kong runs for Mr. Pineiro to record and to analyze. Without that
4 help, Mr. Pineiro and I could not adequately do our investigation. Mr. Mitchell and Robert Childs
5 also provided what they claimed was the original Donkey Kong arcade cabinet PCB, 2 bit
6 converter, and capture card that was used to record Billy Mitchell's 1,050,200 (the Mortgage
7 Brokers score), and 1,062,800 (the Boomers score) score performances for Mr. Pineiro to record
8 and analyze. Moreover, Billy Mitchell was actively involved in the strategy for the investigation.

9 15. There is no question that Carlos Pineiro and I volunteered our time to exonerate
10 Billy Mitchell. We worked tirelessly and hand-in-hand with Billy Mitchell to provide evidence to
11 the Mitchell Score Dispute Thread on his behalf. But, our investigation results did not exonerate
12 him, and instead validated Mr. Young's dispute claim.

13 16. I understand that Billy Mitchell may claim that he was not involved in the work
14 Carlos and I were doing to investigate Jeremy Young's claim. This is simply not the case. For
15 example, on February 12, 2018, Billy Mitchell forwarded me a text message from Carlos Pineiro
16 where Carlos Pineiro shares some of his early findings with Mr. Mitchell. A true and correct copy
17 of the text message that I received from Billy Mitchell on February 12, 2018 is attached to this
18 declaration as **Exhibit A**, and is incorporated herein by this reference. I recognize this text
19 message as having been received by me.

20 17. There is additional evidence that Billy Mitchell was involved in our investigation.
21 On April 4, 2018, Carlos Pineiro made a technical breakthrough that allowed him to record color
22 images from a direct feed output from the PCB to a recording device. I texted Billy Mitchell
23 telling him that Carlos Pineiro and I would be at Arcade Game Sales -- referred to as the "shop" in
24 the message -- at 12:45 to 1:00. Billy Mitchell responded that he would meet us at the shop in 30
25 minutes. A true and correct copy of the text messages that I sent to, and received from, Billy
26 Mitchell on April 4, 2018 are attached to this declaration as **Exhibit B**, and are incorporated herein
27 by this reference. I recognize these text messages as having been sent and received by me.

28 ///

1 I declare, under penalty of perjury of the laws of the State of California, that the foregoing
2 is true and correct. Executed this 26th day of June, 2020 in Fort Lauderdale, Florida.

3
4 /s/ Steven Kleisath (original on file)

EXHIBIT A

3:50

4G LTE 84%



Bill Mitchell

1 954-829-9464



Fwd: I'm sorry my man, my phone ran totally out of juice. While charging up I went on line to see what is up and to catch up. I believe the idea we have spoken about will be the best, quickest, rebuttal proof option myth buster style. Quick, clean and to the point demo of machine and side setup. Since we have original machine and the original converter used on the contested video, I have over 99.999978% good feeling that it will all be good.

Carlos Pineiro

cashe@CARLOSystems.com

Feb 12, 2018 7:17 PM

Received

Reply

Delete



EXHIBIT B

3:58    ...

 4G  83% 

Bill Mitchell
1 954-829-9464



How did it go with the lady
in Sebring??

12:29 PM

Wed, Apr 4, 2018

Me and Carlos will be at
the shop at 12:45-1:00 for
reference.

12:12 PM

B

Awesome... I'm on my
way should be about
30 minutes

2:00 PM

Try to be quicker. Carlos
had to leave soon but we
are on to something.

Has

2:03 PM

Arcade game to two bit
converter to VCR to the TV
and it recorded in color.

Enter message



PROOF OF SERVICE
Case No. 19STCV12592

I am a resident of the State of California, over the age of eighteen years, and not a party to the within action. My business address is **TASHROUDIAN LAW GROUP, APC**, located 5900 Canoga Ave, Suite 250, Woodland Hills, CA 91367-5017. On June 26, 2020, I served the herein described document(s):

**DECLARATION OF STEVEN KLEISATH ISO SPECIAL MOTION TO STRIKE OF
DEFENDANT TWIN GALAXIES, LLC [CCP § 425.16]**

by transmitting via facsimile the document(s) listed above to the fax number(s) set forth below on this date before 5:00 p.m.

by placing the document(s) listed above in a sealed envelope with postage thereon fully prepaid, in the United States mail at Woodland Hills, California addressed as set forth below.

X E-File - by electronically transmitting the document(s) listed above to jeg@manningllp.com pursuant to an agreement of the parties.

by personally delivering the document(s) listed above to the person(s) at the address(es) set forth below.

by overnight courier of the document(s) listed above to the person(s) at the address(es) set forth below.

James E. Gibbons (State Bar No. 130631)
jeg@manningllp.com
**MANNING & KASS
ELLROD, RAMIREZ, TRESTER LLP**
801 S. Figueroa St, 15th Floor
Los Angeles, California 90017-3012
Telephone: (213) 624-6900
Facsimile: (213) 624-6999

Attorneys for Plaintiff
WILLIAM JAMES MITCHELL

I am readily familiar with the firm's practice of collection and processing correspondence for mailing. Under that practice it would be deposited with the U.S. Postal Service on that same day with postage thereon fully prepaid in the ordinary course of business. I am aware that on motion of the party served, service is presumed invalid if postal cancellation date or postage meter date is more than one day after date of deposit for mailing in affidavit.

I declare under penalty of perjury under the laws of the State of California that the above is true and correct. Executed on June 26, 2020 at Woodland Hills, California.



Mona Tashroudian

David A. Tashroudian [SBN 266718]
Mona Tashroudian [SBN 272387]
TASHROUDIAN LAW GROUP, APC
5900 Canoga Ave., Suite 250
Woodland Hills, California 91367
Telephone: (818) 561-7381
Facsimile: (818) 561-7381
Email: david@tashlawgroup.com
mona@tashlawgroup.com

Attorneys for defendant Twin Galaxies, LLC

SUPERIOR COURT OF THE STATE OF CALIFORNIA
COUNTY OF LOS ANGELES

WILLIAM JAMES MITCHELL,

Plaintiff,

v.

TWIN GALAXIES, LLC; and Does 1-10,

Defendants.

Case No. 19STCV12592

Assigned to: Hon. Gregory W. Alarcon
[Dept. 36]

**DECLARATION OF ROBERT MRUCZEK
ISO SPECIAL MOTION TO STRIKE OF
DEFENDANT TWIN GALAXIES, LLC
[CCP § 425.16]**

*[Filed concurrently with: (1) Declaration of
Steven Kleisath; (2) Declaration Chris Glead;
(3) Declaration of Carlos Pineiro; (4)
Declaration of Dwayne Richard; (5)
Declaration of Jason Hall; (6) Objections to
Evidence; and (7) Reply]*

Hearing

Date: July 6, 2020

Time: 9:00 a.m.

Place: Department 36

RESERVATION ID: 095658146502

Action Filed: 4/11/2019

DECLARATION OF ROBERT MRUCZEK

I, Robert Mruczek, declare that:

1. I am an individual of the age of majority, and I make this declaration in support of the special motion to strike of Twin Galaxies, LLC ("Twin Galaxies"). The matters declared to herein are known to me personally to be true, and if called to testify to these facts, I could and would do so.

2. I am a video game hobbyist and have been associated with Twin Galaxies as a referee and otherwise since the early 2000s.

3. As a Twin Galaxies referee, I adjudicated Billy Mitchell's 1,047,200 (the King of Kong "tape") score performance in January 2006. The adjudication method was by videotape submission. This means that I was tasked with watching the entire videotape of the performance as submitted by Billy Mitchell to determine if the performance meets the Twin Galaxies criteria to have the score placed on the Donkey Kong arcade leaderboard. I did indeed watch the entirety of the performance and I am familiar with it. The result of my adjudication at the time was that the score should be placed on the leaderboard. I personally entered Billy Mitchell's 1,047,200 score into the Twin Galaxies database

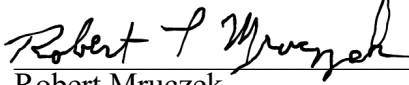
4. I have viewed the copy of Billy Mitchell's 1,047,200 (the King of Kong "tape") score performance that was posted in the Mitchell Score Dispute Claim Thread on March 23, 2018 as post number 2188 which can be found at the following Internet link: <https://www.twingalaxies.com/showthread.php/176004-Dispute-Jeremy-Young-Arcade-Donkey-Kong-Points-Hammer-Allowed-Player-Billy-L-Mitchell-Score-1-062-800?p=959129&viewfull=1#post959129>.

5. I can say with absolute certainty that the videotape performance that I adjudicated in 2006 is the exact same performance that appears in the Mitchell Score Dispute Claim Thread as post number 2188.

6. Footage from the Billy Mitchell's 1,047,200 (the King of Kong "tape") score performance video tape was used in the documentary *King of Kong: A Fistful of Quarter*; and the

1 same footage was displayed on a television screen next to me during a recorded interview I did
2 with MTV in 2006.

3 I swear, under penalty of perjury of the laws of the State of California, that the foregoing
4 is true and correct. Executed this 26th day of June, 2020 at New York, New York.

5 
6 Robert Mruczek

PROOF OF SERVICE
Case No. 19STCV12592

I am a resident of the State of California, over the age of eighteen years, and not a party to the within action. My business address is **TASHROUDIAN LAW GROUP, APC**, located 5900 Canoga Ave, Suite 250, Woodland Hills, CA 91367-5017. On June 26, 2020, I served the herein described document(s):

**DECLARATION OF ROBERT MRUCZEK ISO SPECIAL MOTION TO STRIKE OF
DEFENDANT TWIN GALAXIES, LLC [CCP § 425.16]**

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James E. Gibbons (State Bar No. 130631)
jeg@manningllp.com
**MANNING & KASS
ELLROD, RAMIREZ, TRESTER LLP**
801 S. Figueroa St, 15th Floor
Los Angeles, California 90017-3012
Telephone: (213) 624-6900
Facsimile: (213) 624-6999

Attorneys for Plaintiff
WILLIAM JAMES MITCHELL

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I declare under penalty of perjury under the laws of the State of California that the above is true and correct. Executed on June 26, 2020 at Woodland Hills, California.



Mona Tashroudian

David A. Tashroudian [SBN 266718]
Mona Tashroudian [SBN 272387]
TASHROUDIAN LAW GROUP, APC
5900 Canoga Ave., Suite 250
Woodland Hills, California 91367
Telephone: (818) 561-7381
Facsimile: (818) 561-7381
Email: david@tashlawgroup.com
mona@tashlawgroup.com

Attorneys for defendant Twin Galaxies, LLC

SUPERIOR COURT OF THE STATE OF CALIFORNIA
COUNTY OF LOS ANGELES

WILLIAM JAMES MITCHELL,

Plaintiff,

v.

TWIN GALAXIES, LLC; and Does 1-10,

Defendants.

Case No. 19STCV12592

Assigned to: Hon. Gregory W. Alarcon
[Dept. 36]

**DECLARATION OF CARLOS PINEIRO
ISO SPECIAL MOTION TO STRIKE OF
DEFENDANT TWIN GALAXIES, LLC
[CCP § 425.16]**

*[Filed concurrently with: (1) Declaration of
Steven Kleisath; (2) Declaration Chris Gleed;
(3) Declaration of Robert Mruczek; (4)
Declaration of Dwayne Richard; (5)
Declaration of Jason Hall; (6) Objections to
Evidence; and (7) Reply]*

Hearing

Date: July 6, 2020

Time: 9:00 a.m.

Place: Department 36

RESERVATION ID: 095658146502

Action Filed: 4/11/2019

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1 shop named Arcade Games Sales in Fort Lauderdale, Florida. After that sale, I became friends
2 with Mr. Childs on the social networking site Facebook.

3 5. In or about early February 2018, I noticed a posting on Facebook authored by Mr.
4 Childs explaining in great detail the manner in which gameplay from a classic arcade PCB can be
5 captured by a direct output feed to a recording device. Since I am an expert in the manner in which
6 PCBs function, and since the work I did at Sega of America included manipulating the output feed
7 from a PCB to different devices, I commented on Mr. Childs' post.

8 6. A day or two after commenting on Mr. Childs' post, I was contacted by Steve
9 Kleisath on Facebook via a private message about working on a project involving the comparison
10 of material recorded by direct feed from a classic arcade PCB, against material output directly
11 from the PCB to a display. After speaking to Mr. Kleisath, I learned that the project specifically
12 was to disprove the claim posted by Jeremy Young in the Twin Galaxies Website dispute thread
13 that the videotape evidence of Billy Mitchell's high score achievements in the Donkey Kong game
14 on the arcade platform were not created by an original unmodified PCB. I agreed and within the
15 next few days went to Mr. Childs' shop at Arcade Game Sales to begin the comparison project
16 and to investigate the assertions made in Jeremy Young's dispute claim.

17 7. From about early February 2018 through the first week or so in April 2018, I spent
18 the majority of my free time at Arcade Game Sales with Steve Kleisath working to disprove
19 Jeremy Young's dispute claim, and to exonerate Billy Mitchell. I spent approximately 2-4 hours
20 a day, 2 to 3 days a week, for about 6 weeks at Arcade Game Sales testing equipment to disprove
21 Jeremy Young's dispute claim. In addition to the time I spent at Arcade Game Sales working on
22 the project, I also spent another 700-1000 hours at home reviewing gameplay footage as part of
23 my investigation into Jeremy Young's dispute claim.

24 8. It is important to note that Mr. Mitchell was present at Arcade Game Sales about
25 half the time that I was there working to disprove Jeremy Young's dispute claim. In fact, Billy
26 Mitchell would assist me in my investigation by playing the Donkey Kong game as I ran tests in
27 an attempt to re-create the abnormal signatures that Jeremy Young identified in Mr. Mitchell's
28 videotaped game play.

9. For all intents and purposes, I was volunteering to exonerate Mr. Mitchell and to disprove Jeremy Young's dispute claim. I worked side-by-side with Mr. Mitchell and others to achieve this goal. In fact, Billy Mitchell paid for me to fly to Banning, California, and put me up in a hotel room – that I shared with him – on March 23, 2018 to give a speech at Arcade Expo 4.0 where I discussed the status of my investigation into Jeremy Young's claim. I told the audience at Arcade Expo 4.0 that I was working to exonerate Mr. Mitchell.

ANALYSIS OF JEREMY YOUNG DISPUTE CLAIM

10. I reviewed the dispute claim set forth by Jeremy Young in the Mitchell Score Dispute Claim Thread and distilled his claim to this basic disputes: that Billy Mitchell's 1,047,200 (the King of Kong "tape"), 1,050,200 (the Mortgage Brokers score), and 1,062,800 (the Boomers score) scores were not created on an original Donkey Kong Arcade platform system because the videotapes recording those performance contain images and other artifacts that could not have originated from an unmodified original Donkey Kong Arcade system.

11. As part of his dispute, Mr. Young provided evidence that an original unmodified Donkey Kong Arcade system PCB draws each level in frames, with the first frame drawing in a ½ portion of each of 5 girders at the start of each level. *See* Figure 1. He also provided evidence that a Donkey Kong game running on emulation software such as M.A.M.E did not draw the ½ portions of the 5 girders in the first frame, but instead the emulation software draws three full girders with the bottom girder having a line extended from it in the shape of a finger. *See* Figure 2. We call this phenomenon the “Girder Finger” as can be seen in Figure 3.

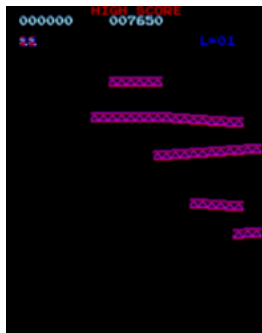


Figure 1 – ½ of 5 Girders

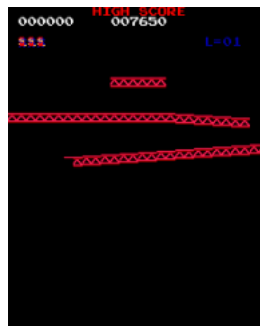


Figure 2 – 3 Girders w/Finger

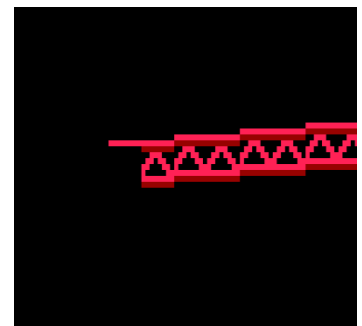


Figure 3 – “Girder Finger” (magnified)

12. According to Jeremy Young in his dispute claim on the Twin Galaxies website that I reviewed, the Girder Finger cannot be drawn from an original arcade PCB, but that Girder Finger was drawn in the videotape evidence of at least Billy Mitchell's 1,047,200 (the King of Kong "tape"), and his 1,050,200 (the Mortgage Brokers score) scores. See Figure 4 and Figure 5. Because, according to Mr. Young, the Girder Finger appeared in the videotape submissions of these two scores, the videos were not of a direct feed from an unmodified PCB and Mr. Mitchell's scores should be removed from the Donkey Kong arcade platform leaderboard.

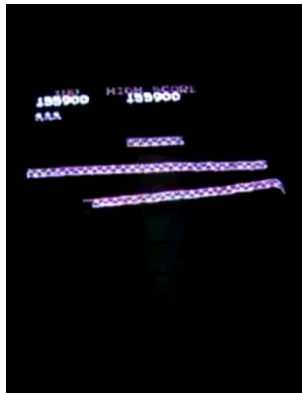


Figure 4 – 1,047,200 (the King of Kong "tape")

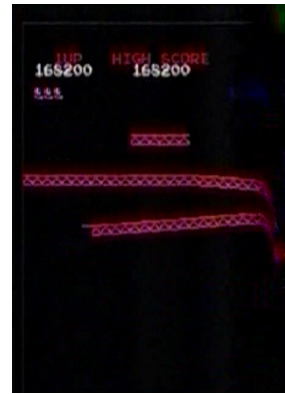


Figure 5 – 1,050,200 (the Mortgage Brokers score)

MY INVESTIGATION & FINDINGS

13. As part of my mission to disprove Jeremy Young's assertions, I was given the original parts that Billy Mitchell claimed he used to record the scores in question. Billy Mitchell provided me with: (1) the original Nintendo certified Donkey Kong arcade PCB he used to achieve the 1,050,200 Mortgage Brokers score; (2) the original 2-bit converter he used to capture gameplay from PCB; (3) the original VCR used to record the capture from the 2-bit computer; and also (4) the original laptop used to record one of the performances. I performed all of my tests on these pieces of hardware at Robert Childs's shop; and Billy Mitchell was present for much of the time.

14. I also used the game-play footage that was posted in the Mitchell Score Dispute Thread of Billy Mitchell's 1,047,200 (the King of Kong "tape"), 1,050,200 (the Mortgage Brokers score) score performances in my investigation. These score performances were captured in a direct feed from the arcade PCB to the recording device. I cross-referenced the footage of the 1,047,200 (the King of Kong "tape") performance on the thread with the footage of Billy Mitchell's 1,047,200 (the King of Kong "tape") performance that was published in the movie *King of Kong*:

1 *A Fistful of Quarters* and against other footage of the performance appearing in a 2006 interview
2 of Robert Mruzec on MTV. The footage from all three sources was the same and I was confident
3 that the footage on the Mitchell Score Dispute Thread was genuine. With respect to the 1,050,200
4 (the Mortgage Brokers score) performance, I also cross-reference the footage with other footage I
5 found on the Internet and determined the footage on the Mitchell Score Dispute Thread was
6 genuine.

7 15. I told Billy Mitchell that I was using the footage posted in the Mitchell Score
8 Dispute Thread for my investigation because the resolution and quality of the footage surpassed
9 anything else I could find, and he did not object.

10 16. During my frame-by-frame analysis of the videotapes of Billy Mitchell's 1,047,200
11 (the King of Kong "tape"), 1,050,200 (the Mortgage Brokers score) score performances, I found
12 that neither of the performances drew the level with the ½ portion of the 5 girders seen in Figure
13 1 above as would be expected if the performance was from an original unmodified Donkey Kong
14 arcade PCB. Rather, *I found that both of these score performances draw levels with three girders*
15 *and the infamous Girder Finger as shown in Figure 4 and Figure 5.* Without a doubt, the Girder
16 Finger was present all over in both of these videotape performances by Billy Mitchell. My findings
17 were consistent with Jeremy Young's findings.

18 17. At first I did not want to believe that Billy Mitchell's score performances were not
19 from an original Donkey Kong arcade PCB so I sought to record and review countless hours of
20 gameplay captured directly from the PCB provided to me by Billy Mitchell to see if somewhere
21 in that captured footage from the PCB I could find the Girder Finger. I had Billy Mitchell play
22 for me and I recorded that gameplay through the same hardware he claimed he used to create the
23 taped submissions. I meticulously reviewed that gameplay to see if I could find the Girder Finger
24 anywhere, and I just could not do so. I similarly could not find the Girder Finger in any of the
25 Donkey Kong footage that I reviewed from the Internet where I knew the footage was from an
26 original unmodified Donkey Kong PCB.

27 18. After I came to the conclusion that it was impossible to recreate the Girder Finger
28 on an unmodified Donkey Kong PCB, I decided to see if I could replicate the Girder Finger on the

1 M.A.M.E. emulation software for the Donkey Kong game. I was able to recreate the Girder Finger
2 using the M.A.M.E emulation software.

3 MY CONCLUSION & OPINION

4 19. My ultimate conclusion and expert opinion based on my investigation was, and still
5 is to this date, that Billy Mitchell's 1,047,200 (the King of Kong "tape"), 1,050,200 (the Mortgage
6 Brokers score) score performances as recorded on videotape were not generated from a genuine
7 Nintendo Donkey Kong PCB. On April 9, 2019. I caused Steve Kleisath to publish my findings
8 in the Mitchell Score Dispute Thread because I am not a registered user but Mr. Kleisath is. He
9 published my findings as post number 2935 in the dispute thread. A copy of my findings can be
10 found here: [https://www.twingalaxies.com/showthread.php/176004-Dispute-Jeremy-Young-
11 Arcade-Donkey-Kong-Points-Hammer-Allowed-Player-Billy-L-Mitchell-Score-1-062-
12 800?p=963313&viewfull=1#post963313](https://www.twingalaxies.com/showthread.php/176004-Dispute-Jeremy-Young-Arcade-Donkey-Kong-Points-Hammer-Allowed-Player-Billy-L-Mitchell-Score-1-062-800?p=963313&viewfull=1#post963313). I agree with, and subscribe to, these findings.

13 20. Although I started my investigation with the explicit intent to exonerate Billy
14 Mitchell and to disprove Jeremy Young's dispute I claim, it did not pan out that way. Jeremy
15 Young was correct; and I stand by my findings that that the videotapes of Billy Mitchell's
16 1,047,200 (the King of Kong "tape"), 1,050,200 (the Mortgage Brokers score) score performances
17 were not captured from an original Donkey Kong arcade PCB.

18 CONTACT WITH JACE HALL & THE TWIN GALAXIES COMMUNITY

19 21. My investigation took approximately 6 weeks. During that time, I was in contact
20 with Jace Hall concerning my intermediary findings. My team and I, including Billy Mitchell,
21 requested extra time from Mr. Hall to finish the investigation; and he agreed to allow extra time
22 to come to our conclusion.

23 22. Also during the investigation, Mr. Kleisath regularly posted entries with our
24 findings in the Mitchell Score Dispute Thread for the community to review. And to be sure, Mr.
25 Mitchell was regularly updated in-person with my findings and he was instrumental to my
26 investigation.

27 ///

28 ///

1 MY CONTACT WITH BILLY MITCHELL AFTER PUBLISHING MY FINDINGS

2 23. In September 2019, Mr. Mitchell invited me to dinner at a local diner in South
3 Florida. I agreed and met him there a few days before September 10, 2019. At the dinner, Mr.
4 Mitchell presented me with a pre-printed declaration that I had never seen before, and that I did
5 not write.

6 24. Billy Mitchell asked me to sign the declaration. I told Mr. Mitchell that I did not
7 agree with what was written in the declaration, particularly the portion of the declaration relating
8 to the retraction of my findings. I told Mr. Mitchell that I would not sign the declaration for this
9 reason as I did not intend to retract my findings. After three hours of pleading, and after he
10 threatened that he would sue me if I did not sign the declaration right there, I capitulated and signed
11 it partly because I did not want to be sued and also because Billy Mitchell promised that the
12 document would not be used for any purpose other than to keep me out of any legal proceedings.
13 I was certainly under duress when I signed the September 2019 declaration.

14 25. Within about a week of signing the declaration, I noticed that it was posted in the
15 Mitchell Score Dispute Thread by Jace Hall for the community to review. I was furious and
16 immediately demanded that Billy Mitchell withdraw the declaration and that he never use that
17 declaration again because I disavowed it. In fact, I sent Billy Mitchell a text message on September
18 10, 2019 demanding that he retract the declaration, and telling him what he did was wrong.

19 COMMUNICATION WITH BILLY MITCHELL BY EMAIL

20 26. As stated herein, I was in constant communication with Billy Mitchell and others
21 working on his behalf to disprove Jeremy Young's dispute claim from February 2018 to April
22 2018. Attached to this declaration as **Exhibit A**, and incorporated herein by this reference, are
23 true and correct copies of email communications that I either authored and sent to, or received
24 from, either Billy Mitchell himself or others working with him to disprove Jeremy Young's dispute
25 claim. I recognize these email communications as having been sent or received by me.

26 COMMUNICATION WITH BILLY MITCHELL BY TEXT MESSAGE

27 27. In addition to communicating with Billy Mitchell by email, I also communicated
28 with him by text Message. Attached to this declaration as **Exhibit B**, and incorporated herein by

1 this reference, are true and correct copies of text message communications that I either sent to, or
2 received from, Billy Mitchell. I recognize these text messages as having been sent and received
3 by me. The messages with the green background and black font were sent by me. The messages
4 with the grey background and the black font were sent by Billy Mitchell.

5 COMMUNICATION WITH BILLY MITCHELL & JASON HALL BY TEXT MESSAGE

6 28. I was also included in a group text message between Jason Hall, Billy Mitchell, and
7 myself on April 4, 2018. In that text message thread, Billy Mitchell states that I head up the
8 technical end of the investigation on his behalf – which was true as I have set forth in this
9 declaration. Attached to this declaration as Exhibit C, and incorporated herein by this reference,
10 are true and correct copies of text message communications between Jason Hall and Billy Mitchell
11 on which I was copied and which were sent to me. I recognize these text messages as having been
12 received by me.

13 I declare, under penalty of perjury of the laws of the State of California, that the foregoing
14 is true and correct. Executed this 26th day of June, 2020 at Fort Lauderdale, Florida.

15
16 /s/ Carlos Pineiro (original on file)
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EXHIBIT A

Carlos Pineiro

From: Bill Mitchell/Rickey's <rickeyshotsauce@aol.com>
Sent: Tuesday, February 20, 2018 4:52 PM
To: Robert Childs; Carlos Pineiro; EmpireArcadia .; joel.west.now;
richie@richieknucklez.games; B.S. Sanders
Subject: Re: Fwd: Frames per second

Billy,
The video I emailed you demonstrates how frames can be lost when the recording device can't capture a higher rate m of frames per second. If the tech guys used a camera with a low frame rate to record you DK score, frames could be missing.
Phil

----- Original message -----

From: Bill Mitchell/Rickey's <rickeyshotsauce@aol.com>
Date: 2/20/18 4:51 PM (GMT-05:00)
To: Robert Childs <robert@arcadegamesales.com>, cashe@CARLOSystems.com, "EmpireArcadia ." <emptriforcegm@gmail.com>, "joel.west.now" <joel.west.now@gmail.com>, richie@richieknucklez.games, "B.S. Sanders" <steve@attorneystevesanders.com>
Subject: Fwd: Frames per second

Carlos Pineiro

From: Bill Mitchell/Rickey's <rickeyshotsauce@aol.com>
Sent: Friday, February 23, 2018 1:56 PM
To: Carlos Pineiro
Subject: Re: Updates from Carlos

My man
Thumbs Up To You
:-)

----- Original message -----

From: Carlos Pineiro <cashe@CARLOSystems.com>
Date: 2/23/18 1:31 PM (GMT-05:00)
To: Bill Mitchell/Rickey's <rickeyshotsauce@aol.com>, Robert Childs <robert@arcadegamesales.com>
Subject: Updates from Carlos Pineiro

Hey Guys,

Giving a quick update on the tech progress. I needed to take just a few days to take care of customers but I have not dropped the project. I ordered some parts which I could not find locally in the USA cheaply. After trying and trying over and over, the converter needs a little service. THIS is very important cause we are dealing with 10s of Thousands that are using an old video that is actually arcade but have been convinced it's PC(Mame). If we don't do this right, it would not have been worth anything. The Converter isn't producing the Neg Vertical sync signal correctly. Without this, the recording attempts fail. Capture doesn't get color nor many of the frames, and the VCR will not line up where frame by frame can be shown. If we don't reproduce the image correctly and decide to just cut corners to save time, then we are just sealing that the false narrative going around is true.

I hear a lot of ideas from many but the job (What I volunteered to do) is showing the tech side and in the simplest forms of demonstrations show the facts. We are dealing with old tech with a new generation. Doing this right will in itself discredit the people who have started this BS.

I don't recommend you go google nor YouTube searches on the matter but the fake evidence is being used on other old time record holders. We are very close to completion and producing the evidence. Done correctly is the only way to crush this.

BEST

CP

Carlos Pineiro

From: Robert Childs <robert@arcadegamesales.com>
Sent: Friday, February 23, 2018 2:46 PM
To: Carlos Pineiro
Subject: Re: Updates from Carlos Pineiro

Agreed

Thank You
Robert Childs
954-270-6949
www.arcadegamesales.com

From: Carlos Pineiro <cashe@CARLOSystems.com>
To: Bill Mitchell/Rickey's <rickeyshotsauce@aol.com>; Robert Childs <robert@arcadegamesales.com>
Sent: Friday, February 23, 2018 1:32 PM
Subject: Updates from Carlos Pineiro

Hey Guys,

Giving a quick update on the tech progress. I needed to take just a few days to take care of customers but I have not dropped the project. I ordered some parts which I could not find locally in the USA cheaply. After trying and trying over and over, the converter needs a little service. THIS is very important cause we are dealing with 10s of Thousands that are using an old video that is actually arcade but have been convinced it's PC(Mame). If we don't do this right, it would not have been worth anything. The Converter isn't producing the Neg Vertical sync signal correctly. Without this, the recording attempts fail. Capture doesn't get color nor many of the frames, and the VCR will not line up where frame by frame can be shown. If we don't reproduce the image correctly and decide to just cut corners to save time, then we are just sealing that the false narrative going around is true.

I hear a lot of ideas from many but the job (What I volunteered to do) is showing the tech side and in the simplest forms of demonstrations show the facts. We are dealing with old tech with a new generation. Doing this right will in itself discredit the people who have started this BS.

I don't recommend you go google nor YouTube searches on the matter but the fake evidence is being used on other old time record holders. We are very close to completion and producing the evidence. Done correctly is the only way to crush this.

BEST
CP

Carlos Pineiro

From: Bill Mitchell/Rickey's <rickeyshotsauce@aol.com>
Sent: Saturday, February 24, 2018 6:59 PM
To: Carlos Pineiro
Subject: Fwd: Re:

----- Original message -----

From: "EmpireArcadia ." <emptriforcegm@gmail.com>
Date: 2/24/18 1:40 AM (GMT-05:00)
To: Bill Mitchell/Rickey's <rickeyshotsauce@aol.com>
Subject: Re:

Even when freeze framed, this system is actually showing the full NTSC 29.97 upper and lower fields from the tape signal together. There is zero field loss from the tape to the NTSC screen, it is an interlaced display operating at a full 60hz, just like a DK CRT display, and the \$6,000 VCR leaves nothing out.

If this was only showing the lower field, the screen display image would be half the height. The HR Trinitron is an interlaced display only and everything is kept analog. There is no digital stretch or conversion taking place - hence no way for a lower-field-only display to fill a screen.

People should understand that so far **all** analysis of Billy's 1.05 and 1.047 performances have been sourced from the video that is on the tapes that we currently have copies of. However, these sources that are available on the internet are **digital copies** of the tapes and we are here internally now seeing that these digital copies may be proving to not be frame accurate reproductions of what is on the actual tapes themselves.

Since all the video anyone has ever seen of the 1.05 and 1.047 have come from the tape recordings one way or another, there can be no accurate digital source of the 1.05 and 1.047 that has frames that do not exist on the actual tape.

Any frames found in a digital internet copy of these taped performances that is not on the tapes have likely been created **by the analog to digital conversion or capture process** - resulting in half/half transitional images, interpolation and etc. This is why getting possession of the actual tapes has been critical to the investigation. Some of this frame interpolation stuff also somewhat touches an issue that **@The Christian Pac-Man** raised previously.

Also interestingly, the footage shot by **@timmell** was recorded at 23.98 - which is problematic for our investigative purposes.

Now, with the above being said, we have JUST started to really dig into Billy's tapes so we will see what we discover about them. We've made no determination other than that there seems to be some frame differentials between the tapes we have in hand, and the digital copies on the internet that

@xelnia may have based some of his analysis on.

It is important to note that these tapes did not come from Billy Mitchell, these tapes came from Dwayne Richard. We have confirmed these tapes as Billy's tapes (or a copy of them) by cross referencing it with digital footage we received from a former TG ref, Greg Erway via Richie Knuckles. So we believe we have the right unaltered material.

Lastly, we are only talking about what is on the tape. Frames that may be actually missing on the actual tape (if any), is a different matter and speaks to the recording mechanism or procedure that may have been used to capture the purported "direct feed." We will be investigating this aspect thoroughly as well when we get to that piece after we finish looking at these tapes.

In the meanwhile we will be looking at this tape analysis very closely.

As an example for the curious, here is the type of thing we look for when we are examining:

Is every screen transition identical throughout the tape? We already know that it is not in the digital copies on the internet. Is the tape the same way? If yes, how can that be - the direct feed VHS capture should not have missed frames. It should have recorded consistently.

Etc.

We appreciate everyone's patience in this matter. We are being as thorough as possible and making sure we leave no reasonable stone un-turned before coming to a decision. We are moving as quickly as possible.

Isaiah TriForce Johnson

Founder & CEO | Empire Arcadia

eSports Hall of Famer, Architect & Consultant



emp.triforce.gm



emptriforcegm@gmail.com



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Empire Arcadia (otherwise known as "Empire" or "EMP") is the most: diverse, versatile and laudable Development Company for the Digital Culture, Community, Industry of gaming. The organization utilizes its 14 year experience in the Competitive Gaming Industry also known as eSports, to help integrate technology and entertainment to help revolutionize the vision of competitive gaming founded by Walter Day the founder of Twin Galaxies. Founded in 1984 as a community and Established in 2002 as a eSports organization, Empire Arcadia was awarded and certified

by Guinness World Record in 2012 for the "[Most Documented Tournament Wins for a Gaming Team](#)". As the world's most winning eSports team, Empire Arcadia is committed in the further development of the digital culture, community and industry of video games.

On Fri, Feb 23, 2018 at 11:33 PM, Bill Mitchell/Rickey's <rickeyshotsauce@aol.com> wrote:

Call quick

Carlos Pineiro

From: Bill Mitchell/Rickey's <rickeyshotsauce@aol.com>
Sent: Sunday, March 4, 2018 4:54 AM
To: Carlos Pineiro
Subject: Fwd: Re: Flight

----- Original message -----

From: "EmpireArcadia ." <emptriforcegm@gmail.com>
Date: 3/4/18 3:29 AM (GMT-05:00)
To: Bill Mitchell/Rickey's <rickeyshotsauce@aol.com>
Subject: Re: Flight

I sent him the following on facebook, but if you have his email, forward this to him.

Steve and Billy IVGHOF DK - <https://youtu.be/4U0WZUzroKk?t=1m56s>

Steve Webie - <https://youtu.be/FddGLtIAAQ0?t=11m42s>

Isaiah TriForce Johnson

Founder & CEO | Empire Arcadia
eSports Hall of Famer, Architect & Consultant



emp.triforce.gm



emptriforcegm@gmail.com



[New York, United States | Kingston, Jamaica](#)



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by Guinness World Record in 2012 for the "[Most Documented Tournament Wins for a Gaming Team](#)". As the world's most winning eSports team, Empire Arcadia is committed in the further development of the digital culture, community and industry of video games.

On Sun, Mar 4, 2018 at 2:51 AM, Bill Mitchell/Rickey's <rickeyshotsauce@aol.com> wrote:

Please send 2010 Steve Sanders Donkey Kong video to Carlos

----- Original message -----

From: Bill Mitchell/Rickey's <rickeyshotsauce@aol.com>

Date: 3/3/18 6:19 PM (GMT-05:00)

To: "EmpireArcadia ." <emptriforcegm@gmail.com>

Subject: Re: Flight

Call me please

Carlos Pineiro

From: Bill Mitchell/Rickey's <rickeyshotsauce@aol.com>
Sent: Wednesday, March 7, 2018 9:08 AM
To: Carlos Pineiro
Subject: RE: Watch "Hank Chien - 1,138,600 [Former Arcade World Record]" on YouTube

You got him too... Holy sugar you got a lot... He is a guy who is not loud about anything he is quiet... But behind the scenes he has given lip service for years I am told

----- Original message -----

From: Carlos Pineiro <cashe@CARLOSystems.com>
Date: 3/7/18 8:39 AM (GMT-05:00)
To: Bill Mitchell/Rickey's <rickeyshotsauce@aol.com>
Subject: RE: Watch "Hank Chien - 1,138,600 [Former Arcade World Record]" on YouTube

Hank yea I already got him in a screenshot.. he is one of the 5. Thanks for sharing

CP

From: Bill Mitchell/Rickey's [mailto:rickeyshotsauce@aol.com]
Sent: Wednesday, March 07, 2018 8:34 AM
To: Carlos Pineiro
Subject: Watch "Hank Chien - 1,138,600 [Former Arcade World Record]" on YouTube

<https://youtu.be/Tg5ct3nrRzA>

This is a full game from Hank chin a very significant Donkey Kong player

Carlos Pineiro

From: Bill Mitchell/Rickey's <rickeyshotsauce@aol.com>
Sent: Saturday, April 7, 2018 11:58 AM
To: Shawn Jones; Robert Childs; Carlos Pineiro
Subject: Fwd: write up for Billy
Attachments: billy.docx

Top Secret

----- Original message -----

From: Eric Tessler <erictessler@roadrunner.com>
Date: 4/7/18 2:28 AM (GMT-05:00)
To: Joel West <joel.west.now@gmail.com>, Billy Mitchell <rickeyshotsauce@aol.com>
Subject: write up for Billy

This is a word document, I hope you guys can open it lol.

Let me know if it is something that helps. You may use it to your desire ☺

Eric



Virus-free. www.avast.com

Carlos Pineiro

From: Bill Mitchell/Rickey's <rickeyshotsauce@aol.com>
Sent: Wednesday, May 9, 2018 6:06 PM
To: Carlos Pineiro
Subject: Bottles

Very sorry Sir,

I meant to send you a message yesterday... The bottles are finished and on top of the cocktail machine right inside Rob's door where I put them in the past...

Rob is looking forward to saying hi to you...

Anytime at your convenience...

Carlos Pineiro

From: Bill Mitchell/Rickeys <rickeyshotsauce@aol.com>
Sent: Monday, May 6, 2019 10:28 AM
To: Carlos Pineiro
Subject: Re: Emailing: Carlos Pineiro investigation Time Sheet (Final)

Awesome Sir, no worries as that is not the direction...
You are smarter than you think 😊

----- Original message -----

From: Carlos Pineiro <cashe@CARLOSystems.com>
Date: 5/5/19 8:06 PM (GMT-05:00)
To: Bill Mitchell/Rickey's <rickeyshotsauce@aol.com>
Subject: Emailing: Carlos Pineiro investigation Time Sheet (Final)

Hi Billy,

I'm sorry I took so long. I know you have attempted to reach me. I don't know what the plan is BUT I want you to know that I do have very huge reservations on the use of my time sheet of the investigation because I do NOT believe it will help you in any way. I actually feel that it will reopen more troubles. I know I know the line that Billy Mitchell always has a plan but whatever you do, I hope it actually helps you...

Carlos Pineiro
7865532191

Carlos Pineiro

From: Bill Mitchell/Rickeys <rickeyshotsauce@aol.com>
Sent: Monday, May 6, 2019 11:20 PM
To: Carlos Pineiro
Subject: Fwd: Shareholders vs. Jace Hall and Rick Fox

----- Original message -----

From: EmpireArcadia <emptriforcegm@gmail.com>
Date: 5/6/19 3:14 PM (GMT-05:00)
To: Bill Mitchell / Rickey's <rickeyshotsauce@aol.com>
Subject: Shareholders vs. Jace Hall and Rick Fox

The first article is talks about the "shady" dealings of Jace Hall with Investors money regarding Twin Galaxies and it's H1Z1 Pro League. It goes into details about Jace Hall's unethical business practices, his negative relationship with his employees and potentially Illegal mismanagement of investors money which is pending Investigation.

- <https://www.vpesports.com/jace-hall/investigation-h1z1-pro-league-documents-show-financial-troubles-and-viewership-irregularities>

The second article reports talks of Jace Hall's partner Rick Fox quitting his esports company "Echo Fox", alleging racist abuse from shareholders to his partner Jace Hall.

- <https://www.polygon.com/2019/4/25/18516539/rick-fox-leaving-echo-fox-racism-esports>

The third article reports new findings as to why the shareholder used a racial slur against Jace Hall, Rick Fox's partner. The apology and findings in this article sheds light on the accusation of Jace Hall's mismanagement of money invested into his company Twin Galaxies for the H1Z1 Pro League which prompted the racial slur out of anger.

- <https://freegamesapk.org/2019/echo-fox-affaire-amit-raizada-admits-racist-offenses-to-jace-hall.html>

Isaiah TriForce Johnson

Founder & CEO | Empire Arcadia
International Video Game Hall of Fame eSports Inductee
Ghana International eSports Ambassador
Architect & Consultant



emp.triforce.gm



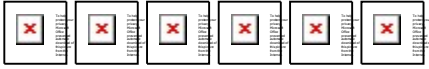
emptriforcegm@gmail.com



[New York, United States | Kingston, Jamaica](#)



[+1 \(216\) 210-0192](tel:+12162100192)



Empire Arcadia (otherwise known as “The Empire” or “EMP”) is a diverse and versatile eSports brand team. The organization helps to develop the Digital Culture, Community and Industry of gaming. Utilizing its 16 years of experience in the Competitive Gaming Industry also known as eSports, EMP helps integrate technology and entertainment to further revolutionize the 35 plus years of the eSports scene that was founded by Walter Day the creator of Twin Galaxies.

Founded in 1984 as a community and Established in 2002 as a organized eSports team, Empire Arcadia was awarded and certified by Guinness World Record in 2012 for the "[Most Documented Tournament Wins for a Gaming Team](#)". As the world's most winning eSports team, Empire Arcadia is committed in using its Dynastic eSports brand in furthering the development of markets for Fashion, Art, Media, Technology, Competition, Music, Health and, Education in gaming. The brand now pivots its focus to the underrepresented, underdeveloped regions and groups in the world, throughout the eSports industry.

Carlos Pineiro

From: joel.west.now <joel.west.now@gmail.com>
Sent: Sunday, March 4, 2018 3:09 PM
To: Carlos Pineiro
Subject: Billy's friend Joel West.

I have an idea. It would be simpler if you could just call me for 5 min and we could discuss it. I am in hospital with a hand injury and am essentially just sitting here, as all my major activity has happened today. Besides typing hurts. Please call me at your earliest at 704-460-0185 Thanks.

Sent from my Samsung Galaxy smartphone.

Carlos Pineiro

From: Joel West <joel.west.now@gmail.com>
Sent: Sunday, March 11, 2018 4:00 PM
To: Billy Mitchell; Robert Childs; Carlos Pineiro
Subject: Email to Steve Corrected Version

Dear Steve,

I hear you would like to speak with me. I also need to address something with you, and then ask you for your help. Please read this all the way through and give me your response.

I have heard for a few days you are displeased with the fact that I am handling Billy's response. I was chosen by Billy because of things I have accomplished for him in the past plus my paralegal experience.

What you may think about me personally, because of my stand in faith, or of something else you have against me is inconsequential to THIS cause, in which we are supposed to be united in overcoming ... the attack on Classic Gaming and most importantly the lies brought against our mutual friend Bill Mitchell. If you have something personal against me, you should address that to ME, not to others via gossip. If you have something against my faith or my God, those issues have not, nor will not, be addressed in the response I have prepared.

As I see this, you are wanting to release this on your site and be the point man. Steve, while you did GREAT work on finding the Cat-Apollo tweet and your "thank you", this IS NOT about any one of us. This really is not even about Billy. It is about the attack on Classic Gaming, it is about the TRUTH.

Did you know that several emails have been intercepted that name many Classic gamers that will be future targets? Do you have the legal training to know how to respond yet still not damage a future defamation or conspiracy case? NO! It takes more than common sense or speaking one's mind to avoid damaging a future case. A future case must have cause (by their actions) and no obstacles placed in the way to diminish that case (by our actions). We must protect Billy but the only way to protect the rest of us is with a future case against the defamers. Would you want to accidentally hurt or destroy that just because you have something against me, my God or to just gain attention for yourself?

I am asking you to be reasonable, to think of all the work done, to think of others than yourself, to think of the immediate consequences to Billy, allow those with experience and foresight to continue work they HAVE BEEN TRAINED in to complete the task. This release is a 3 prong release which WILL be started with the next day.

Can I count on you, can Billy and the TEAM count on you to put your own interest aside and let this info properly and correctly be disseminated? Any pre-emptive release will SPOIL the plans that you aren't fully aware about at this time. I am not going to call you. I think your emotion and my effort will not mix on the phone. Respond by FB message please. This is not about8 either of self-aggrandizing ourselves. It is about doing it correctly and laying ground work on a future case that could effect us all.

That being said, I could use your help. There is a prominent site, that I cannot reveal now, that wants the story of Apollo's appearance at Arcade Night, and his subsequent disappearance in the Billy story. He did receive a Cease and Desist Letter, which is why he has been quite. I believe no one could tell the story any more informative or better than you. They may use all, most, part or just quotes. However, this would be your account, credited to you. If you don't want your name associated with acceptance of the tweet, please let me know so I can relay that.

That is it. I hope you understand and will remain united with the rest of the TEAM.

Please let me know as soon as possible.

EXHIBIT B

Conversation with Billy Mitchell (+19548299464)



Message received from Billy Mitchell (+19548299464) 2/12/2018 6:16:51 PM

Carlos, we got cut off let me just say thank you so much you and Rob and you and Steve speak later and I'm ready at any moment... I will continue to get you any information I can... Please text me your email... Again thank you so much

Message sent 2/12/2018 6:58:44 PM

I'm sorry my man, my phone ran totally out of juice. While charging up I went on line to see what is up and to catch up. I believe the idea we have spoken about will be the best, quickest, rebuttal proof option myth buster style. Quick, clean and to the point demo of machine and side setup. Since we have original machine and the original converter used on the contested video, I have over 99.999978% good feeling that it will all be good.
Carlos Pineiro
cashe@CARLOSystems.com

2/13/2018



Message received from Billy Mitchell (+19548299464) 2/12/2018 7:17:51 PM

I thank you so much sir... I look forward to it it will really really help me and my family thank you...

2/20/2018

Message sent 2/20/2018 1:59:50 PM

cashe@CARLOSystems.com

2/28/2018



Message received from Billy Mitchell (+19548299464) 2/28/2018 5:42:11 PM

Metro Signs Inc.
1220 South State Road 7, Hollywood, FL 33023

<https://g.co/kgs/gEzbxR>

Message sent 2/28/2018 5:43:07 PM

Thanks. Just 10 min away

3/1/2018

Message sent 2/28/2018 7:25:49 PM

Bill, I just noticed I took the little miller's bottle. Do you need that?

Message received from Billy Mitchell (+19548299464) 2/28/2018 7:41:26 PM



No sir not at all please have your wife taste that one

Message sent 2/28/2018 7:42:06 PM

Great, thanks...

Message received from Billy Mitchell (+19548299464) 2/28/2018 7:44:03 PM



Message sent 3/1/2018 1:56:01 PM

Hey Bill, did you try the treat?

Message received from Billy Mitchell (+19548299464) 3/1/2018 2:01:57 PM



My wife was coming home in about 2 hours and she was going to stop at Chipotle...

She said, what would you like...??? I said nothing... When she got home she learned to why... :-)

It was awesome and tonight it will be more awesome... And this time maybe she'll get the try some too... :-)

Thank you so much I have something your wife is going to love...
Talk later

Message received from Billy Mitchell (+19548299464) 3/1/2018 5:56:05 PM



Okay sir... I have Triforce with me we can either go to arcade game sales or go to Lester's Diner if you are able to meet if you are not then that's okay send me a text

Message sent 3/1/2018 5:59:58 PM

Yikes. My phone was FULLY DEAD. just saw message. Where r u guys?

Message sent 3/1/2018 6:07:32 PM

See you at lesters

3/2/2018



Message received from Billy Mitchell (+19548299464) 3/2/2018 1:22:45 PM

Hey sir, we will be at Rob's place buy three...

Message sent 3/2/2018 1:29:11 PM

I was told last night by Steven to leave for Saturday cause we would have the whole day. I'm out doing computer job today. I will not be free today. Sry

3/4/2018



Message received from Billy Mitchell (+19548299464) 3/4/2018 2:23:40 PM

I just play
I only know how to work the joystick and button...
Seriously, I think the analysis you show will very easily show the tremendous amount of variance that is available with all of these
Any fair-minded person would scratch their head and say wow

Message sent 3/4/2018 2:34:54 PM

I haven't shown anyone of you guys my secret weapon! I'm very VERY excited. These videos make the fair minded say wow, but the secret weapon will also add the close to the fence people.
I will tell you what it is. The video that shows the converter setup..... if you slow it down frame by frame, you actually SEE that both screens creates different images on the board change. That is because the 2 screens are at different sync from the 1 camera. And I will SHOW THAT. and this will show how it's NOT the game board that makes that swipe. IT'S the MONITORS. Mame are snapshots that skip a monitor.



Message received from Billy Mitchell (+19548299464) 3/4/2018 2:36:26 PM

Heat duty

Message sent 3/4/2018 2:39:32 PM

Don't know what that means but I'm almost ready to put all together. I just have 3 more players to find playing but I'm working on that already.



Message received from Billy Mitchell (+19548299464) 3/4/2018 2:40:50 PM

That was supposed to say heavy duty
Meaning above my head

Message sent 3/4/2018 2:43:04 PM

Oooooo hahahahhah. I promise you will when you see the final package. I will keep it Simple

3/5/2018

Message sent 3/4/2018 10:29:49 PM

Hi Billy, sorry for the late message. I like to meet up. I have some questions and just minor concerns that I don't want any of the other guys to know. I can schedule my time around you to make it easy. 10min 15max. Thanks

Message sent 3/5/2018 10:59:11 AM

Hi Bill, anyway I can cross your path for a quick 10min meet. I can go anywhere you are to make easy. Thanks

3/6/2018

Message received from Billy Mitchell (+19548299464) 3/5/2018 11:36:30 PM



Fwd: I have good news
Every PCB I have tested looks completely different when slowed down
I am calling in some favors right now and having other people bring me their pcbs also
This is going to take awhile because there is a lot of editing to do
Tested 3 different pcbs so far tonight all 3 load differently. I am going to test 10 or more different pcbs before I finish this video

Message received from Billy Mitchell (+19548299464) 3/5/2018 11:44:26 PM



Fwd: We going through the 4th PCB footage right now and it is also different
I am doing the same test with direct feed and with a recorded vhs tape and directly from a dk monitor

Message sent 3/6/2018 12:03:48 AM

Remind them to be careful. The argument is that arcade produces a different looking split screen effect where Mame constantly has a clear pop transition everytime.
The differences are produced by the screen...

3/7/2018

Message received from Billy Mitchell (+19548299464) 3/7/2018 8:26:10 AM



Sir, this message below came in last night...
Please read it and give me your thoughts... Although your name is in the message they forgot to put you on the CC list...

From: Joel West <joel.west.now@gmail.com>

To: Billy Mitchell Neil Hernandez, Rob Childs, Steve Kliesath, Triforce Johnson, Joel West, David Race, Richie Knucklez, Walter Day, Eric Tessler

We are planning to release ALL our info on the TG dispute thread this weekend. Now that Joel is out of the hospital, he will be back to organizing the material. He asks that ALL material to be released be submitted to him for organization by Saturday.

He asked me to remind everyone ... there is a tendency for people to be loose-lipped right before BIG info of ANY kind is about to be released. PLEASE, don't be careless and leak anything to a friend or someone you want to impress or show them how foolish they have been. THIS IS CRITICAL. All who have contributed will be duly and THANKFULLY recongized, unless they wish to remain anonymous, AFTER the vindication.

Please forward all info to Joel as soon as possible by Facebook or email. He is still recuperating so this will take time.

Thanks,
Bill Mitchell

3/8/2018

Message received from Billy Mitchell (+19548299464) 3/7/2018 11:57:01 PM



Call me asap

3/9/2018

Message received from Billy Mitchell (+19548299464) 3/9/2018 4:00:17 PM



Fwd: Are you able to send me the inverter board you found that you used to record your performances with?

The message above was sent to me this afternoon from Jace at Twin Galaxies...

I have not responded to him at all yet... I am not going to respond to him until the three of us speak and we decide the best course of action... say yes and send it... Or say no and don't send it... Or don't respond at all... You two can talk now or we can all three talk later...

3/10/2018

Message sent 3/10/2018 1:11:24 PM

Best if we all can talk. Don't worry about time on my end. If he is asking about inverter, that is a part in the DK. But I think what he is asking for is the converter.

3/12/2018

Message received from Billy Mitchell (+19548299464) 3/12/2018 9:25:41 AM



Fwd: Here is Jason from Ohio's finished video. ROB, can you view it please and judge if it helps, hurts or is of no consequence either way?

https://www.youtube.com/watch?v=M_Ksi_dss9U&t=8s

Message sent 3/12/2018 2:32:06 PM

I checked out Jason video. Gave him my feedback to focus on the multiscreen setup. But other than that I don't see it being that helpful nor too damaging.

Message received from Billy Mitchell (+19548299464) 3/12/2018 2:33:48 PM



3/13/2018

Message received from Billy Mitchell (+19548299464) 3/13/2018 12:49:27 PM



Do you happen to be a member of the spirit \$9 fare Club?

Message sent 3/13/2018 1:10:33 PM

cashe@CARLOSystems.com
Pass: genesis

3/14/2018

Message received from Billy Mitchell (+19548299464) 3/14/2018 3:14:50 PM



Yo boss, please call me... But call me when you have about a 10-minute block

Message received from Billy Mitchell (+19548299464) 3/14/2018 7:38:28 PM



Are you available for a short phone call...???

Message sent 3/14/2018 7:38:58 PM

Yes. Ready

Message received from Billy Mitchell (+19548299464) 3/14/2018 7:39:35 PM



Ok
Soo

Message received from Billy Mitchell (+19548299464) 3/14/2018 7:39:39 PM



Soon

Message sent 3/14/2018 7:40:08 PM

No.prob. I'm home have earpiece ready

3/15/2018

Message sent 3/15/2018 1:47:23 PM

I can be found on messenger under "Cashe18"

3/18/2018

Message received from Billy Mitchell (+19548299464) 3/18/2018 11:27:37 AM



Billy - looks like jace figured out your mame secret? Did someone tell him or he came up with this on his own??? This may end your dispute as we discussed last night!

3/19/2018

Message sent 3/18/2018 11:46:54 PM

Thanks for talking about the 2 year gap in the mame find next to Robbie. Now I'm on to winning that \$1000.... I will find it

3/20/2018

Message received from Billy Mitchell (+19548299464) 3/19/2018 11:59:49 PM



Jace Hall
425-269-6144

Message sent 3/20/2018 12:03:06 AM

Don't want to say alot, robbie next to me.. talk soon



Message received from Billy Mitchell (+19548299464) 3/20/2018 12:13:41 AM

He has to produce proof that that cheat code he is talking about existed before the date...



Message received from Billy Mitchell (+19548299464) 3/20/2018 12:14:05 AM

He is a software guy he may have invented the cheat himself last night



Message received from Billy Mitchell (+19548299464) 3/20/2018 12:16:58 AM

Why would someone build a cheat 15 years ago that would alter the framework load

Message sent 3/20/2018 12:50:47 AM

Makes no sense

3/22/2018



Message received from Billy Mitchell (+19548299464) 3/21/2018 11:01:51 PM

My wife found online... Apollo Legend is dead
No joke

Message sent 3/21/2018 11:02:53 PM

What? OMG



Message received from Billy Mitchell (+19548299464) 3/21/2018 11:06:12 PM

If it is true I will not shed a tear
I will try my very hardest not to smile or giggle

Message sent 3/21/2018 11:07:50 PM

I don't see anything. Closest u found with his name is titled death of speedrunning but it's years old



Message received from Billy Mitchell (+19548299464) 3/21/2018 11:10:15 PM

The only place I remember she mentioned was reddit.com

Message sent 3/21/2018 11:10:44 PM

I'm in reddit. Looking



Message received from Billy Mitchell (+19548299464) 3/21/2018 11:11:57 PM

My wife said to Google

Apollo Legend Reddit dead

Message sent 3/21/2018 11:25:23 PM

I see nothing solid.



Message received from Billy Mitchell (+19548299464) 3/21/2018 11:26:38 PM

I certainly hope you find something solid...

Oops...

Was I not supposed to say that...

I'll see if I can get my wife to find it again

Message sent 3/21/2018 11:34:03 PM

I found it but it's not solid. Date is odd and time. Seems like troll. Died from a spider bite in him home last Monday at 10am cst.

Message sent 3/21/2018 11:39:13 PM

I will keep eye open but looks like a troll post.



Message received from Billy Mitchell (+19548299464) 3/21/2018 11:43:44 PM

You are probably correct

Message sent 3/22/2018 12:08:46 AM

Todd collects spiders. And Apollo death by spider.



Message received from Billy Mitchell (+19548299464) 3/22/2018 12:10:28 AM

Yeah I'm going to buy Todd a pizza when I see him

Message sent 3/22/2018 12:11:10 AM

Hahaha

Message sent 3/22/2018 1:56:41 PM

Hi, Billy. If you have a place you want me to pass by to pickup the wife surprise? I'm in Broward all day today.

Message received from Billy Mitchell (+19548299464) 3/22/2018 5:21:25 PM



Triforce is calling you with an urgent idea...
Please answer
It will be a restricted call
I think his idea is poppycock...
But humor him...

Message sent 3/22/2018 5:41:51 PM

Np.

Message received from Billy Mitchell (+19548299464) 3/22/2018 6:36:59 PM



That was sent to Jace shortly before his broadcast which for 30 minutes he cannot get working... He can't get it streaming... Everyone is laughing at him making in front of him... Some people said he needs to use Mame

Message received from Billy Mitchell (+19548299464) 3/22/2018 6:37:09 PM



Please look at it... We changed a little bit at the end... I will speak to you about it later

Message received from Billy Mitchell (+19548299464) 3/22/2018 6:38:58 PM



Carlos' 5 points (all debunked) and then some

1) The converter argument that started it for me, shown and debunked with a video. How an old arcade can have an output that can be captured (VCR or Computer)

2) Arcades only produce a swiping effect. Show and debunked. Shutter effect will produce clean and swipes cause of monitor (Showed other players with clear looks too)

3)Mame can not produce a look like an Arcade. Well, the billy tapes are full of the cut swipe capture. only 2/3 of a second was used for a clean pop drawing.

4) a converter does NOT produce or draws extra images. It is exact. (Well I showed with a TV to the Arcade that image outputted was different and TV was AHEAD then the Arcade)

5) Tail(Finger) on stage can only be rendered using Mame (I proved that versions the dispute stated was used came out 2+ years AFTER the tape was made)

NOW the new one 6) That if you set mame to cheat mode and set output to 60fps(Frames per second), then every version will create that finger (WELL, if you set mame to 60fps, and regular screen can not produce the image. Also a VCR can not record a signal with a 60fps signal because it could never understand the sync/color burst signal in the RCA wire. VCRs frame rate input is 30fps (Actually 29.97) ,anything way different would not record right.)

But As it seems, IF I release that lapse in the NEWEST claim, They will just add change it again. Even the Apollo video was surrounded around the swipe effect. but that was debunked some time ago.

*****The dispute's creditability is never looked at, just what is being looked for changes.*****

This is an investigation in search of a violation and that is unfair

Message sent 3/22/2018 6:41:53 PM

That looks right...

Message sent 3/22/2018 6:52:00 PM

About the streaming, the mob is strong and vile. They get them excited and watch her them eat their own...

Just an FYI, you might already know this or maybe not but Steven hit Hall with these points yesterday. He stated this to me this morning. To where I became every irate cause I told him that Mr.Hall has people on our side already talking to him,so leave him(mr.hall) alone so he isn't bombarded repeatedly. But he did it anyways.

Message received from Billy Mitchell (+19548299464) 3/22/2018 6:53:21 PM



That's why we have to keep him in the dark

Message sent 3/22/2018 6:56:11 PM

I am. No more.. means well but don't see bigger picture. And in his ways, he becomes the leaker of things. Plus makes up stuff.
Keep me posted on events also if you got the wife surprise as she is pretty excited

Message received from Billy Mitchell (+19548299464) 3/22/2018 6:59:43 PM



3/24/2018

Message sent 3/24/2018 1:03:29 PM

Will you be at the arcade later? My wife wants to meet and thank you in person. Also I have some questions that will help me immensely.

Message received from Billy Mitchell (+19548299464) 3/24/2018 1:45:22 PM



Probably... Probably late late afternoon... I'm a little out of uniform... I don't have my tie on... :-)
I will text you when I'm up date later...

Message sent 3/24/2018 1:56:29 PM

NP. Thanks.

3/26/2018

Message received from Billy Mitchell (+19548299464) 3/25/2018 10:38:34 PM



Sir

Message sent 3/25/2018 10:39:06 PM

Go ahead. listening

Message received from Billy Mitchell (+19548299464) 3/25/2018 10:41:03 PM



Just call me when you're not busy either now or in the morning

3/28/2018

Message sent 3/28/2018 12:15:38 AM

Thanks for dinner tonight. FYI, David Race has released findings that I believe will hurt us and just make our work harder. I tried to stop it but he believed it will prove that dispute has no merit. I expressed to him that the mob will say that mame was setup with different options on each video. Just a heads up but I'm cutting communication with him as he is a liability to our work in my eyes.

Message received from Billy Mitchell (+19548299464) 3/28/2018 12:17:33 AM



Wow...
You tried to warn him...
Okay we need to put him on mute along with Steve...

Message received from Billy Mitchell (+19548299464) 3/28/2018 12:17:45 AM



Like you said the dinner was good however

Message sent 3/28/2018 12:18:15 AM

Chat tomorrow.. night

3/29/2018

Message received from Billy Mitchell (+19548299464) 3/29/2018 6:53:03 AM



Okay... Taking off now...
Man I want a balloon this thing up bigger than anything...
I think this means or it could mean that there are thousands or millions of combinations that have to do with different VCRs and such that could produce anything...

Message received from Billy Mitchell (+19548299464) 3/29/2018 8:48:07 AM



David Race just posted this
I have already shown that the output signal from a source may show up differently once it is recorded to VHS. It is amazing how I recently recorded a composite video signal of the rivet board drop(arcade) to my VCR and all the girders showed up at the bottom in one frame. Didn't I hear someone recently claim that this only happens in MAME?

3/31/2018

Message received from Billy Mitchell (+19548299464) 3/31/2018 12:05:34 PM



Hey boss... Call me when you can...

Message sent 3/31/2018 6:21:58 PM

After your practice, I'd like to meet up privately if available today. I can go your way if easier. Thanks

Message received from Billy Mitchell (+19548299464) 3/31/2018 6:26:56 PM



Ok

4/1/2018

Message sent 3/31/2018 11:32:10 PM

Hey brother. How did the game go? Squeeze me 20 min tomorrow. Prefer in person and private. Thx

Message sent 4/1/2018 3:05:03 AM

Had ringer off. Missed call. I'm home.

Message received from Billy Mitchell (+19548299464) 4/1/2018 3:05:30 AM



Call me if you like

Message received from Billy Mitchell (+19548299464) 4/1/2018 2:28:44 PM



I got a tube TV...
Look closely it is a Hello Kitty TV...
And it works...

Message sent 4/1/2018 2:36:47 PM

Looks funny but it's PERFECT FOR our testing. THANK YOU!.. we have work to do. I was feeling annoyed because seen that my pics, tests and cuts from my videos keep coming up in forums, videos and disputes.. but I Don't see the "tests" other including jace have been doing. I want to test those other vcrs to get color recording in vcr. Debunk the no color claim quick.

4/2/2018

Message sent 4/2/2018 11:49:17 AM

Call me when able

Message received from Billy Mitchell (+19548299464) 4/2/2018 12:42:04 PM



My daughter found Sheila son... Left a message with her to call Mitch's Sun... Mitch is my dad
the message is please call Mitch's son Pac-Man Billy when you are able...
Sheila will call

Message sent 4/2/2018 12:42:40 PM

Excellent!

Message received from Billy Mitchell (+19548299464) 4/2/2018 1:47:08 PM



Please send me a link to the MTV article

Message sent 4/2/2018 1:48:40 PM

Steve found it. I will look it up... 1 min.

Message sent 4/2/2018 1:50:29 PM

<http://www.mtv.com/news/1565744/donkey-kong-king-reclaims-top-score-and-hes-got-witnesses-to-prove-it/>

Message received from Billy Mitchell (+19548299464) 4/2/2018 2:22:19 PM



I got Sheila's number I called and left a message and I forwarded her the news article so it'll be fresh in her mind when we speak

Message sent 4/2/2018 2:27:09 PM

That is GREAT!... HUGE Progress..

4/3/2018

Message received from Billy Mitchell (+19548299464) 4/2/2018 9:57:45 PM



Walter would like to have a conference call with you and David if you and David are both available... He wants to tell you what Jace said when they spoke...

Message sent 4/2/2018 11:20:26 PM

Damn, I just noticed this message. I'm in bed. But I can do it anytime tomorrow

Message received from Billy Mitchell (+19548299464) 4/2/2018 11:39:02 PM



Message received from Billy Mitchell (+19548299464) 4/3/2018 12:23:36 PM



From David Race...

Fwd: from last night...

I am asking because your 1,050,200 game shows ghost images of the demo screen right when you start. I am trying to pin down the cause, whether it is unique to arcade or just some kind of bleed through from a previous recording.

Fwd: from this morning...

It looks like it might be a video sync artifact from the arcade to monitor/vcr. I just need to find if this kind of thing would happen with a mame set up, in order to eliminate options.

Message sent 4/3/2018 12:47:55 PM

Race is a dog with a BONE.. But will not drop bone ever...
I explained it over and over. You see a light image of another play lightly in background. I told him that it's a result of the tape being used over and over. You kinda still have a bit of the previous recorded game on that tape.

Message sent 4/3/2018 6:09:10 PM

Are you practicing tonight

Message received from Billy Mitchell (+19548299464) 4/3/2018 6:12:12 PM



I am here now playing

4/4/2018

Message received from Billy Mitchell (+19548299464) 4/3/2018 10:01:31 PM



Hey sir, I just left the arcade... I tried calling you it went straight to voicemail... Hope all is well...

Message sent 4/3/2018 11:15:16 PM

Thanks for heads up. I got back into town and fell asleep on couch. See you tomorrow

Message received from Billy Mitchell (+19548299464) 4/3/2018 11:30:10 PM



4/6/2018

Message received from Billy Mitchell (+19548299464) 4/5/2018 10:15:32 PM



Message sent 4/5/2018 10:16:41 PM

WOW Thanks..... You still at shop?

Message received from Billy Mitchell (+19548299464) 4/5/2018 10:17:46 PM



Yes Sir
I am going to try and play...

Message sent 4/5/2018 10:18:34 PM

Try hearing rock and roll. Give you a tempo

Message received from Billy Mitchell (+19548299464) 4/5/2018 10:19:07 PM



Message received from Billy Mitchell (+19548299464) 4/5/2018 10:58:48 PM



<https://www.twingalaxies.com/showthread.php/176004-Dispute-Jeremy-Young-Arcade-Donkey-Kong-Points-Hammer-Allowed-Player-Billy-L-Mitchell-Score-1-062-800?p=962479&viewfull=1#post962479>
It was sent by Dean in Oklahoma...
I can't open it...

Message sent 4/5/2018 11:02:37 PM

I saw this earlier today

Message sent 4/6/2018 6:07:32 PM

Hi Billy, few days ago you saw Walter Day wanted to have a call. Does he still want one?

Message received from Billy Mitchell (+19548299464) 4/6/2018 6:09:08 PM



Yes
This evening...

Message sent 4/6/2018 6:09:38 PM

Ok. Keep me posted

Message received from Billy Mitchell (+19548299464) 4/6/2018 7:10:07 PM



I am at Rob's place...

Message sent 4/6/2018 7:35:45 PM

I'm very VERY upset. I did not like Steve putting me on the spot. I had told him MULTI times that I would meet with you privately in person. And I REPEATED TO Steve that I am NOT him. I don't handle things like he (steve) does. I'm not a GUN HO person. I ask questions and work from there.... Bad or Good. I'm so steamed right now... I'm sorry Bill, I wasn't expecting that move.

Message received from Billy Mitchell (+19548299464) 4/6/2018 7:37:58 PM



Never a bad thought in my mind

Message received from Billy Mitchell (+19548299464) 4/6/2018 7:38:28 PM



Hopefully I can stay positive and put together a game...
I forgot the music... I won't forget it tomorrow... :-)

Message sent 4/6/2018 7:46:19 PM

Incuse you haven't seen the newest meme of me, here is for your enjoyment. It's actually pretty funny.

Message sent 4/6/2018 7:46:30 PM



4/8/2018

Message sent 4/7/2018 9:12:17 PM

Are you at shop?

Message received from Billy Mitchell (+19548299464) 4/7/2018 9:35:34 PM



Yes sir I just arrived back

Message received from Billy Mitchell (+19548299464) 4/7/2018 9:49:14 PM

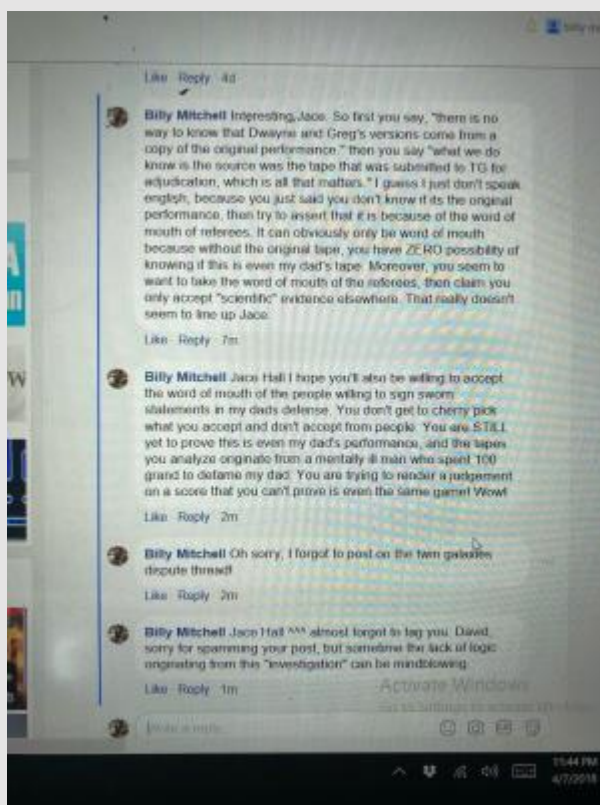


Rob
Carlos
David
Eric
Joel

Message sent 4/7/2018 9:49:59 PM

Replied to wrong windows.

Message received from Billy Mitchell (+19548299464) 4/8/2018 12:19:10 AM



(I couldn't resist. I'm sorry. My head started hurting and my brain shut down after reading Jace's post)

Message received from Billy Mitchell (+19548299464) 4/8/2018 12:19:11 AM



It breaks my heart that he's even spending 10 seconds thinking about this

Message sent 4/8/2018 1:00:43 AM

I did notice your son had hit twitter and was going back and forth with tipster (YouTube personality on gaming). And I know this cause I was tagged on it... He (your son) shouldn't get worked up as once these things pass, they will blow over in time. As do a lot of things. I can't imagine the feeling...

Message received from Billy Mitchell (+19548299464) 4/8/2018 1:04:47 AM

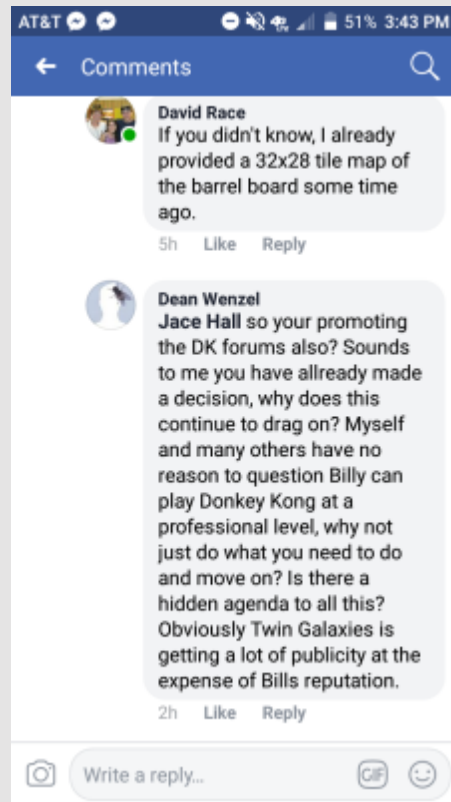


Erik is having a lot of interaction with Jace this evening
I asked him to forward it to you

Message sent 4/8/2018 1:06:21 AM

I haven't seen much.

Message received from Billy Mitchell (+19548299464) 4/8/2018 9:52:57 AM



Message sent 4/8/2018 10:08:00 AM

Eric forward me the conversation. I know time is tight so a meet up is in order. You be at the shop later?

Message received from Billy Mitchell (+19548299464) 4/8/2018 10:29:12 AM



Yes I will

Message received from Billy Mitchell (+19548299464) 4/8/2018 10:29:23 AM



Message sent 4/8/2018 3:29:33 PM

When you get a game break or reset, I'm at front door.

4/10/2018

Message received from Billy Mitchell (+19548299464) 4/9/2018 10:38:42 PM



Can you speak

Message sent 4/9/2018 10:55:40 PM

Yes

5/24/2018

Message sent 5/24/2018 2:58:02 PM

Hi Billy, I got my hands on a KOK DVD. I checked it all out and looked for the extras. It shows a side by side play of your game vs. Steve. There was no part in the movie where they show the transistions. Not in the Cabin scene, not in the Fun spot scene and not in the bonus footage. I did track the game play with what TG has. The games match. Mario's position based on the screen scores. I didn't find anything odd but 1 little part. The part was with Steve's place. Scene he is drawing on screen to show his moved, you hear the Mario jump sound of DKjr on DK game. This is produced when you use the DK Double modification on a DKjr board. But Steve's cabinet is originally a DKjr.

5/30/2018

Message received from Billy Mitchell (+19548299464) 5/30/2018 11:28:41 AM



Damnit damnit damnit
I am so sorry I forgot to tell you that I have sauce in the usual spot at Rob's arcade waiting for you damn it damn it damn it
I'm sorry I should have mentioned it earlier
Enjoy...
Perhaps I'll see you there even... :-)

Message sent 5/30/2018 11:54:48 AM

Sounds GREAT!

Message received from Billy Mitchell (+19548299464) 5/30/2018 11:55:08 AM



Message sent 5/30/2018 2:17:51 PM

How much do we bring? \$\$\$

Message received from Billy Mitchell (+19548299464) 5/30/2018 2:18:58 PM



Nothing...
Yet...

6/1/2018



Message received from Billy Mitchell (+19548299464) 5/31/2018 9:58:01 PM

Sir, are you available for a short conversation tomorrow morning...???

Message sent 5/31/2018 10:37:02 PM

Sorry, I just saw this... call me whenever...

Message sent 6/1/2018 11:14:49 AM

I can take call now



Message received from Billy Mitchell (+19548299464) 6/1/2018 11:15:18 AM

I'll call you soon thank you

6/3/2018



Message received from Billy Mitchell (+19548299464) 6/3/2018 1:23:18 PM

Hey Boss,
Have you been able to send anything to Neil as of yet...???

Message sent 6/3/2018 1:34:43 PM

I'm sorry Billy. I did chat some with him of stuff but Neil has been waiting for me to sort and send him stuff. But the week has been non stop hell with my clients. And my car died,so it's just added a cherry to my week. But I have not forgotten and am aware that time is tight. I will get something real soon to Neil. I Promise



Message received from Billy Mitchell (+19548299464) 6/3/2018 2:27:08 PM

6/4/2018



Message received from Billy Mitchell (+19548299464) 6/4/2018 5:31:19 PM

Fwd: Please call me

<https://www.youtube.com/watch?v=E4lOa2ATo2w>

Message sent 6/4/2018 5:35:30 PM

I got this in the am from triforce

6/5/2018



Message received from Billy Mitchell (+19548299464) 6/5/2018 4:26:30 PM

Hey Carlos,
Neil is at Metro signs and he is putting together the presentation... If you are able to send him anything or call him it would be much appreciated...

8/3/2018

Message sent 8/3/2018 4:11:57 PM

Hi Billy.. we need more sauces. For Mr.Pasta. and I'd like a mouse pad.
Please bill us. Thank you. CP



Message received from Billy Mitchell (+19548299464) 8/3/2018 4:12:31 PM

Okay will do... Soon

8/8/2018

Message sent 8/8/2018 5:39:04 PM

Billy, I lost a gooseneck silver desk lamp at Roberts shop. Went to find it some weeks ago but not there. Please check if you have it when you have a sec. I need it, thanks



Message received from Billy Mitchell (+19548299464) 8/8/2018 6:53:51 PM

I will absolutely check sir... And truck gets in on Friday I believe... :-)

8/24/2018

Message received from Billy Mitchell (+19548299464) 8/24/2018 12:54:31 PM



I am so sorry sir... I just realized this message never went through to you... They are ready and waiting for you at Rob's place just grab them anytime... :-)

Message sent 8/24/2018 12:55:43 PM

Thanks! What's the due

10/30/2018

Message sent 10/30/2018 1:59:11 PM

Billy! I eat around 2pm yesterday at Ricky's. Had the steam&peel shrimp AND a blacken dolphin sandwich. I have ordered this many times before. I got very bad food poisoning. It didn't taste bad nor looked rare at all. Not sure which is was. Please pass info to crew to look into it. I'm much better now, just bit light headed. I don't know if it's the dolphin or shrimp since both tasted GREAT and it's a meal I repeatedly order there.

Message received from Billy Mitchell (+19548299464) 10/30/2018 2:04:40 PM



Yes sir, I sent the message to the restaurant... I actually don't really go there so it's not something for me to handle but to pass on... They may call you as I gave them your message and your phone number... Feel free to call them also... Karen or Mark 954-966-7424
So very sorry about all of that...

Message sent 10/30/2018 2:06:06 PM

Thanks.. no trouble.

11/18/2018

Message received from Billy Mitchell (+19548299464) 11/18/2018 1:29:12 PM



Neil's really working hard

Message sent 11/18/2018 1:38:32 PM

Oboy... I hope the GF has a good sense of humor..

Message received from Billy Mitchell (+19548299464) 11/18/2018 1:39:20 PM



11/21/2018

Message received from Billy Mitchell (+19548299464) 11/21/2018 2:27:00 PM



The guy in this article "Jace Hall" he is the one that began the accusation on me 9 months ago ... Looks like we are coming full circle...

<http://www.vpesports.com/more-esports/investigation-h1z1-pro-league-documents-show-financial-troubles-and-viewership-irregularities>

12/4/2018

Message sent 12/4/2018 6:44:46 PM

I'm so very sorry about your old friend Joel. Though I only know him for a mini tiny fraction of time, he was very kind to me and truly loved you and Walter. Expressed it to me many time when he would share old arcade stories at banning, online and even in some phone calls.

12/5/2018

Message received from Billy Mitchell (+19548299464) 12/4/2018 7:27:46 PM



Thank you Sir...

Message received from Billy Mitchell (+19548299464) 12/5/2018 3:35:07 PM



Hey I just left Rob place and I realized that I forgot to mention to you that I left sauce There For You in my last visit... no hurry it's there when you want it

Message sent 12/5/2018 3:38:41 PM

You sure? I recall picking up a bash about a month ago... But THANK YOU...

Message received from Billy Mitchell (+19548299464) 12/5/2018 3:40:42 PM



I just left Rob's place and I noticed there's more there... Your wife might be extra busy this time of year... Perhaps...

Message sent 12/5/2018 3:48:03 PM

Great!

3/26/2019

Message received from Billy Mitchell (+19548299464) 3/26/2019 12:14:03 AM



Yo Boss, I got sauce... don't know when or where to meet... I have a few silky questions also ... Tell me what's good

Message sent 3/26/2019 2:10:22 AM

Cool... thanks.

4/5/2019

Message received from Billy Mitchell (+19548299464) 4/5/2019 5:27:21 PM



I grow so tired of looking the other way or forgiving people that I have called friends or that I treat as friends... When these people choose the word or integrity or the character of a scumbag like Jace Hall over my friendship... A scumbag who seems to be in the news every week because of the way he treats people just as it reads below... I wonder how long I can continue to be patient with such stupid people..
people who don't deserve my friendship or consideration...
http://www.twitlonger.com/show/n_1sqri0

Message received from Billy Mitchell (+19548299464) 4/5/2019 5:29:24 PM



I apologize for my text message that I sent out to everyone...
I guess after I read that article and how those people have suffered including being foreclosed on I got a bad attitude...
A little out of my character...
Sorry

4/17/2019

Message received from Billy Mitchell (+19548299464) 4/17/2019 12:46:15 PM



Hey Carlos...

4/18/2019

Message received from Billy Mitchell (+19548299464) 4/18/2019 2:52:08 PM



Sir, how we doing...???

Message sent 4/18/2019 2:56:32 PM

We are well... just behind a bit. Visited Neil yedturdsy. Will have your paper tonight

Message received from Billy Mitchell (+19548299464) 4/18/2019 2:57:00 PM



4/24/2019

Message received from Billy Mitchell (+19548299464) 4/23/2019 10:09:52 PM



Hey Carlos, are you busy or can you take a call?

4/28/2019



Message received from Billy Mitchell (+19548299464) 4/27/2019 9:15:30 PM

Hey Sir, did you forget about me...

Message sent 4/27/2019 9:22:13 PM

Ha, no. I have been busy. Your sheet is 90% done. I know you need asap. I'm sorry. It's coming.



Message received from Billy Mitchell (+19548299464) 4/27/2019 9:22:35 PM

5/3/2019



Message received from Billy Mitchell (+19548299464) 5/2/2019 10:53:10 PM

???

5/7/2019



Message received from Billy Mitchell (+19548299464) 5/6/2019 10:25:31 PM

Can you speak

Message sent 5/6/2019 10:26:42 PM

Currently at a job.... will be free in about 35min



Message received from Billy Mitchell (+19548299464) 5/6/2019 10:27:12 PM

Ok



Message received from Billy Mitchell (+19548299464) 5/7/2019 3:55:26 PM

Hey boss, you have a moment for a conversation

Message sent 5/7/2019 3:56:07 PM

Yes, was on phone. Call now

9/8/2019



Message received from Billy Mitchell (+19548299464) 9/8/2019 10:02:05 AM

Sir, are you available to speak...???

Message sent 9/8/2019 10:02:52 AM

Yes, of course

Message sent 9/8/2019 3:02:06 PM

Hi, we still on?

Message received from Billy Mitchell (+19548299464) 9/8/2019 3:02:54 PM



Yes sir we will get it out of here soon we have to drop my daughter off at a friend's and then I'll make my way to your area

Message sent 9/8/2019 3:03:43 PM

Cool.. keep me posted.. see you soon

Message received from Billy Mitchell (+19548299464) 9/8/2019 4:03:43 PM



Hello sir should be about 5:30 that will be in your area and I'll call you if that is okay...

Message received from Billy Mitchell (+19548299464) 9/8/2019 4:57:37 PM



The first article is talks about the "shady" dealings of Jace Hall with Investors money regarding Twin Galaxies and it's H1Z1 Pro League. It goes into details about Jace Hall's unethical business practices, his negative relationship with his employees and potentially Illegal mismanagement of investors money which is pending Investigation.

<https://www.vpesports.com/jace-hall/investigation-h1z1-pro-league-documents-show-financial-troubles-and-viewership-irregularities>

The second article reports talks of Jace Hall's partner Rick Fox quitting his esports company "Echo Fox", alleging racist abuse from shareholders to his partner Jace Hall.

<https://www.polygon.com/2019/4/25/18516539/rick-fox-leaving-echo-fox-racism-esports>

The third article reports new findings as to why the shareholder used a racial slur against Jace Hall, Rick Fox's partner. The apology and findings in this article sheds light on the accusation of Jace Hall's mismanagement of money invested into his company Twin Galaxies for the H1Z1 Pro League which prompted the racial slur out of anger.

<https://freegamesapk.org/2019/echo-fox-affaire-amit-raizada-admits-racist-offenses-to-jace-hall.html>

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<https://freegamesapk.org/2019/echo-fox-affaire-amit-raizada-admits-racist-offenses-to-jace-hall.html>

Message received from Billy Mitchell (+19548299464) 9/8/2019 7:57:33 PM



Sir, I am uncomfortable...
I will hope to see you tomorrow with something better if you are available

9/9/2019

Message sent 9/8/2019 8:09:45 PM

Im on a call, call you shortly. It's ok, whatever helps

Message received from Billy Mitchell (+19548299464) 9/8/2019 8:12:20 PM



Okay I'll be waiting for your call

9/10/2019

Message sent 9/10/2019 10:27:22 AM

BILLY! That paper that has now gone public is modified of original... I don't want ANY OF this. Retract that form.. pull that form OUT of docket.. I'm sorry BILLY but this is wrong.



Message received from Billy Mitchell (+19548299464) 9/10/2019 10:37:06 AM

I just received the previous text from Carlos
I tried calling him but he did not answer I will keep you informed



Message received from Billy Mitchell (+19548299464) 9/10/2019 10:47:34 AM

I guess I don't understand what you're speaking of I've tried to look things up and I tried to call you

Message sent 9/10/2019 10:51:07 AM

https://drive.google.com/file/d/1BMbW-_fSwCFQ1KzI59pj7TnoQiuAdgcJ/view



Message received from Billy Mitchell (+19548299464) 9/10/2019 12:28:24 PM

Hi Carlos I'm in the car and I'm headed into Miami and I don't know where...
I was told you were headed to your lawyers which is probably good and I have paperwork here did I believe you and your lawyer should see and make some decisions on... If you call me I will do what is easiest for you...
And I'm waiting for your call



Message received from Billy Mitchell (+19548299464) 9/10/2019 12:59:48 PM

Carlos I would like to come to where you are to see you and your lawyer together... This will allow everything to be discussed and to find the best Direction for you...
I would appreciate it if we could do it while you're with your lawyer

Message sent 9/10/2019 1:05:40 PM

He is with another client to at this second, I will pass idea. I think it's good...
11401 SW 40th St. Suite 204



Message received from Billy Mitchell (+19548299464) 9/10/2019 1:07:52 PM

Okay I'm on my way

10/2/2019



Message received from Billy Mitchell (+19548299464) 10/2/2019 7:15:04 PM

Hey Carlos, do you have a moment?

Message sent 10/2/2019 7:40:13 PM

I do but I really don't want to talk



Message received from Billy Mitchell (+19548299464) 10/2/2019 7:45:05 PM

Okay, I will respect that... It wasn't for a conversation however but I understand

Message sent 10/2/2019 7:46:37 PM

Calling...

EXHIBIT C

Conversation with Jace Hall, Joel West, Carlos Pineiro, Billy Mitchell (+14252696144, +17044600185, +17865532191, +19548299464)

Message received from Billy Mitchell (+19548299464) 4/5/2018 11:28:57 AM



There seemed to be some confusion yesterday about Joel asking for more time. I read his email and he asked for more time for his summation due to his recent hospitalizations. Carlos also asked for more time, these two requests were independent of each other as they are different avenues of solving the problem. Carlos will get back to me and we will come up with a formal request. Otherwise Joel has the authority to speak for me and request such things as he is the coordinator of my effort. The technical end is headed up by Carlos. Hope this clarifies any confusion.
BM

Message received from Jace Hall (+14252696144) 4/5/2018 1:33:42 PM



No issue. I spoke with Carlos directly yesterday.



Message received from Jace Hall (+14252696144) 4/5/2018 2:44:22 PM

Also just want to add a reminder:

Hey Bill, as stated numerous times, you have not been under any obligation by TG to provide any information regarding any of your scores that have been previously adjudicated and accepted by TG.

Scores in the database are considered valid by default and it is entirely up to the dispute claimant to support their claims definitively with evidence that can be corroborated.

Dispute cases are matters that are between TG and the dispute claimant directly. The score submitter is not required to do anything at all and notification of score disputes are not communicated to score holders due to this fact, as well as to prevent use of the dispute tool as automated notification harassment of other users. (Which in your case you are not even a registered user at this point)

Certainly the score holder is more than welcome to contribute information to a dispute case if they want to, but again it is not required. TG conducts its own investigation and comes to its determinations in regard to score and database integrity when challenged.

Once a submission has been adjudicated and placed in the database, the responsibility of the submitter to prove their score validity ends there. After that point TG considers the score valid until proven otherwise. So again there is nothing required from the original submitter to TG after that point under any circumstance.

Just wanted to make that clear.

Also, while TG always welcomes new information on any score, and understands that Carlos is planning on providing his findings, we are reaching an end point where we feel comfortable analyzing all the collected presented evidence and making a determination in this matter.

We have honored the request for more time for information gathering to run through this weekend, so please let Carlos know that it would be to great for him to get us his findings within that timeframe so that it all can be fully considered - if he or anyone else desires to provide it.

No issue or requirement if he does not want to.

Again, Billy, you are under no obligation to provide anything to TG in this matter.

Please let me know if you have any questions. Thank you.



Message received from Billy Mitchell (+19548299464) 4/5/2018 3:06:04 PM

Although you and I have had very little conversation about relevant issues and things that affect this...

this particular communication, and the words you continue to use have been stated to me over and over again...

I understand what you're saying and I want you to understand I am realizing that you are positioning yourself very very comfortably in case there is any action or backlash taken against you...

An attorney could not have written it any better...

I understand...

You don't need to repeat it again and again...

Especially since this seems to be the only type of conversation or communication that you seem to have with me...

BM



Message received from Jace Hall (+14252696144) 4/5/2018 3:31:50 PM

I am not particularly concerned about any backlash or action taken against me. People will do what they feel they need to. That's life. I know this. No issues there.

My primary concern is to just to make sure that the key points are understood. That's all.

In my experience a lot of miscommunication can occur in conversations that may result in later misunderstandings, so I have learned over time that it is important to repeat key things in general. Not trying to offend, it is just a well practiced business habit.

Regarding other types of communication with you, I am more than happy to discuss anything you would like in general. Overall I'm not a particularly socially oriented person. I don't really attend many events and I don't partake in much non-work related discussions or gatherings overall. That has nothing to do with you personally in any way. At the same time I'm not completely antisocial and will happily engage in conversation about a topic if someone wants to.

You've always had my number and I always answer the phone or call you back whenever you reach out.

I apologize if you feel that somehow I am not approachable. It's not my intent.

PROOF OF SERVICE
Case No. 19STCV12592

I am a resident of the State of California, over the age of eighteen years, and not a party to the within action. My business address is **TASHROUDIAN LAW GROUP, APC**, located 5900 Canoga Ave, Suite 250, Woodland Hills, CA 91367-5017. On June 26, 2020, I served the herein described document(s):

**DECLARATION OF CARLOS PINIERO ISO SPECIAL MOTION TO STRIKE OF
DEFENDANT TWIN GALAXIES, LLC [CCP § 425.16]**

by transmitting via facsimile the document(s) listed above to the fax number(s) set forth below on this date before 5:00 p.m.

by placing the document(s) listed above in a sealed envelope with postage thereon fully prepaid, in the United States mail at Woodland Hills, California addressed as set forth below.

X E-File - by electronically transmitting the document(s) listed above to jeg@manningllp.com pursuant to an agreement of the parties.

by personally delivering the document(s) listed above to the person(s) at the address(es) set forth below.

by overnight courier of the document(s) listed above to the person(s) at the address(es) set forth below.

James E. Gibbons (State Bar No. 130631)
jeg@manningllp.com
**MANNING & KASS
ELLROD, RAMIREZ, TRESTER LLP**
801 S. Figueroa St, 15th Floor
Los Angeles, California 90017-3012
Telephone: (213) 624-6900
Facsimile: (213) 624-6999

Attorneys for Plaintiff
WILLIAM JAMES MITCHELL

I am readily familiar with the firm's practice of collection and processing correspondence for mailing. Under that practice it would be deposited with the U.S. Postal Service on that same day with postage thereon fully prepaid in the ordinary course of business. I am aware that on motion of the party served, service is presumed invalid if postal cancellation date or postage meter date is more than one day after date of deposit for mailing in affidavit.

I declare under penalty of perjury under the laws of the State of California that the above is true and correct. Executed on June 26, 2020 at Woodland Hills, California.



Mona Tashroudian

David A. Tashroudian [SBN 266718]
Mona Tashroudian [SBN 272387]
TASHROUDIAN LAW GROUP, APC
5900 Canoga Ave., Suite 250
Woodland Hills, California 91367
Telephone: (818) 561-7381
Facsimile: (818) 561-7381
Email: david@tashlawgroup.com
mona@tashlawgroup.com

Attorneys for defendant Twin Galaxies, LLC

SUPERIOR COURT OF THE STATE OF CALIFORNIA
COUNTY OF LOS ANGELES

WILLIAM JAMES MITCHELL,

Plaintiff,

v.

TWIN GALAXIES, LLC; and Does 1-10,

Defendants.

Case No. 19STCV12592

Assigned to: Hon. Gregory W. Alarcon
[Dept. 36]

**DECLARATION OF DWAYNE RICHARD
ISO SPECIAL MOTION TO STRIKE OF
DEFENDANT TWIN GALAXIES, LLC
[CCP § 425.16]**

*[Filed concurrently with: (1) Declaration of
Steven Kleisath; (2) Declaration Chris Gleed;
(3) Declaration of Carlos Pineiro; (4)
Declaration of Robert Mruczek; (5)
Declaration of Jason Hall; (6) Objections to
Evidence; and (7) Reply]*

Hearing

Date: July 6, 2020

Time: 9:00 a.m.

Place: Department 36

RESERVATION ID: 095658146502

Action Filed: 4/11/2019

DECLARATION OF DWAYNE RICHARD

I, Dwayne Richard, declare that:

1. I am an individual of the age of majority, and I make this declaration in support of the special motion to strike of Twin Galaxies, LLC ("Twin Galaxies"). The matters declared to herein are known to me personally to be true, and if called to testify to these facts, I could and would do so.

2. I am a video game hobbyist and have been associated with Twin Galaxies as a referee and otherwise since the 1980s.

3. In the summer of 2007, Billy Mitchell and his friend and fellow Twin Galaxies referee Todd Rogers sent me a videotape copy of Billy Mitchell's 1,050,200 (the Mortgage Brokers score) score performance. They sent me the score performance as part of an investigation into the veracity of Steve Wiebe's Donkey Kong score. I maintained the videotape of this score performance in my possession until March 2018 when I sent it to Jason Hall of Twin Galaxies by mail.

4. In 2008 or 2009, Walter Day, the then owner of the Twin Galaxies organization, sent me a videotape copy of Billy Mitchell's 1,047,200 (the King of Kong "tape") score performance. He sent me the score performance as part of an investigation into the veracity of Steve Wiebe's Donkey Kong score. I maintained the videotape of this score performance in my possession until March 2018 when I sent it to Jason Hall of Twin Galaxies by mail.

5. I have never made any alteration to the videotape copies of either Billy Mitchell's 1,047,200 (the King of Kong "tape"), or his 1,050,200 (the Mortgage Brokers score) score performances.

I swear, under penalty of perjury of the laws of the State of California, that the foregoing is true and correct. Executed this 25th day of June, 2020 at Grande Prairie, Alberta, Canada.

/s/ Dwayne Richard (original on file)

PROOF OF SERVICE
Case No. 19STCV12592

I am a resident of the State of California, over the age of eighteen years, and not a party to the within action. My business address is **TASHROUDIAN LAW GROUP, APC**, located 5900 Canoga Ave, Suite 250, Woodland Hills, CA 91367-5017. On June 26, 2020, I served the herein described document(s):

**DECLARATION OF DWAYNE RICHARD ISO SPECIAL MOTION TO STRIKE OF
DEFENDANT TWIN GALAXIES, LLC [CCP § 425.16]**

by transmitting via facsimile the document(s) listed above to the fax number(s) set forth below on this date before 5:00 p.m.

by placing the document(s) listed above in a sealed envelope with postage thereon fully prepaid, in the United States mail at Woodland Hills, California addressed as set forth below.

X E-File - by electronically transmitting the document(s) listed above to jeg@manningllp.com pursuant to an agreement of the parties.

by personally delivering the document(s) listed above to the person(s) at the address(es) set forth below.

by overnight courier of the document(s) listed above to the person(s) at the address(es) set forth below.

James E. Gibbons (State Bar No. 130631)
jeg@manningllp.com
**MANNING & KASS
ELLROD, RAMIREZ, TRESTER LLP**
801 S. Figueroa St, 15th Floor
Los Angeles, California 90017-3012
Telephone: (213) 624-6900
Facsimile: (213) 624-6999

Attorneys for Plaintiff
WILLIAM JAMES MITCHELL

I am readily familiar with the firm's practice of collection and processing correspondence for mailing. Under that practice it would be deposited with the U.S. Postal Service on that same day with postage thereon fully prepaid in the ordinary course of business. I am aware that on motion of the party served, service is presumed invalid if postal cancellation date or postage meter date is more than one day after date of deposit for mailing in affidavit.

I declare under penalty of perjury under the laws of the State of California that the above is true and correct. Executed on June 26, 2020 at Woodland Hills, California.



Mona Tashroudian

EXHIBIT S

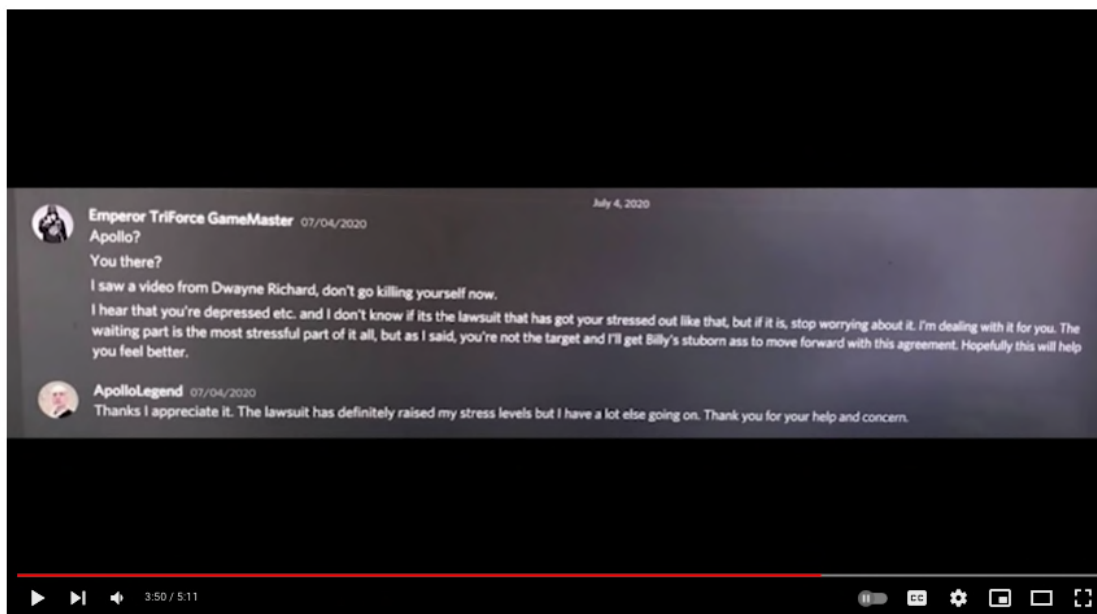
Anthony J. Ellrod

From: David Tashroudian <david@tashlawgroup.com>
Sent: Tuesday, July 11, 2023 2:20 PM
To: Kristina Ross
Cc: Anthony J. Ellrod; rwc robertwcohenlaw.com
Subject: Re: IDC Statement [Mitchell v. Twin Galaxies]

I inadvertently sent the last email without finishing it, here is the full email:

Hi Kristina --

I think I have met and conferred with you on the issues in the IDC statement in great detail and several times -- by phone and by email. My concern is that your guy is just going to make another fake plaque to fix the issues that I have identified with the current fake plaque. Moreover, I am also worried that the plaque will be secreted away somewhere by one of Plaintiff's associates. I do not think this concern is unfounded based on the peculiar facts here where a high school E Sports coach finds Plaintiff's awards 13 years after he donated them to the Hall of Fame inside the building the Hall of Fame was evicted from and then took a picture of the awards in a hotel room with Triforce Johnson -- the same Triforce who Billy has been using to do all of his dirty work -- from the supposed Skype call to Jace, to negotiating a settlement with Apollo Legend and suggesting suicide. See the video here and the screenshot below: https://www.youtube.com/watch?v=z9w6-sTdVs&t=229s&ab_channel=BillyMitchell



Response to Karl Jobst Regarding Apollo Legend

Billy Mitchell
2.27K subscribers [Subscribe](#)

138,290 views Jun 4, 2021
Remember to subscribe! <https://www.youtube.com/kingofkong?su...>

On May 26, 2021, Karl Jobst released a video about me in which he alleged that I drove Apollo Legend to suicide by imposing financial stress on him in our settlement agreement. This is a lie. Apollo Legend never paid me any money. Please see my official response in this video.

Billy Mitchell:
- Twitter: <https://Twitter.com/BillyPacman>
- Twitch: https://Twitch.Tv/Billy_Mitchell
- Instagram: <https://Instagram.com/BillyMitchellOf...>

Billy Mitchell

It is like a movie. And you know what, my assessment is that Billy believes this is a movie and thinks he can make the script up as he goes and he is not going to be caught. But I will catch him and everyone of his lies. He should know that.

Accordingly, there is plenty of time for these issues to be hashed out in an IDC. Let's continue to meet and confer to see if we can whittle the issues down. I will not stop until those plaques are produced because that will show me -- and hopefully you and Tony -- that Billy has been lying about NAMCO naming him the Video Game Player of the Century.

I heard back from the Court -- we are set for an IDC on July 26 at 10a.

David

David A. Tashroudian, Esq.
TASH LAW GROUP
12400 Ventura Blvd., Suite 300
Studio City, California 91604
(818) 561-7381

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On Tue, Jul 11, 2023 at 2:15 PM David Tashroudian <david@tashlawgroup.com> wrote:
Hi Kristina --

I think I have met and conferred with you on the issues in the IDC statement in great detail and several times -- by phone and by email. My concern is that your guy is just going to make another fake plaque to fix the issues that I have identified with the current fake plaque. Moreover, I am also worried that the plaque will be secreted away somewhere by one of Plaintiff's associates. I do not think this concern is unfounded based on the peculiar facts here where a high school E Sports coach finds Plaintiff's awards 13 years after he donated them to the Hall of Fame inside the building the Hall of Fame was evicted from and then took a picture of the awards in a hotel room with Triforce Johnson -- the same Triforce who Billy has been using to do all of his dirty work -- from the supposed Skype call to Jace, to negotiating a settlement with Apollo Legend and suggesting suicide. See the video here and the screen shot below: https://www.youtube.com/watch?v=z9w6-sTdVvs&t=229s&ab_channel=BillyMitchell

It is like a movie. And you know what, I think Billy believes this is a movie and thinks he is making

David A. Tashroudian, Esq.
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On Tue, Jul 11, 2023 at 1:56 PM Kristina Ross <Kristina.Ross@manningkass.com> wrote:

David,

My point is that these issues need to be discussed in a proper meet and confer prior to getting an IDC per the Code. We gave you an extension on your motion to compel date already and none of the issues in the IDC statement have been met and conferred on aside from the one RFP about the plaques. There is no reason that this needs to be rushed.

I am trying to sort through it all and discuss with the client so I need time. I will try to get you a responsive meet and confer tomorrow.

Considering this all, if an IDC is necessary we will need it to be pushed out some so that we can properly meet and confer per the Code and if a further extension on the motion deadline is necessary we are amenable.

Thanks,

Kristina

Kristina Ross

Associate



801 S. Figueroa St., 15th Floor

Los Angeles, CA 90017

Main: (213) 624-6900 | Ext.: 2642

Direct: (213) 430-2642

Kristina.Ross@manningkass.com | manningkass.com

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From: David Tashroudian <david@tashlawgroup.com>

Sent: Tuesday, July 11, 2023 11:21 AM

To: Kristina Ross <Kristina.Ross@manningkass.com>

Cc: Anthony J. Ellrod <Tony.Ellrod@manningkass.com>; rwc robertwcohenlaw.com <rwc@robertwcohenlaw.com>

Subject: Re: IDC Statement [Mitchell v. Twin Galaxies]

Thanks -- let me know what those issues are and I can remove them from the final submission.

David A. Tashroudian, Esq.

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On Tue, Jul 11, 2023 at 11:13 AM Kristina Ross <Kristina.Ross@manningkass.com> wrote:

David,

I am available those dates. However, your IDC statement brings up other issues that you had not meet and conferred about previously and I think can potentially be resolved without need for court intervention. I will get a responsive meet and confer to you on those issues shortly.

Thanks,

Kristina

Kristina Ross

Associate



801 S. Figueroa St., 15th Floor

Los Angeles, CA 90017

Main: (213) 624-6900 | Ext.: 2642

Direct: (213) 430-2642

Kristina.Ross@manningkass.com | manningkass.com

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On Jul 11, 2023, at 10:07 AM, David Tashroudian <david@tashlawgroup.com> wrote:

Good morning counsel --

i write again to ask for an IDC date on either July 24, 25, or 26. Which works for you? Please let me know this morning so I can clear the date with the clerk.

Also, please let me know when I can expect Plaintiff's response to the IDC statement.

Thank you.

David A. Tashroudian, Esq.

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On Mon, Jul 10, 2023 at 10:02 AM David Tashroudian <david@tashlawgroup.com> wrote:

Good morning counsel --

Attached is Twin Galaxies' IDC statement. Let this serve as our meet and confer letter. If you agree on any of the issues raised in the IDC statement, let me know and we can strike those issues before submitted to the court.

Please get back to me on IDC dates. I proposed July 24, 25, and 26. I can do earlier too if you turn this IDC statement back around to me in the next few days or so.

Thanks.

David A. Tashroudian, Esq.

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EXHIBIT T

Anthony J. Ellrod

From: David Tashroudian <david@tashlawgroup.com>
Sent: Wednesday, April 12, 2023 4:50 PM
To: Anthony J. Ellrod
Cc: Kristina Ross; rwc robertwcohenlaw.com
Subject: Re: FW: RESPONSE REQUESTED RE: Regarding William J. Mitchell vs. Twin Galaxies, LLC, et al. S300390

What I mean is that if Mr. Mitchell did not insist on using the legal system to try to legitimize his obviously fabricated scores, none of us would be in this situation. I would not be in a position to uncover every one of the lies that he has propagated over the last 20+ years and Walter Day would likely not have been sued for fraud. You're obviously very smart and savvy and should be able to smell his bullshit from a mile away. I would hope that you would have a come to Jesus moment with him and convince him to stop lying (especially under oath) and drop it. Stop hurting people. Two people have committed suicide over this childish fight of his. Enough is enough. If Lance Armstrong can come clean, so can Billy. We offered a mutual walkaway which will allow him to do that. Let me know if he is willing to take that deal.

David A. Tashroudian, Esq.
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On Wed, Apr 12, 2023 at 4:42 PM Anthony J. Ellrod <Tony.Ellrod@manningkass.com> wrote:

Not sure what you mean. Twin Galaxies sued Walter Day, not Billy Mitchell. Regardless, if Walter Day cannot afford the mediation he can explain that to the court and I'm sure the judge will be understanding. We are willing to proceed, splitting the cost 50/50. If Twin Galaxies is not then the mediation will cancel and we will see what the court says. We need to know by tomorrow or the mediator will cancel it.

Anthony J. Ellrod

Founding Partner



801 S. Figueroa St., 15th Floor

Los Angeles, CA 90017

Main: (213) 624-6900 | Direct: (213) 430-2612



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From: David Tashroudian <david@tashlawgroup.com>

Sent: Wednesday, April 12, 2023 1:07 PM

To: Anthony J. Ellrod <Tony.Ellrod@manningkass.com>

Cc: Kristina Ross <Kristina.Ross@manningkass.com>; rwc robertwcohenlaw.com <rwc@robertwcohenlaw.com>

Subject: Re: FW: RESPONSE REQUESTED RE: Regarding William J. Mitchell vs. Twin Galaxies, LLC, et al. S300390

We are willing to pay our portion but we believe that all parties should pay their fair share. Billy dragged Walter into this so he can pay if Walter cannot.

David A. Tashroudian, Esq.

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On Wed, Apr 12, 2023 at 1:01 PM Anthony J. Ellrod <Tony.Ellrod@manningkass.com> wrote:

I don't want to be sanctioned, so we are willing to mediate without Hall splitting the cost 50/50. Is TG also willing, or do you want to cancel the mediation. It's your call and the chips will fall where they may.

Anthony J. Ellrod

Founding Partner



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Los Angeles, CA 90017

Main: (213) 624-6900 | Direct: (213) 430-2612

Tony.Ellrod@manningkass.com | manningkass.com

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From: David Tashroudian <david@tashlawgroup.com>

Sent: Wednesday, April 12, 2023 12:51 PM

To: Kristina Ross <Kristina.Ross@manningkass.com>

Cc: rwc robertwcohenlaw.com <rwc@robertwcohenlaw.com>; Anthony J. Ellrod <Tony.Ellrod@manningkass.com>

Subject: Re: FW: RESPONSE REQUESTED RE: Regarding William J. Mitchell vs. Twin Galaxies, LLC, et al. S300390

I would imagine that since we are court-ordered then ALL parties will have to participate.

David A. Tashroudian, Esq.

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On Wed, Apr 12, 2023 at 12:49 PM Kristina Ross <Kristina.Ross@manningkass.com> wrote:

As we are court-ordered to mediate, we will have to move forward without Day and then split it 50/50.

Thanks,

Kristina

Kristina Ross

Associate



801 S. Figueroa St., 15th Floor

Los Angeles, CA 90017

Main: (213) 624-6900 | Ext.: 2642

Direct: (213) 430-2642

Kristina.Ross@manningkass.com | manningkass.com

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From: David Tashroudian <david@tashlawgroup.com>

Sent: Wednesday, April 12, 2023 12:04 PM

To: Kristina Ross <Kristina.Ross@manningkass.com>

Cc: rwc robertwcohenlaw.com <rwc@robertwcohenlaw.com>

Subject: Re: FW: RESPONSE REQUESTED RE: Regarding William J. Mitchell vs. Twin Galaxies, LLC, et al. S300390

Good afternoon -- Twin Galaxies is unwilling to contribute towards Mr. Day's mediation fee.

David A. Tashroudian, Esq.

TASH LAW GROUP

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On Wed, Apr 12, 2023 at 11:00 AM David Tashroudian <david@tashlawgroup.com> wrote:

I will know today, thanks.

David A. Tashroudian, Esq.

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On Wed, Apr 12, 2023 at 10:59 AM Kristina Ross <Kristina.Ross@manningkass.com> wrote:

Ok please let him know the mediator gave a deadline of tomorrow.

Kristina Ross

Associate



801 S. Figueroa St., 15th Floor

Los Angeles, CA 90017

Main: (213) 624-6900 | Ext.: 2642

Direct: (213) 430-2642

Kristina.Ross@manningkass.com | manningkass.com

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From: David Tashroudian <david@tashlawgroup.com>

Sent: Wednesday, April 12, 2023 10:36 AM

To: Kristina Ross <Kristina.Ross@manningkass.com>

Cc: rwc robertwcohenlaw.com <rwc@robertwcohenlaw.com>

Subject: Re: FW: RESPONSE REQUESTED RE: Regarding William J. Mitchell vs. Twin Galaxies, LLC, et al. S300390

I asked the client, he will get back to me.

David A. Tashroudian, Esq.

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On Wed, Apr 12, 2023 at 10:32 AM Kristina Ross <Kristina.Ross@manningkass.com> wrote:

David are you agreeable to splitting 50/50 with us. I believe Robert said he had talked to you previously about it.

Kristina Ross

Associate



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Los Angeles, CA 90017

Main: (213) 624-6900 | Ext.: 2642

Direct: (213) 430-2642

Kristina.Ross@manningkass.com | manningkass.com

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From: Amber Ali <amber@judicategroup.com>

Sent: Wednesday, April 12, 2023 9:46 AM

To: Amber Ali <amber@judicategroup.com>; Anthony J. Ellrod <Tony.Ellrod@manningkass.com>;

Kristina Ross <Kristina.Ross@manningkass.com>; rlw@robertwcohenlaw.com;

david@tashlawgroup.com; mona@tashlawgroup.com

Cc: Marie Cruz <marie@judicategroup.com>

Subject: RESPONSE REQUESTED RE: Regarding William J. Mitchell vs. Twin Galaxies, LLC, et al. S300390

Importance: High

Dear Counsel – I hope that this email finds you well. I am emailing you today as the date of June 28 has been on hold on Judge Schnegg's calendar for over a month now. I am hoping to resolve the issue of the participating parties/fee split today so that I may notice.

I am unable to hold this date much longer without confirmation from all participating parties.

It has come to my attention that Mr. Cohen is not agreeable to sharing an equal 1/3 of mediation fees.

There are a few ways that we can proceed with locking in this mediation for you:

- Mr. Cohen can give us a dollar amount that he and his client are willing to contribute. Accordingly, we will split the remaining fees amongst the other two parties.
- All sides agree to split 1/3 of mediation fees
- Mr. Cohen does not participate in this mediation and the mediation fees are split 50/50 between plaintiff and Twin Galaxies.

Kindly provide a response to my email no later than the close of business tomorrow. If I do not hear from all sides, I will assume that counsel are not ready to proceed with tentative mediation on June 28th with Judge Schnegg and will be removing the hold. I will gladly assist counsel further in scheduling this matter when the fee split issues are sorted and all sides are ready to proceed.

Please note that Judge Schnegg's next available dates begin in September 2023 at this time not including any cancellations that may arise.

Looking forward to hearing from you.

Thank you,



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Sent: Friday, March 10, 2023 2:57 PM
To: aje@manningllp.com; kristina.ross@manningkass.com; rwc@robertwcohenlaw.com; david@tashlawgroup.com; mona@tashlawgroup.com
Subject: Regarding William J. Mitchell vs. Twin Galaxies, LLC, et al. S300390

Dear Counsel -

To confirm, I have placed 6/28/2023 at 9:30 am for a full day mediation via Zoom with Judge Schnegg on hold for your matter.

I need the following to quickly confirm and reserve your date:

1. [Case](#) type
2. Fee split
3. Carrier information: adjuster name, claim number, and date of loss. Please advise if your carrier is to be billed directly.
4. Executed JW Services Agreement & Confidentiality Acknowledgement via DocuSign

The JW Services Agreement & Confidentiality Acknowledgement must be completed by the lead attorney on the file. Be on the lookout for an email from JWDocuSign@JudicateWest.com.

Scheduled session notice and invoice to follow. Your prompt attention and responses are greatly appreciated.

Let me know if you have any questions. I look forward to working with you!

Thank you,

AMBER ALI
Senior Case Manager

601 S. Figueroa, Ste 3400 | Los Angeles, CA 90017
Phone: 213.223.1113 | amber@judicatewest.com
Direct: 310.442.3964

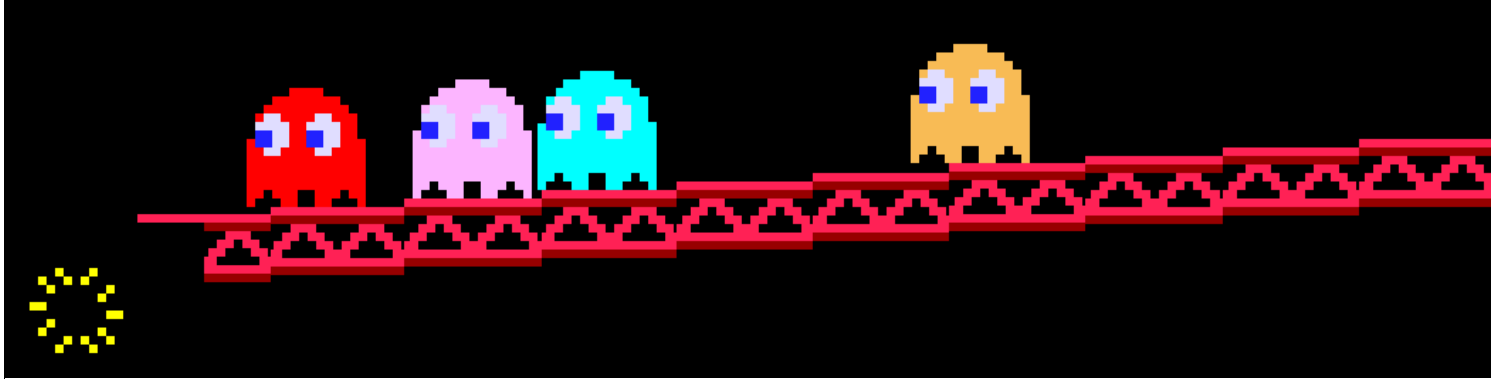
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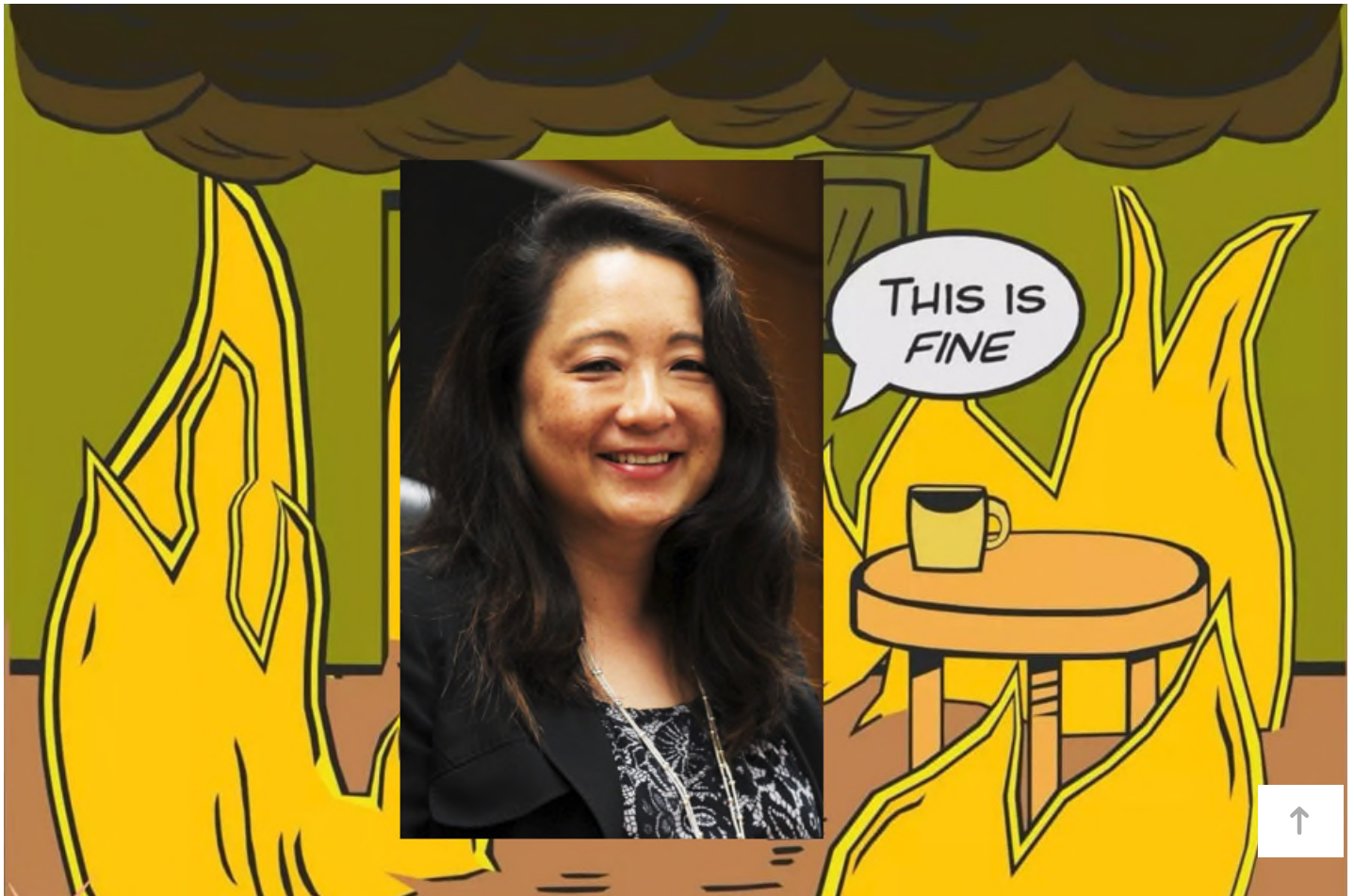
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EXHIBIT U



Judge Wendy Chang skips justice day (plus new testimony)

October 11, 2023 Comments: 6





Oh, how I was so wishing that image today would be Judge Wendy Chang as the T-1000, terminating Billy Mitchell's vindictive Donkey Kong lawsuit full of lies. But alas, it was not to be. The motions discussed in our last update were heard on the morning of Thursday, September 28th, resulting in the following ruling handed down by Judge Chang:

<https://perfectpacman.com/wp-content/uploads/2023/10/Legal-Billy-vs-TG-2023-09-28-Court-Minute-order-on-discovery-and-contempt.pdf>

All motions denied, across the board. We'll get into exactly what that means in a moment. At least with regard to the more serious matters, the ruling was "without prejudice" – in other words, "not final" – which means TG's lawyer can refile those same points again later. I've heard opinions on this ruling ranging from "Did she even read the filings?" all the way to "Judge Chang is on top of this, she wants TG to refile the motion so she can dismiss the case properly", with a few opinions in between. But speaking strictly for myself, regardless of what Judge Chang's intentions may be, this was just a bad ruling, which enables further abuse of the court, and which unnecessarily prolongs a baseless lawsuit that desperately needs to be put to rest.

However, not everything about 9/28 was negative for Team Truth. Today we'll review the pros and cons, we'll discuss the implications this has for what constitutes acceptable behavior in the court of Wendy O. Koopa (obligatory Mario reference), and as a bonus, we'll get treated to some more of that evidence I know you all love to see.

PLAQUE IN TIME

We're not going to get into all the backstory today on disgraced gaming cheater Billy Mitchell, his fabricated fantasy of being the greatest Pac-Man player, his provably fake Donkey Kong tapes, and the many lies he's told to cover for the old ones. I'll provide a few linked reminders of previous installments where necessary. But we will briefly brush everyone up on Billy's latest bout of evidential fakery.





For years, Billy had claimed that game publisher Namco in Japan had granted him the title “Player of the Century” at the Tokyo Game Show in 1999. Despite the fact this fundamentally made no sense, the claim was echoed by Billy’s friend and business partner Walter Day, and over time had become accepted in gaming history as true. Years later, a thorough examination of the surviving documentation showed no contemporary evidence that any such title was tied to Billy’s brief appearance at TGS. In fact, it was Day himself who had given Billy that “Player of the Century” title months earlier. Most notably, the little plaque Billy received at TGS made no reference whatsoever to this “Player of the Century” title. Instead, it simply congratulated him on his claimed perfect score of Pac-Man earlier that year, and promoted Namco’s new Playstation game. While this particular deceit is not the topic being litigated in Billy’s lawsuit, it does relate to the fraud alleged in Twin Galaxies’ countersuit, and it does help establish Billy’s history of falsifying accolades – just in case someone wanted to entertain the notion that his bogus Donkey Kong scores were some kind of behavioral outlier.





During his January deposition, Billy was shown the above uncredited photo, and he identified the plaque seen in that photo as his “Player of the Century” award allegedly from Namco. But since we know the text on his original plaque, and because Billy can’t simply admit that he had lied about something, Billy began spinning the story that there were actually *two nearly identical plaques*, one of which congratulated him on his Pac-Man score, and the other of which additionally named him “Player of the Century”. So the story goes, the one that doesn’t help his case is the one he brought to conventions and showed off in movies over the years, while the other one that would prove his story has been kept secret, and was never shown to anyone, and he has no pictures of it, and neither does anybody else.

Normally, per civil suit procedure, Billy would be required to produce these two alleged plaques for inspection by TG’s attorney. Billy tried to get around this by claiming he had given all his old awards to the International Video Game Hall of Fame years ago. (He also said that he was never a director for that Hall of Fame – something contradicted by the witness testimony of at least two others.) However, during his own deposition, Walter Day let slip that he had recently seen a new photo of said plaque. We’ll get to this exact exchange later, but since the existence of a photo was now disclosed, David Tashroudian (TG’s lawyer) was able to request it, and Manning & Kass (Billy’s law firm) were obligated to provide it.





But again, *several people had taken photos of the original plaque from 1999*, and while not each of those photos are legible, most of them still confirm that the main paragraph in the plaque's faux letter had nine lines of text. Of these two newly emerged plaques, one has a paragraph with nine lines, while that same paragraph on the other variant has eleven – likely where the words “Player of the Century” were inserted into the late Masaya Nakamura’s statement. Yes, it turns out, Billy (or one of his colleagues) went to all the trouble of producing fake plaques to justify his new story of there having been two awards all along. Of course, as demonstrated by a forensic analysis paid for by TG, neither of these (including the nine-line version) match the original plaque Billy was given in 1999, which was the object being discussed and requested.

Since we’re all convened here anyway, let’s take a moment to review a few new items that were sent to me recently. You may have noticed that Billy gave the game away when he so promptly identified the plaque in the uncredited Tokyo stage photo as his “Player of the Century” variant. (That was at 17:00 in his deposition, if you’d like to see the interaction for yourself.) These two plaques are supposedly identical aside from the text, and the camera’s too far away to read which is which. How exactly did he know so quickly that the plaque he held in the photo wasn’t the boring version talking about Namco’s new Playstation game?

You could argue that, maybe in Billy’s universe, he was only ever holding the “Century” plaque c ↑ stage, and the “Playstation” one was for some reason given to him elsewhere. So therefore,

hypothetically, that plaque had to have been the secret “Player of the Century” variant. But alas, we can actually show that the plaque Billy held on stage had only nine lines of text – which was consistent with the “Playstation” plaque Billy had shown off at conventions for years.

Back in “Dot Seven”, I included an alternative photo from the Tokyo Game Show, taken by Katsumi Kasahara of Associated Press:



The highest resolution I had for that photo at the time was 1024 x 705. However, I was recently directed to an even higher resolution version – 2000 x 1376 – posted to Twitter by the *Chicago Tribune* on the day TG removed Billy’s scores:

<https://twitter.com/chicagotribune/status/984455703942266880/photo/1>

I invite you to drop that image into your favorite photo editor of choice. If you play with the settings for a while, you’ll see there are only nine lines of text in the main paragraph, matching the old known plaque:



(If you're not sure what I'm referring to, see page 28 of Motti Gabler's forensic analysis.)

Again, that's not a photo you got from me. That's from the *Chicago Tribune*.

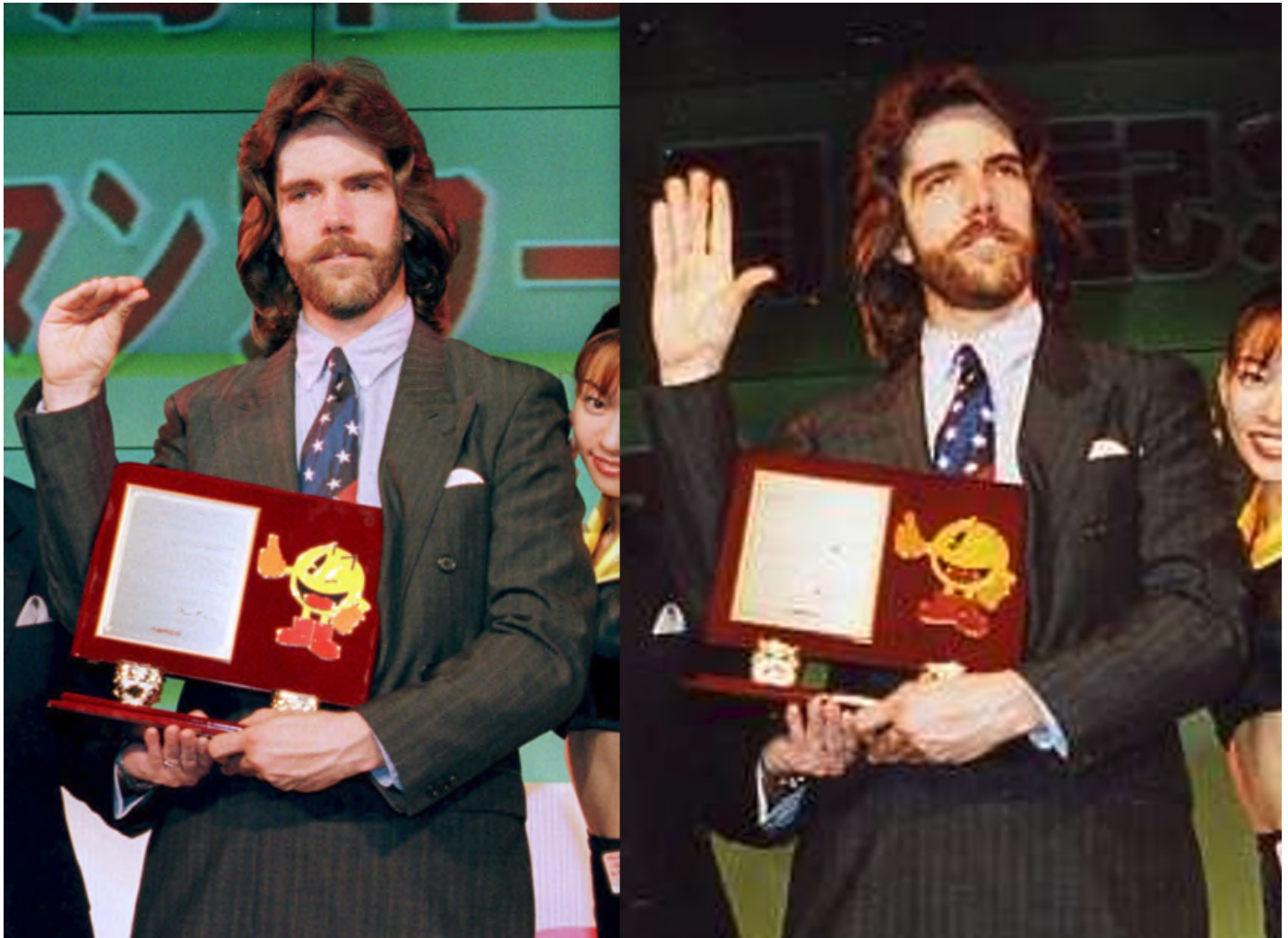
Ah, but this gets worse for Mr. Cheater. Because remember, there weren't actually two plaques. Billy didn't just misremember or misidentify which variant he was holding at which moment during which photograph. Prior to the recent replication of his imitation commendations, there was only ever one Pac-Man plaque.

Let's go back again to the uncredited photo from before:





Look at how Nakamura and Mitchell hold the plaque identically in both the uncredited photo and the Kasahara photo. Even if we attempted to entertain Billy's ridiculous fable of Namco showering him with nearly identical trophies, are we supposed to believe that, in the middle of this presentation, they swapped out the "Player of the Century" version for the "Playstation" version, and yet both Nakamura and Mitchell held both of those the exact same way, both times? And that both of those plaques were slightly tucked into Billy's suit jacket the exact same way each time?



As any reasonable person not wearing tinfoil bunny ears would conclude, that was one award being photographed both times – probably without much down time in between. And while we can't read the text in the Kasahara photo, we can see that main paragraph had nine lines of text. But don't worry – I'm sure Billy already has a lackey hard at work producing *another* new plaque, which this time has nine lines and has the words "Player of the Century" on it.

But that's still not the end of the new discoveries. [An attendee at this summer's NERG festival in England posted photos of some memorabilia](#), and amongst them was this interesting item:





Billy Mitchell - Tokyo Game Show - 1999

Why, that is certainly another photo of Billy Mitchell on stage at the 1999 Tokyo Game Show. And it's signed by Billy himself, no less! Except... that's not the same as the other two photos we've seen. Sure, you see the same grip on that plaque, and the same tuck into the suit jacket, But Billy's hand isn't raised, either to do the little Pac-Man gesture, or as practice for his future career as a perjurer. Also, the expressions on some of the cheerleaders (especially the fourth from the right) are different.

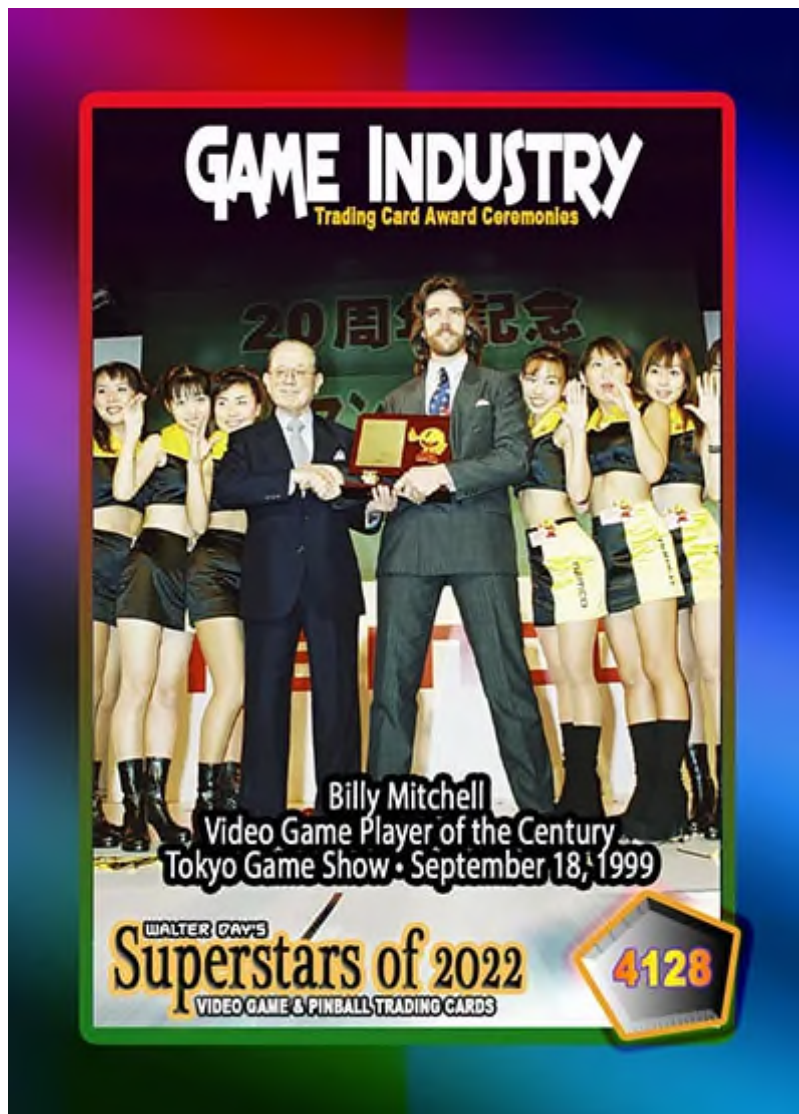
OH. MY. GOSH. Has Billy been holding out on us all this time?





Billy may not have a material obligation to provide us in the public all these old photos he has of the event he's been lying about all these years, but surely TG asked for these photos in one of their discovery requests. Also, it wouldn't be just Billy holding out on this one. It turns out that same variant photo was used by Walter Day on a trading card in 2022:





Additionally, it seems like this and at least one other unreleased photo were of high enough resolution that Billy had them printed on a big promotional banner:



Once again, I guess we aren't allowed to see the evidence for ourselves.

PLAQUE TO THE FUTURE

Anyway, the new plaques are totally fake. We already knew that. We've also previously discussed how Billy and his lawyers sent Mr. Tash on a wild goose chase for these plaques, first claiming that someone named Jerry Byrum had them, then attributing the photo to a John Grunwald, before admitting it was taken by Billy's friend Isaiah "Triforce" Johnson. All of this resulted in Tash being forced to review over 200 hours of CCTV footage to track down which of these stories was true. The problem here is, if you don't sufficiently contest what the other party is claiming, it can get accepted as fact. Billy spins so many lies so casually, forcing the other side to do the legwork of refuting each of them, only for Billy to add a new spin to the lie each time he's about to face accountability. But to Tash's credit, he did the work. These plaques were provable forgeries, and the story about how they were "found" was definitely fabricated.



11 Plaintiff has willfully engaged in deliberate and egregious misuse of the discovery process.
 12 One, Plaintiff has created fake physical evidence that he is refusing to produce. Two, he has used
 13 others in an attempt to create evidence and to secrete it away. And three, he has repeatedly lied in
 14 discovery as part of a pattern of giving evasive and false discovery responses to thwart Defendant's
 15 search for the truth. On top of all this, he and his counsel have misrepresented the location of
 16 evidence and the provenance of evidence. The facts support these allegations and Defendant
 17 cannot have a fair trial under these circumstances so terminating sanctions are warranted.

Tash moved for "terminating sanctions" as a remedy for Team Billy's abuse of the discovery process. Alternatively, Tash moved the court to compel Billy to provide the plaques themselves, arguing that their story of how Triforce mailed them from the Fort Lauderdale airport back to the guy who supposedly had them before was concocted as a way of secreting them away from required disclosure.

On Thursday, September 14th, the court received Manning & Kass' rebuttal to Tash's motion to compel:

[https://perfectpacman.com/wp-content/uploads/2023/09/Legal-Billy-vs-TG-2023-09-14-Billy-
 Opposition-to-motion-to-compel.pdf](https://perfectpacman.com/wp-content/uploads/2023/09/Legal-Billy-vs-TG-2023-09-14-Billy-Opposition-to-motion-to-compel.pdf)

So what was Team Billy's response?

1 I. STATEMENT OF FACTS

2 Plaintiff does not intend to address the conspiracy theory allegations in the Motion. Nor does
 3 Plaintiff intend to argue the weight of the evidence as does Defendant in the Motion. This material
 4 is inappropriate at this time, and irrelevant to this Motion. If the court would like Plaintiff to address
 5 these issues Plaintiff is happy to do so.

What is even going on!?

They just handwaved it as a "conspiracy theory" and refused to address it? Tash did all this work, put in all these hours, tracking down and refuting their lies, and all they have to say about it is "Nuh-uh"? Instead, they want the judge to go through and tell them what parts they should have to address? They can't be assed to do their own homework, so they want Judge Chang to do it for them!? All Kristina Ross did offer to this end was a brief narrative of what her firm was told and when, asserting that any inaccuracies in that information were not their fault.



This brief was so bad, I began to wonder if Team Billy had spiritually given up. I thought, maybe they knew they were screwed, and that someone was going to get in trouble for this fiasco. Thus, perhaps Billy's attorneys wanted to say-without-saying that Billy and his accomplices were the ones at fault, and so any monetary sanctions would be levied against him exclusively. Alternatively, I wondered if the lawyers wanted to put up a façade of opposition such that when they lose, they could turn to Billy and say "Gosh, golly, we really tried to oppose this, look at all this stuff we filed!"



"Hey, it's full of shredded newspaper!"

So shouldn't this mean that Tash's account is accepted on the face of it? Hasn't Tash now demonstrated that Billy and his cohorts abused the discovery process? The trial itself may be for a jury to weigh the evidence in the actual case, but it's not their place to adjudicate things like pre-trial discovery abuse. Will Tash have to go up and testify himself as to the hours he spent scouring CCTV footage? Does the court expect TG to open *another* lawsuit simply to address the procedural misconduct being perpetrated in this one?



1 Plaintiff's counsel is currently attempting to obtain the plaques; however, has been unable
2 to. This attempt has only been made more difficult due to Defendant's counsel's harassment of the
3 third party witness that has possession of the plaques, Jerry Byrum. Ross Decl. ¶ 13, see Plaintiff's
4 Ex. B. As a result, Plaintiff does not have the ability to produce the plaques; however, if Plaintiff
5 can obtain possession, Defendant will be afforded the opportunity to inspect them at Plaintiff's
6 counsel's office.

Instead of addressing the facts, Manning & Kass attorney Kristina Ross lamented that poor old Jerry Byrum just won't cooperate, because of "harassment" from mean Mr. Tash. Kristina even submitted a declaration, which included recent text exchanges between Tash and Byrum as exhibits:



Today 5:11 PM

Have you decided to tell the truth yet?

I got a tell ya, you're an idiot. I've never seen any attorney, harass people with unethical practices in my life like you do.

Nothing unethical here

What's unethical are the lies

You know billy is claiming triforme found the plaques in your arcade

Did he tell you that? And that you have them now.

Keep going, keep digging a hole deeper. It won't look good for you in court.



You're another obsessed, Billy, Mitchell stocker, you really need to seek help

I'm a lawyer proving my defense

I wish he would stop

Is there anything you want to tell me about what I'll find?

Are you are a stalker beyond belief, and you are harassing me on evenings and weekends and this is the last opportunity you get to stop or I will do it legally

I'm seeking information from a key witness. I was hoping your morals would kick in sometime. I'm still hopeful. Have a good evening sir. I'll see you soon.

You have zero grounds to do so, zero! Stop harassing me, and whoever else, you're probably harassing, read a book on character in ethics because he's an attorney, you're supposed to have both



<https://perfectpacman.com/wp-content/uploads/2023/09/Legal-Billy-vs-TG-2023-09-14-Billy-Declaration-of-Kristina-Ross.pdf>

Ah, so it's really *Tash's fault* that Byrum won't cooperate and supply either the fake plaques or a better photo of them... all while he *does* cooperate in forwarding just these screenshots of text exchanges that Billy's lawyers want.

How does anyone older than ten fall for this?



Notice also the assurance that, if they do acquire the plaques, they'll be only too happy to invite Tash over to inspect them. Yes, I'm sure Manning & Kass will be super-eager to track down these plaques that help prove their client is a serial fraudster, when they know that nothing will be done about it if they don't.



Ross also insulted the court by once again repeating the **intentional** bad faith argument of (paraphrasing) "Well, if they want photos of these plaques, just use any old photo of it you can find on the Internet":



13 4. As to Requests Nos. 232 and 240, which are not mentioned in Defendant's Motion,
14 Plaintiff responded that he was unable to comply because the requested items, if they ever existed
15 no longer exist, or are no longer in his possession due to the length of time that has passed since the
16 photographs may have been taken. Plaintiff also objected on the ground that the requested
17 documents were equally available, as there are photographs online, and Plaintiff has no obligation
18 to scour the internet for such equally available information.

But that wasn't the entirety of Ross' opposition arguments here.

2 **A. Defendant's Motion is Procedurally Defective**

3 As an initial matter, Defendant's Motion is procedurally deficient, as it fails to comply with
4 California Rules of Court, rule 3.1345(a)(3), which requires a separate statement for any motion to
5 compel further responses to requests for production of documents, and does not fall under any of
6 the exceptions listed in California Rule of Court, rule 3.1345(b). This Court has the discretion to
7 deny Defendant's motion on that basis alone, and should exercise that discretion. See *Mills v. U.S.*
8 *Bank* (2008) 166 Cal.App.4th 871, 893 (a trial court has the discretion to deny a motion to compel
9 further discovery for failure to comply with the separate statement requirement).

Basically, Ross argued that Tash's motion violated some technical bit of court procedure involving California Rules of Court, specifically rule 3.1345(a)(3). What, you may ask, is California Rules of Court rule 3.1345(a)(3)? I'm glad you asked!

2023 California Rules of Court

Rule 3.1345. Format of discovery motions

(a) Separate statement required

Any motion involving the content of a discovery request or the responses to such a request must be accompanied by a separate statement. The motions that require a separate statement include a motion:

- (1) To compel further responses to requests for admission;
- (2) To compel further responses to interrogatories;
- (3) To compel further responses to a demand for inspection of documents or tangible things;
- (4) To compel answers at a deposition;
- (5) To compel or to quash the production of documents or tangible things at a deposition;
- (6) For medical examination over objection; and
- (7) For issue or evidentiary sanctions.

(Subd (a) amended effective January 1, 2007; previously amended effective July 1, 1987, January 1, 1992, January 1, 1997, and July 1, 2001.)

(b) Separate statement not required

A separate statement is not required under the following circumstances:

- (1) When no response has been provided to the request for discovery; or
- (2) When a court has allowed the moving party to submit in place of a separate statement a concise outline of the discovery request and each response in dispute.

(Subd (b) amended effective January 1, 2020; adopted effective July 1, 2001.)

This is exactly the type of thing people are referring to when you hear about technicalities and angle-shooting. This is like rules-lawyering in Magic the Gathering or Yu-Gi-Oh, except with actual lawyers, no love of the game, and lots of money on the line.

We'll get more into the topic of what powers a judge has in a moment, but for now I'll say this: When you're an outsider to the legal process, you may feel a bit intimidated by these walls of directives that look so ironclad, but in practice, the rules of court are much softer than they appear on paper. You see this, not only in Team Billy's ability to flaunt those rules without apparent consequences, but also with item (b)(2) above. It basically says "The court (i.e., the judge) can just say 'Whatevs, I'm allowing it anyway'". Also, I'm sure Tash has filed many of these before, and has never been obstructed by this technicality. If Judge Chang wanted Billy's case tossed out – and she should, because it absolutely does deserve to be terminated – this rule alone would not stop her. However,



this technicality would provide her grounds to deny the motion without really having to weigh its merits, if she didn't want to be seen as coming down on either side.

2 In determining a motion for sanctions, “[i]t is up to the trial court to weigh the evidence,
3 resolve conflicts in it, and assess the credibility of witnesses.” (Cornerstone Realty Advisors, LLC
4 v. Summit Healthcare Reit, Inc. (2020) 56 Cal.App.5th 771, 789 (noting that the trial court must
5 determine credibility and weigh evidence when ruling on a sanctions motion); *see also* Department
6 of Forestry & Fire Protection v. Howell (2017) 18 Cal.App.5th 154, 185, fn. 15 (“[...] the trial
7 court is required to consider the evidence presented to determine whether a misuse of the discovery
8 process has occurred...the trial court was obliged, upon receiving defendants’ motions for
9 sanctions, to consider and weigh the evidence presented to it to make a determination on the merits
10 of the claims of discovery abuse”); *see also* Deck v. Developers Investment Co., Inc. (2023) 89
11 Cal.App.5th 808, 824 (same).)

The Mighty Mister Tash was all over this. He filed a reply brief highlighting Team Billy's failure to provide any counter-position whatsoever to TG's narrative, while also pointing out that Manning & Kass can't deny the facts without making statements to the court that are false. Tash also cited case law that it is well within the court's authority to weigh evidence to determine if one party has committed an abuse of the discovery process. (In other words, the court doesn't need a jury to decide that.) As to the procedural points, Tash addressed those as well:



3 C. Defendant is not required to submit a separate statement in connection with its request
4 for a terminating sanctions order.

5 Defendant's notice of motion states in the first paragraph and as the first enumerated
6 request that it seeks an order of dismissal of Plaintiff's complaint pursuant to this Court's inherent
7 authority to control the litigation before it based on Plaintiff's willful and egregious misuse of the
8 discovery process. This is a motion for terminating sanctions as much as it is a motion to compel.
9 (*See* Cal. Code Civ. Proc., § 1010.) Plaintiff cites no authority, nor is there any, that Defendant is
10 required to submit a separate statement to obtain such an order. Defendant's request for a
11 terminating sanctions order is procedurally proper and Plaintiff has not shown otherwise.

12 D. Defendant is not required to submit a separate statement in connection with its motion
13 to compel production of documents.

14 A separate statement is not required with a motion to compel if the court allows the parties
15 to submit a concise outline of the discovery requests and responses in dispute. (*See* Cal. Code
16 Civ. Proc., § 2031.310(b)(3); *see also* Cal. R. Crt., Rule 3.1345(b)(2).) This Court's standing order
17 permits the parties to submit a concise outline in lieu of a separate statement. Defendant has
18 submitted a concise outline of the four document requests at issue with organized and reasoned
19 argument in support of its position.

However, Wendy Chang denied Tash's motion on the basis of this technicality, and apparently, with regard to the motion for terminating sanctions in particular, on the notion that discovery abuse is something that should be determined by a jury:

In these motions, Defendant seeks: (1) to dismiss Plaintiff's complaint as a terminating sanction; (2) to compel further responses and production of the documents requested in requests for production numbers 231, 251, 265, and 293 in set III of its requests; (3) to require Plaintiff to sit for deposition and pay the expenses; and (4) for monetary sanctions against Plaintiff and his counsel Anthony J. Ellrod and the firm Manning & Kass in the amount of \$81,875.00. These are three motions; Defendant files one, without paying separate filing fees. Still further, a review of the motion for terminating sanctions reveals that it is a premature and improper motion in limine at best, and that it seeks a dispositive ruling from this Court on critical issues of disputed facts that likely need to be addressed by a jury. The Court denies the motions without prejudice to a properly filed motion in limine, or to be addressed in another form, during the immediate pretrial phase of this case. Trial is scheduled for trial on November 17, 2023, just about a month and a half from now.



In her ruling, Judge Chang refers TG's grievances toward "a properly filed motion in limine, or to be addressed in another form". For those who don't speak Latin, a "motion in limine" is a way to ask the court to exclude certain topics from a jury trial. Basically, it's like saying "Please, your honor, instruct the opposing party that in the presence of the jury they are not allowed to ask about all the times my client has lied about his business history, or how my client frequently lies about how long he's been married, or about my client's many, many traffic tickets and all the weak excuses he gives to get out of them". The idea behind motions in limine is, if it's something like a murder trial, a jury could be prejudiced by hearing that the defendant has a prior murder conviction (or even any conviction for anything), when they should be focusing on the evidence particular to the current case.

So Judge Wendy Chang suggests the solution to Billy's plaque nonsense is a "properly filed motion in limine" in the window immediately before trial. Now, I'm not up on every bit of legalese, so I could be missing something here, but by the name of Zeus in Asgard himself I hope she doesn't mean "Well, if you think the plaques are fake, you should just ask the court to tell the other side they can't talk about them at the trial".

The Court ORDERS Defendant to pay to the Clerk of the Court \$120.00, constituting the two additional filing fees that he attempted to bypass by this improperly filed and formatted multi-motion. The sanctions shall be paid within 15 days.

All the monetary sanctions asked for on both sides were denied, but Judge Chang did order that Tash should have to pay for two filing fees that should have been paid, if this motion had been submitted as three documents. But this one kind of baffles me, to be honest. Note how the only substantive rebuke is directed toward the request for terminating sanctions (i.e., that Billy's case should be tossed out of court altogether), where she says it involves "disputed facts that likely need to be addressed by a jury". She gives no reason why the other elements of Tash's filing should not be granted. If she wants to deny the motion as filed, fine. If she wants to tell Tash to refile properly, okay. Or if she wants to say "This is all good, but this should have been filed in three installments, so I'm issuing a sanction to correct that oversight", go for it. But to order Tash to pay three filing fees, and then to *also* deny the motion *on the basis* that Tash hasn't paid three filing fees?





When I first read Manning & Kass' reply brief, my first impression was that they were trying to blow a bunch of smoke, in the hope that the judge would only see a big cloud of smoke around two parties fighting, and would not look deeper into the fact that only one of those parties' cases has merit. My concern was that, as desperate and dishonest a tactic as that may be, sometimes it works. At least for the moment, it does indeed seem to have bought Team Billy more time for whatever it is they think could possibly fall out of the sky to save their case.

And after all this, we still don't have any story on what happened to these bogus plaques after Triforce allegedly mailed them from the Florida airport back to Iowa. Byrum apparently won't say whether he has the plaques or not. (At this point, you can guarantee we'll never see those fakes again.) We don't even have a shred of evidence or even witness testimony corroborating Billy's claim that he donated his original plaque to the IVGHOF in the first place. It was all one giant crooked shell game, which Judge Chang has thus far refused to reprimand.

THE SLAPPING CONTINUES

Some of the 9/28 ruling is good for TG, and I promise, we'll get to that later. But we have to eat a few more gross vegetables before we can have our dessert.

As you saw above, Judge Chang denied TG's motion to compel production of the phony plaques, as well their request to compel Billy to sit down for a second deposition to answer for his subsequent involvement in their misrepresented "search". Folks who have watched Billy's first deposition will understandably be disappointed that we won't be getting a sequel, at least not at this time. But [↑]

the bright side, if he ever sues *me*, I'll be able to make him sit down for another one of those... and if that happens, *I'll be the one doing the questioning!!!*



TG also moved to compel Billy to provide his written settlement with the late YouTuber Apollo Legend, and the videos he acquired in that settlement. Kristina argued in opposition to that motion as well:

20 As to the settlement agreement between Plaintiff and Benjamin Smith, Defendant's Motion
 21 fails to provide a single shred of legal authority to compel Plaintiff to produce the settlement
 22 agreement despite the confidentiality clause, and instead only attacks the relevancy objection.
 23 Additionally, Defendant's Motion misrepresents Plaintiff's deposition testimony regarding the
 24 videos made by Benjamin Smith by claiming that Plaintiff testified that the videos made by Mr.
 25 Smith are in his possession. Plaintiff testified that he owned rights to the videos, not that he actually
 26 received copies of the videos. Ross Decl. ¶¶ 16, 17.

As discussed before, it appears this motion from TG would never have borne fruit, even if it had been granted. While Apollo gave ownership of six (by my count) videos from his YouTube channel to Billy, TG's arguments centered around two short clips in which Apollo asked Billy about the fake board swap video, and in which Billy directed Apollo to ask technician Carlos Pineiro about "the proof". Those clips could not have been part of Apollo's settlement, since they were filmed by Apollo's friend, and Apollo cannot give away ownership of things he does not own. Possibly, Apollo's settlement included some bit of language TG might hypothetically leverage to allege that Billy was ↑

suing multiple people for the same “damages” (loss of reputation), and Tash did cite case law saying that disclosure of confidential settlement agreements is called for when relevant. Kristina offered that, instead of providing the settlement to TG directly, it could be made available for “in camera review”. (As used here, “in camera” is Latin legalese. Basically, it means a judge or someone neutral would review the document privately and would then say whether it contained anything relevant.) Also, it’s not clear how binding a confidentiality agreement can be when one of the parties is deceased. At any rate, Judge Chang denied this motion as well.

But here, in my eyes, is the real doozy about this ruling. Remember that bit about Walter Day’s changing testimony? It has to do with a phone call Walter received from Jace Hall in March 2018, in the midst of the TG dispute over Billy’s scores. First, Walter signed a statement, written for him by Billy Mitchell’s son, attributing the following quote to Jace:

”

“How will you feel when I announce that Billy [Mitchell] cheated?”

During the anti-SLAPP phase of the case, this exact quote was highlighted as evidence that Jace somehow had a pre-ordained conclusion in mind. In other words, Team Billy were relying on the narrative that Jace decided out of nowhere to defame poor old Billy, and that the dispute process was all a farce toward that end. All of this was part of their attempt to push this case toward trial – or, as they probably hoped, to force a favorable financial settlement.

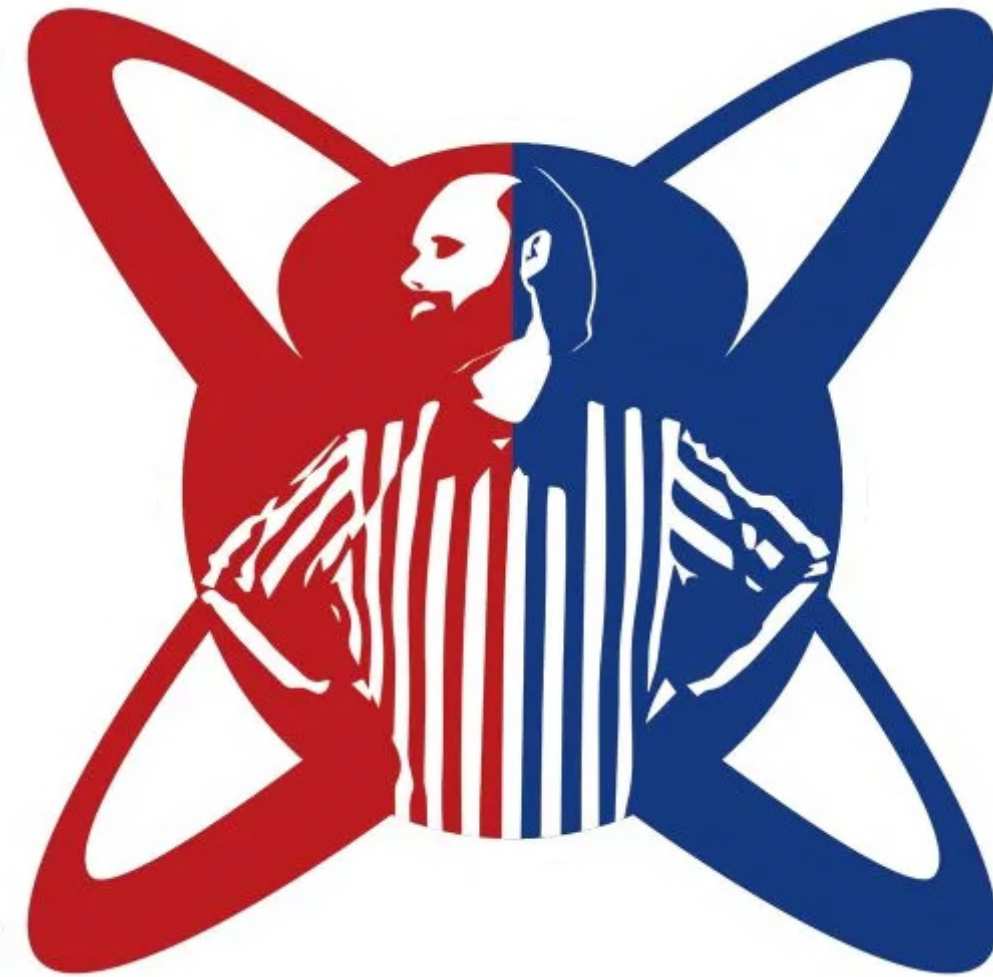
However, when Walter Day was deposed, he gave a significantly different version of that quote:

”

“He asked me how it would affect me if Billy was determined to have cheated.”

And this makes so much more sense, does it not? Why on Earth would Jace Hall call Billy’s longtime friend and business partner, twirl his non-existent moustache, and say “Mwahaha, just so you know, I have already decided to remove all your friend’s scores before even testing the evidence, what do you gotta say about that?” But what *does* make sense would be Jace calling Walter Day – previous owner of TG, and one of the supposed “witnesses” Billy keeps claiming Jace never tried to contact – and saying “Hey, we’re starting to investigate this stuff, but if these scores end up having to come down, how is that gonna affect you, and how is that going to alter our working relationship?” This was an important question for Jace to ask because, among other things, Walter was still the literal logo of TG at the time:





So what did Billy's lawyer have to say about this misrepresentation of testimony?

15 That Plaintiff and Mr. Day provided some differing accounts of events does not, as Defendant seems
16 to contend, lead to the inescapable conclusion that perjury occurred, or that perjury was “suborned”
17 in this matter. Defendant similarly goes over the top when concluding that, because the language
18 Mr. Day used in a declaration differed slightly from his deposition testimony, the inescapable
19 conclusion is that perjury occurred. Ross Decl. ¶¶ 18-19.

20 The discrepancies between Mr. Day's declaration and deposition testimony are relatively
21 minor. However, the vast majority of jury trials include witnesses being impeached with prior
22 testimony. A motion to compel is not the time or the place to determine which version of a witnesses
23 story is accurate. Indeed, Plaintiff may end up impeaching Mr. Day with his sworn declaration. In
24 any event, none of this rises to the level of perjury, much less suborning perjury.



Ah, so in Ross' opinion, the testimony "differed slightly". And the discrepancies are "relatively minor".

Honestly, Judge Chang should be outraged, both by Team Billy's attempt to push this bit of fraudulent testimony past the court during anti-SLAPP, and by their attempts to insult everyone's intelligence by whitewashing this maneuver now. To see the relevance of this sleight of hand, one need only return to Manning & Kass' opposition to TG's anti-SLAPP motion, filed on behalf of Billy by ol' Greasy James Gibbons way back in June 2020:

16 d. *Pre-Ordained Conclusion.* Hall's declaration specifically states that his failure to
 17 replicate the "images and artifacts" on the lost chain of custody videotapes led to his conclusion
 18 that Mitchell had not used an "unmodified Donkey Kong Arcade system." Hall Decl., ¶ 46. But
 19 significantly, Hall came to this conclusion *before* he tried to replicate those "images and artifacts."
 20 An examination of events shows this. On or about March 13, 2018, Hall called Walter Day to ask,
 21 "How will you feel when I announce that Billy cheated?" Day Decl., ¶. 8. But Hall had only
 22 ordered the equipment to test his allegations on Saturday, March 10. See Hall Decl., Exh. A (Page
 23 663, published on March 10, 2018, 15:55 Hours). If Hall had ordered the equipment on March 10,
 24 2018, he could not have received the equipment and performed all of his tests by March 13, 2018,
 25 because the company could not have shipped the equipment to Hall on a weekend. Furthermore,
 26 the testing required substantial work which could not have occurred prior to his phone call with
 27 Day. Day Decl., ¶ 9.

As we've discussed before, anti-SLAPP laws exist to weed out frivolous lawsuits, whose only purpose is to harass, silence, and punish protected free speech. And so, the burden is on the plaintiff to at least demonstrate the attempt to argue a case which includes all the required elements. As you see above, Billy's case at the time revolved around a hypothetical timeline wherein Jace's investigation came after his stated decision, which they argued was rock solid proof of a "Pre-Ordained Conclusion". However, all of that changes when you substitute Walter's actual words for the highlighted quote. Suddenly, Jace instead looks like a diligent investigator, following every lead, and being mindful of the consequences of his actions. Following this genuine inquiry, he then began his technical research, and subsequently ruled in favor of Jeremy Young's dispute claim in April, all in accordance with the timeline one would expect from a responsible adjudicator.

<https://perfectpacman.com/wp-content/uploads/2023/09/Legal-Billy-vs-TG-2023-09-20-TG-Reply-in-support-of-motion-to-compel.pdf>

In his reply brief, Tash highlighted several elements of Billy's testimony which have contradicted those of other witnesses, including those who Billy's attorneys have themselves called upon to support their case. While this would not be the time or place for Billy to be found guilty of perjury, ..

to find his son guilty of suborning perjury by writing false testimony for others to sign, **all** of this should still inform the judge as to the merits of this case before her.

As I've said before, "I'm not going to tell you that Billy's lawsuit was allowed to proceed strictly on the basis of this fabricated remark". And I'm going to stick to that here. I certainly don't think Greasy Gibbons would have given up on the case entirely had his "law clerk" Billy Junior not slipped in this fraudulent affidavit. Perhaps some other bit of rhetoric would have been used in its place. However, including such blatantly misrepresented testimony should surely be cause for termination of their case now. You can't just sprinkle in a bunch of outright lies to make your anti-SLAPP opposition look better, can you? If plaintiffs can simply lie their way past anti-SLAPP without any consequences, then what's even the point of having anti-SLAPP laws in the first place?

WHAT'S A JUDGE TO DO?

Sometimes, in my writing, when I want to *really* emphasize a delicate point, I preface it by saying "I want to be crystal clear on this". (You could say it's my "The fact of the matter is".) But I've never meant that more than I do right now: I want to be completely, all-encompassingly, spotlessly clear that, in today's update, which I write alone in my role as an independent investigator reporting on this case, I speak for myself and only myself and absolutely no one else. I'm not a fool, and I have no wish to antagonize the judge, especially when it's not my neck on the line. I'm also not here strictly for the purpose of telling a professional how to do her job. Literally nobody asked me to write any of this today. I'm simply a journalist who has covered this story for over five years, who wishes to keep the gaming community informed on this case dealing with issues of interest to that community, and who by virtue of my coverage to date is in the position of being expected to write publicly about this misguided decision which, in my personal opinion, sucks poop through a paper straw.

As I alluded to earlier, judges have much more leeway than is written on paper. Recall Billy's run-in with Judge Keathan Frink in 2021:





Judge Frink tossed out Billy's duplicative lawsuit in TG in Florida on the basis that Billy had not properly served it within the required window. But this is interesting, given that a different judge *did* grant Billy an extension under similar circumstances in his lawsuit against Jeremy Young, Jeff Harrist, and Donkey Kong Forum, which was also never served. When you think about it, the whole appeals process is built on the foundation not only that some judges may get things wrong, but also that different judges will interpret law differently, and that some matters require a single directive for all lower jurisdictions to abide by.

You also see judicial liberties included in some rulings, such as [these classics from District Court Judge Anne Thompson in 2015](#):

”

But while GBF may be a less-than-subtle evocation of Plaintiff, GBF is not a literal representation of him. The television character does not match the Plaintiff in appearance: GBF appears as a non-human creature, a giant floating head with no body from outer space, while Plaintiff is a human being.

”

Rather than merely being recognizable by his hair and beard, GBF appears as only hair and a beard. Rather than holding the world record at a well-known game, GBF holds the record for the entire



universe. Rather than questioning his opponents' honesty, GBF simply begs his opponents to let him keep his high score. And when GBF loses his title, the character literally explodes, unlike Plaintiff.

Obviously this is from Billy's failed lawsuit against Cartoon Network. This was as much a ruling on the judicial merits of the case as it was a statement of "Get this baseless horseshit out of my court".

You also see these liberties in judicial work-arounds. Not long ago, in a local case, I personally witnessed a judge say outright "I have read [Document X], by rule I cannot take [Document X] into consideration, but I am ruling in favor of [position argued in Document X] on the basis of [stuff that was submitted way before Document X]." This happens all the time. If a plaintiff lies twenty times in ways which are more properly addressed by trial, but then also lies once directly to the court itself, there is no ethical obligation for the judge to pretend this one lie was a weird accident that exists in isolation.

To be perfectly honest, I wasn't expecting a termination of the case based on Billy's failure to provide the fake plaques alone. While the intent to mislead was palpably obvious, the option to compel Billy to produce the plaques seemed an appropriate remedy to that issue in isolation. However, pairing that farce with the fraudulent testimony the court relied on in its anti-SLAPP ruling paints a much more stunning picture. And that misrepresentation directly to the court during anti-SLAPP *has to be* something a judge can act upon. Given all of this, and given the malfeasance Mr. Tash has worked so hard to uncover and prove, I simply do not buy the argument that Judge Chang was powerless to toss this case out of court without a more properly formatted motion from the defense. This would mean that either the conduct of Billy and of Manning & Kass does not offend Judge Chang – which if true is a *Serious Issue*, not only for this case but also for any other cases that come before her bench – or less cynically, Judge Chang *believes herself* to be at least relatively unempowered to intervene at this time.

I haven't particularly written about Judge Wendy Chang in my coverage of this case until now, primarily because there was nothing for me to write about. In 2018, while working at firm Hinshaw & Culbertson, she was appointed to Los Angeles Superior Court to fill a retirement vacancy. In 2020, Chang retained the position when she ran unopposed, and when the uncontested election was cancelled as a pandemic precaution anyway. (It does mean that, technically, nobody voted for her, although that is a common occurrence when the courts fill vacancies.)

In January 2022, for reasons that were never made clear, the Billy Mitchell lawsuit was reassigned to Chang from the original Judge Gregory Alacorn (who still sits on the Los Angeles Superior Court bench). Judge Alacorn's only real contributions were the two rulings in October 2020, denying TG's anti-SLAPP motion, and requiring Billy to put up an \$80,000 "undertaking" deposit to continue as an out-of-state litigant. The undertaking ruling was a big win for TG, in that it required Billy to actually invest resources into his frivolous lawsuit full of lies. And while the anti-SLAPP ruling was disappointing, it was understandable, given that Billy had lied through his teeth to present the false veneer of having a legitimate case, and that many of these lies would have to be hashed out at ↑

This 9/28 ruling marks Judge Chang's first significant contribution to our never-ending Donkey Kong escapade. I believe it's fair to say she's not too new to the bench (and especially not the courtroom itself) to see what's going on. Among the opinions on this ruling I've heard, one is that she doesn't want to do anything that could tie the case up in appeals, both for the fact that having rulings overturned may look bad for her, but also because it would drag this case out for more years. But this circles right back to the notion that, if there are no consequences for violating the rules around discovery, then there effectively *are no rules* around discovery.

Even if this argued technicality was some sort of iron wall that forbids the judge from acting on any aspect of the evidence in front of her, there is a distinct lack of immediacy in the written ruling brief. Granted, I was not able to witness the hearing itself, but reading the text on paper, I see no sense of urgency, no "Get this refiled properly on the double, cross all your 'I's and dot all your 'T's, and we'll get this resolved right away". Rather, Judge Chang offers the puzzling suggestion that all of this, *including a request to compel discovery*, can be addressed "during the immediate pretrial phase of this case" – as if it's more appropriate to wait until after many more expenditures of time and resources into further depositions and filings. I also find it hard to believe that Judge Chang would be more inclined at the moment immediately preceding the trial to call the whole endeavor off, rather than simply allow the process to play out so close to the finish line.

I have no doubt the crew at Manning & Kass were high-fiving each other after the 9/28 ruling. Team Billy pulled serious shenanigans, with falsified testimony, fake evidence, coordinated switcheroos to hide the fake evidence, and bad faith argumentation to the court, and (at least so far) they've walked away clean from all of it. This makes me wonder what *would* have compelled Judge Chang to toss this case out. Did Billy himself need to be caught physically handing the fake plaques to Jerry Byrum and telling him "Make sure no one ever sees these"? Does he need to be videotaped handing witnesses cash and telling them "I know this statement is full of lies, but you can have this money if you just sign it anyway"? Going forward, we shouldn't be surprised if Team Billy's skulduggery continues; *of course the lawyers will play games if they know they'll get away with it*. This even leaves me wondering if maybe Mr. Tash shouldn't be pushing the rules more himself, since there will apparently be no serious consequences for doing so. Ultimately, this was a weird by-the-rules judgment which also made a mockery of the rules at the same time.





"I hereby declare all rules nullified until further notice."

I'm sure Mr. Tash is a professional and knows how to bounce back, as you cannot let crap like this deflate your momentum. None of this should be an excuse for not fighting your hardest. To use a sports analogy, just because your team suffers an obviously bad call, you're only going to make it worse by focusing on that instead of what you have to do going forward. In life, you always have to address the current reality of the situation. And to be clear, Billy still has literally no chance of convincing a jury to side with him in his defamation claim against Twin Galaxies. Rulings like these are just moments of insanity that those of us interested in the case are forced to watch unfold along the way.

SO WHAT'S THE GOOD NEWS?

With all of that out of the way, let's get to the good stuff, starting with the one part of Judge Chang's ruling that went TG's way. Last time out, we discussed Billy's motion to hold Tash in contempt of court for sharing Billy's deposition video with Karl Jobst. Of course, you may have noticed one odd detail to their motion – and when I say "you may have noticed", it possibly helped that I specifically brought attention to it – which is that they never cited what portion of Billy's deposition they claimed was confidential. They just acted like the judge was supposed to know, or figure it out for herself. Did Kristina just not feel like looking up the page number or timestamp? Were they playing some kind of "you first" game with Tash? Who knows?

<https://perfectpacman.com/wp-content/uploads/2023/09/Legal-Billy-vs-TG-2023-09-14-TG-Opposition-to-motion-for-contempt.pdf>



At any rate, Tash did choose to proactively address the only argument Team Billy could even try to latch on to. Recall that, at around 4:04:40 in Billy's deposition video, Tash began playing an audio recording of a public interview Billy did in 2018. Ellrod, believing this podcast interview was actually one of David Race's recorded phone calls, objected and asked that the segment be marked confidential until the nature of the recording was identified. The situation was later clarified, and Ellrod formally withdrew the confidential designation at around 4:29:30.

11 From the time Exhibit JJ was introduced, to the time Plaintiff's counsel withdrew his
12 confidential designation, Plaintiff testified regarding: (1) a Hello Kitty TV provided to Carlos
13 Pineiro; (2) him appearing on stage at the Museum of Pinball in Banning, California with Carlos
14 Pineiro; (3) who he lodged with in Banning, California; (4) who paid for Carlos Pineiro's flight to
15 .California; (5) his declaration in this case; and (6) a telephone conference call with Jace Hall and
16 several members of Plaintiff's team, including Plaintiff himself. [Tashroudian Decl., ¶¶ 5 & 10,
17 Exh. 1.]

Basically, the argument would be over whether this withdrawal of confidentiality by Ellrod meant "Oh right, we have determined that that was a public interview, and thus there was no need for it to be confidential" or "We still want to investigate whether this podcast was really a private recording, but since we are no longer discussing that recording, nothing needs to be confidential from this point forward". To address this point, Tash cited all the topics discussed during that 25-minute window, all of which have already been discussed publicly and none of which require a confidential designation.

18 Plaintiff's complains that witnesses are afraid to testify and give evidence by way of
19 declaration testimony but provides no evidence of this fact. None of Plaintiff's witnesses have
20 come forward to say they are unwilling to testify because of fear their deposition will be leaked to
21 the public. The easy way for a witness to avoid public disclosure and still testify on behalf of
22 Plaintiff is to seek a protective order. He has no witnesses because no one will support his stories.
23 Plaintiff's argument on this point is pure conjecture without factual support.

Tash also offered legal arguments as to why the cited restrictions on deposition materials apply to the deposition officer, and not the party conducting the deposition, while pointing out that Billy can't file a claim on behalf of the court reporter. As to Kristina's crocodile tears about Billy's witnesses being afraid to testify, Tash points out that no such witnesses have been identified, and that if such a witness existed they could still seek a protective order of their own.



11 The likely reason that Plaintiff has now reneged on his commitment of transparency is that
 12 the deposition transcripts – all of them – show that Mr. Mitchell has misrepresented facts to the
 13 public for decades. People are interested in this. Billy Mitchell has hurt a lot of people and stole
 14 glory by cheating over the years. His fraud has been discovered through the investigation and
 15 deposition testimony in this matter and he cannot stand it. So Plaintiff does what he knows best –
 16 he seeks to silence people through the use of the judicial process. This Court should not sanction
 17 Twin Galaxies and enable Plaintiff to continue silencing free speech on this record.

Tash also asked the judge to consider *why* Billy was aiming to suppress distribution of his deposition testimony. In doing so, Tash cited the 2018 video we discussed last time, where Billy told the public:

”

Everything will be transparent. Everything will be available. I wish I had it in my hands right now. I wish I could hand it to you. But it's taken a considerable amount of time. Witnesses, documents, everything will be made available to you. Nothing will be withheld. You absolutely have my commitment to that.

Granted, while Tash certainly wanted to make sure Judge Chang was aware of Billy's dishonesty, there is no strict legal basis to punish a plaintiff for lying to the public about wanting transparency while stifling dissemination of the evidence behind the public's back. In his reply brief, Ellrod was quick to point this out, while calling back again to the previously cited protected order:

9 Defendant leans heavily on statements Plaintiff allegedly made in an online video prior to
 10 the start of this litigation. See Opp. at 3. However, these out-of-court statements, allegedly made to
 11 an online magazine prior to the inception of this litigation, are irrelevant to the current motion. What
 12 is relevant, and binding on the parties, is their protective order. Defendant takes the outrageous
 13 position that a purported statement by the Plaintiff prior to the filing of this lawsuit that “the
 14 investigation into his Donkey Kong scores will be transparent and all information will be available”
 15 somehow negates the protective order in this case. Obviously no authority is cited in support of such
 16 a proposition. Defendant's reliance on a purported statement made before this action was filed
 17 confirms that Defendant's strategy is to try this case in the court of public opinion, presumably to
 18 sully Plaintiff's reputation and taint the jury pool.



<https://perfectpacman.com/wp-content/uploads/2023/09/Legal-Billy-vs-TG-2023-09-20-Billy-Reply-regarding-motion-for-contempt.pdf>

Yes, I'm sure the jury pool for this stupid Donkey Kong lawsuit will be irrevocably tainted by these few write-ups and videos read and watched by a subset of the video gaming community who can be easily filtered out of the process during "voir dire".

Regardless, Ellrod gives us a peek into the real purpose behind Team Billy's complaints over an already-released deposition which they cannot trap back in the bottle anyway:

24 **III. THE COURT SHOULD RETROACTIVELY DESIGNATE ALL DEPOSITION**
 25 **MATERIALS CONFIDENTIAL**

26 As noted, Defendant's strategy is to try this case in the court of public opinion instead of a
 27 court of law. Every time a witness is deposed in this matter, Defendant and its counsel provide a
 28 copy of the deposition materials to third parties, who post the materials online. This has resulted in

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**REPLY TO MOTION FOR AN ORDER HOLDING DEFENDANT AND DEFENDANT'S COUNSEL IN
 CONTEMPT AND REQUEST FOR MONETARY SANCTIONS**

1 the vocal gaming community publicly embarrassing, harassing, and attacking the deponent. It has
 2 resulted in witnesses refusing to cooperate with the discovery process because they do not want to
 3 be exposed to the same attacks. Consequently, the Court should retroactively designate all
 4 deposition materials confidential and prohibit Defendant or its counsel from disseminating them to
 5 third parties.

Yes, they want *all* the depositions marked confidential. You know, so us journalists can't "try this case in the court of public opinion". I know I've said this before, but maybe, just possibly, it was a mistake for Manning & Kass to take on a case which they knew already had heavy hobbyist attention and existing media presence. (Oh, and *all* the known evidence against their client. That, too.)

At any rate, Judge Chang cited the parties' "conflicting arguments", but noted that Billy's side had failed to meet any evidentiary threshold, and that TG had sufficiently demonstrated that nothing in the deposition transcript or video bears an official confidential marker:



Plaintiff has not supported his reply with affidavits rebutting Defendant's account of events. The parties present conflicting arguments, but Plaintiff fails to satisfy his burden in providing evidence of Defendant's failure to comply with the protective order since Defendant has shown that those materials which were disclosed to third parties were not marked as confidential.

So it looks like no Karl Jobst videos will be disappearing on account of deposition transcripts. Of course, this hasn't stopped Billy from continuing to file bogus copyright strikes against his deposition on YouTube. It seems that, at some unidentified point along the way, Billy Mitchell got the impression that the rules didn't apply to him. (Hmmm, I wonder how that happened.)

WALTER'S TERRIBLE, HORRIBLE, NO GOOD, VERY BAD DAY

Okay, let's get to what we *really* want: New evidence!!

<https://perfectpacman.com/wp-content/uploads/2023/09/Legal-Billy-vs-TG-2023-09-20-TG-Declaration-of-David-Tashroudian.pdf>

Attached to a Sept. 20th declaration, Tash included significant portions of the transcript of the June 26, 2023 deposition of Walter Day. While references to Day's testimony have been made in other filings, this is our first chance to see some (but not all) of what Walter Day had to say, in his own words.

(FWIW, the document itself lists the deposition date as June 26, 2021, but that seems to be an error. In summer 2021, action on the case was suspended as TG awaited a ruling in their anti-SLAPP appeal. Also, Tash cites the date as June 26, 2023, as does one confirmation page included at the end.)



23 Q Do you recall signing this declaration?

24 A I do.

25 Q Who wrote this declaration?

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CONDITIONALLY UNDER SEAL

Walter Day Volume I Confidential
June 26, 2021

1 A Well, it's my information. There was help by

2 Billy Mitchell, Jr.

3 Q He wrote all of this text; isn't that correct?

4 A He wrote a lot of it for sure.

5 Q Did you write any of this text?

6 A A lot of it is my -- a lot of it is my

7 information.

8 Q But my question is a little bit different.

9 Did you physically type any of this text?

10 A No.

11 Q To your knowledge, Billy Mitchell's son did it;

12 is that correct?

13 A That's right.

Of course, Walter was asked about his written declaration, which he confirmed was written by Billy Junior. He was asked about conflicts between his testimony and Josh Ryan's, and even conflicts with his own recollection:



7 Q Do you recall who informed you first about this
8 controversy?

9 A No, I have no idea who it was.

10 Q Do you know if Jace Hall ever reached out to
11 you about the controversy?

12 A We talked once.

13 Q When was that?

14 A I don't know.

15 Q You talked on the phone once?

16 A Yeah.

17 Q Is that here on or about March 13, 2018?

18 A Could be.

19 Q Do you know if Mr. Hall reached out to you at
20 any time before that?

21 A No.

Walter said he first learned of the dispute against Billy's scores in February 2018, and that he did not recall speaking with Jace about it prior to a phone call that March. Walter also admitted that he had not done a "reasonably diligent search" for old emails relevant to this lawsuit. However, if he had done such a search, he would have found a particularly relevant email from Jace, in August 2017:



1 BY MR. TASHROUDIAN:

2 Q Have you ever seen this email, sir?

3 A I don't recognize it.

4 Q It's from Jace Hall on 8/29/2017 at 6:05 p.m.,
5 addressed to Walter Day and Billy Mitchell; subject,
6 interesting.

7 It says here: You may want to look at this.

8 It's a link that appears to be to the Jeremy Young
9 disputes regarding Billy Mitchell's score.

10 Do you see that there?

11 A Uh-huh.

12 Q Is that a yes?

13 A Oh, I see -- I see -- I see what you got here.

14 Q Did you respond to this email?

15 A I would say definitely not.

16 Q Why do you say definitely not?

17 A Because I probably didn't look at it.

So now, Walter is aware of that email. But he says he “definitely” did not respond, and probably didn’t even look at it.



3 Q Does this refresh your recollection as to
4 whether or not you responded to Mr. Hall's August 29th
5 inquiry?

6 A Well, that's my response. I don't know how
7 Billy and Todd responded.

8 Q But you did respond; right?

9 A I mean, that's my response there.

10 Q And you say here: There's nothing I could
11 possibly say on this.

12 Is that right?

13 A Yes.

14 Q What do you mean by that?

15 A Well, their accusations were about technology,
16 and I'm completely, completely not knowledgeable about
17 technology. You know, there's a MAME. MAME does not
18 work in the arcade capita, especially in the arcade era.
19 So it was all about MAME, so I was completely at a loss
20 as to what to comment on.

21 Q So you didn't have anything to add regarding
22 the --

23 A Not at this point.

Whoops again. This stunning interaction gives a look inside the echo chamber going on in the Billy camp. Whatever evidence they can grasp at to support their cause, that's all they focus on. It helps their narrative if Jace never asked Walter Day for his input, so that's the story they go with, and the times that Jace did reach out to Walter get forgotten about, because they're inconvenient.



3 Q Have you looked in your emails to see if you
4 have a copy of this document?

5 A No, not at all.

6 Q You go on to say here: However, to my
7 surprise, Hall did not seek my testimony; is that true?

8 A That we had a long -- we had long conversations
9 about it.

10 Q So this sentence is not true, right, however,
11 to my surprise Hall did not seek my testimony? You'd
12 agree with me that sentence is not true?

13 A I think that's just a mistake.

14 Q And if you had written this, you would have
15 caught that mistake; right?

16 A I would have not -- I would have not written
17 that.

18 Q All right. So it's fair to say that Billy's
19 son wrote that; correct?

20 A Could be.

21 Q All right. Well, who else could it be aside
22 from you and Billy's son?

23 A Maybe you wrote it.

24 Q I don't think I knew you then.

25 A Okay.

Walter is pressed about the statements that he only learned about the dispute on February 2nd, and that Jace did not seek his input. Walter then becomes evasive on exactly who wrote those passages, flippantly telling Tash "Maybe you wrote it".



4 Q All right. It goes on to say here: To the
5 contrary, he asked me how will you feel when I announce
6 that Billy Mitchell cheated.

7 Do you see that sentence there?

8 A Yeah.

9 Q Did you write that?

10 A I don't know.

11 Q Is that what happened? Did Mr. Hall ask you
12 how you will feel when he announces that Billy Mitchell
13 cheated?

14 A If the wording is -- I'm not sure if the
15 wording is completely correct, but that's what he asked
16 me. He asked me how it would affect me if Billy was
17 determined to have cheated.

18 Q That's a little bit different, right, than --

19 A Maybe. Maybe. But the essence is the same.

20 Q Well, you put here in quotes, meaning a direct
21 ascription.

22 A Yeah. That does seem to imply that that's
23 direct.

24 Q Well, that's not direct.

And there is where we get the big moment, where Walter admitted that what Jace actually asked is how it would affect him *IF* it is determined that Billy cheated. Walter tried to evade that as well, saying his written statement captured the essence of what was said, before being reminded that that's not how direct quotes work.



3 Q Okay. There's a second payment of about
4 \$90,000 made by Jace Hall in or about 2018.
5 Do you recall that second payment?
6 A Yes, I do.
7 Q Where did that 90-some-odd-thousand dollars go?
8 A I spent it.
9 Q It went to you and only you?
10 A Mainly me.
11 Q Who else did it go to?
12 A I gave some money to the original founder of
13 Twin Galaxies, John Bloch.
14 Q How much did you give to Mr. Bloch?
15 A Oh, maybe about \$10,000.
16 Q Did you give any of that \$90,000 to anybody
17 else aside from Mr. Bloch?
18 A I can't quite -- I can't remember.
19 Q Put your thinking cap on, Walter.

Walter was asked what happened to the money he was paid in the sale of Twin Galaxies to Jace Hall. Some of it went to John Bloch, the original co-founder of TG back in the '80s. Some went to Todd Rogers, and some went to Joel West for gaming promotions. Eventually, after being asked to don his thinking cap, Walter recalled giving Billy Mitchell \$33,000 of that money by bank transfer in 2018.



5 Q That you paid him \$33,000, did he ask you to
6 keep that a secret?

7 A Yes.

8 Q Did he tell you why he wanted you to keep that
9 a secret?

10 A Because people would judge him.

Walter characterized it as a “gift, thanking him for all the goodwill he’d [given] to the community” and for his general positivity. (A misplaced sentiment if ever I’ve heard one.) But when asked if he was told to keep the payment a secret, Walter admitted that was indeed the case, claiming that Billy said he didn’t want to be judged. I’m not sure who would’ve judged Billy for accepting money from the sale of TG, given his historic ownership stake in the organization – that is, of course, unless Billy went around claiming to everyone that he received none of that money, and was never a part of TG ownership or administration. (By comparison, if Jace ever sold TG and gave a significant slice of that revenue to Rick Fox, I would think nothing of it, unless we were also being fed a story of how Fox had no part in it.)



17 Q When was that payment to Billy Mitchell made?

18 A 2018.

19 Q What month?

20 A I don't know.

21 Q Can you estimate for me?

22 A No, can't.

23 Q Middle of the year? End of the year?

24 A Don't know.

25 Q Was it made by you or was it made by Twin

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Walter Day Volume I Confidential
June 26, 2021

1 Galaxies to Mr. Mitchell?

2 A It was made by Twin Galaxies to Mr. Mitchell.

3 Q Twin Galaxies, Inc.?

4 A Whatever the bank account was at the time.

5 Q But that was initiated by you; correct?

6 A Yes, by me.

Interestingly, it seems this payment was made from TG the organization directly to Billy. It's not clear if this means TG pre-sale or post-sale, but either way, this would be in the books Jace Hall would subsequently have access to. While the public may be piecing together this testimony now, it seems current TG and their attorney have known about these various falsehoods in the Billy/Walter story, and are only now getting the opportunity to expose these lies on the record.



14 BY MR. TASHROUDIAN:

15 Q Yes. The question is can you describe the

16 lawsuit -- or how would you describe the lawsuit between

17 Twin Galaxies, Billy Mitchell and yourself?

18 A Completely needless.

19 Q Which part?

20 A The whole thing needless. It just doesn't need

21 to happen. Neither side needs to be suing the other

22 side. That's my opinion, but then I'm a -- but then I'm

23 more of a turning-the-cheek person.

24 Q This includes Billy Mitchell's affirmative

25 lawsuit for defamation against Twin Galaxies; right?

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Walter Day Volume I Confidential
June 26, 2021

1 A Well, Billy's -- Billy is doing what he feels

2 he has to do, so I stand behind him trying to get

3 fulfillment and closure on this. But I'm just not a

4 lawsuit guy. That's really the answer.

When asked about the legal battle, Walter begins by pulling a “Neither side”, suggesting the litigation from both parties is “needless”. But when asked for clarification, Walter clarifies his opinion that only Jace’s actions are “needless”, and that Billy “is doing what he feels he has to do”. (That, my friends, is a classic enablement line.)



1 Q Who paid for your flight to get out there?

2 A Well, I paid for my flight. Billy contributed

3 some money.

4 Q So you flew out there on September 17, 1999; is

5 that correct?

6 A Say that again.

7 Q Flew out there on September 17, 1999; is that

8 correct?

9 A About that -- about that date.

10 Q All right. When did you return from Japan?

11 A Couple days later.

12 Q Did you return with Billy Mitchell?

13 A No, I returned alone.

14 Q Did Mr. Mitchell return with you on the same

15 day?

16 A No. He stayed for a couple days more.

With regard to Billy's and Walter's trip to Japan in 1999, Walter recalled Billy paying for Walter's fare on the same flight. This would contradict Billy's old account, discussed in "Dot Six", that Walter took a separate flight two days later. However, Walter does recall returning from Japan a couple days earlier than Billy did.



16 What happened next is they got him up on the
17 stage and they presented him with I think -- I think it
18 was, like, four awards and they -- they essentially on
19 the stage proclaimed him the video game player of the
20 century, introduced him as the video game player of the
21 century, and they presented him an award. And I
22 believe, if I understand correctly, I believe that one
23 of the awards actually says video game player of the
24 century. And so -- so they honored him.
25 So I wasn't there, so I -- I'm just going by

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Walter Day Volume I Confidential
June 26, 2021

1 my -- my understanding of what happened, but you'd have
2 to get up with Namco to get any further details.
3 Q That -- well, that was a pretty impressive
4 recollection, sir, of an event that you weren't present
5 at. Let's break that down a little bit.

But the most interesting admission from Walter about the 1999 story is that Walter *was not present* for Billy's moment on stage. Walter began spinning this detailed account of what allegedly happened, qualified with those classic words "my understanding" (as in "This is my understanding of what happened").



6 You said Namco presented Billy Mitchell with
7 four awards onstage?

8 A Yeah. See, I'm going by -- I'm going by what
9 was explained to me by Billy.

10 Q So Billy told you this story; is that correct?

11 A Billy explained it to me 'cause I wasn't there.

12 Q And when did he tell you this story?

13 A Oh, years ago.

14 Q All right. So Billy told you the story that
15 onstage at the Tokyo game convention, or whatever it was
16 called in 1999, Namco gave him four different awards;
17 correct?

18 A Yeah.

19 Q And one of the awards from Namco was also a
20 player of the century award?

21 A Well, it's -- definitely said video game player
22 of the century.

23 Q And that was awarded to him by Namco?

24 A I believe so.

As is the whole point of these depositions, Tash inquired many times about where this "understanding" of Walter's originated from. Of course, it was all just stuff Billy told him, which Walter believed unquestioningly.



1 asking any questions. I'm just wondering if you'll send
2 me a copy of that.

3 MR. ELLROD: The agreement itself is
4 privileged.

5 MR. TASHROUDIAN: I'm sorry?

6 MR. ELLROD: The agreement itself is
7 privileged.

8 MR. TASHROUDIAN: The agreement itself is
9 privileged as well?

10 MR. ELLROD: Yes. You are not entitled to a
11 copy of our joint defense agreement.

12 MR. TASHROUDIAN: I just want to be clear here.
13 The parties are refusing to provide a copy of this joint
14 defense agreement that somehow creates a privilege
15 between the two cross-defendants; right? Is that
16 correct?

17 MR. ELLROD: If you want a copy, you can serve
18 discovery for it, and we can argue before the judge
19 whether you are entitled to a copy of it, but I don't
20 believe you are.

Several times, Tash asks about recent communications Walter had with Billy, just prior to this deposition. But when asking about the contents of these communications, Walter's lawyer Robert Cohen objects on the grounds that Walter and Billy have a "joint defense agreement". Basically, since they're both defendants in the countersuit, and are preparing their defenses together, the normal attorney-client privilege extends between them as well. Interestingly though, Tash asks for a copy of that agreement, and is told that the agreement itself is confidential as well. So... I guess folks just have to trust that it exists, and that it says what Mr. Cohen says it does? I wonder, if this agreement ever somehow becomes inconvenient for Billy and Walter, will we find out that it never really existed? Or was never properly signed?



9 How did the award that Mr. Mitchell sent you
10 last week look?

11 A Well, it had a big image of PAC-MAN on it and
12 it looked like it was on some -- it looked like it was
13 laid out on some nice material, some nice fabric or nice
14 wood or something.

15 Q Was it a plaque?

16 A It looked like a plaque.

17 Q Why did Mr. Mitchell send you that -- that
18 award?

19 A 'Cause he wanted me to see it.

20 Q Why did he want you to see it? Did you ask for
21 it?

22 MS. ROSS: Objection. Calls for speculation.

23 THE WITNESS: Well, I think he wanted me to see
24 it.

While Walter's lawyers consistently objected to questions about Walter's communications with Billy, Tash was able to get answers about the new photo of the two plaques Walter incautiously divulged. Later, Walter was asked about what one of the plaques in that photo said:

25 Q The video game player of the century award that

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Walter Day Volume I Confidential
June 26, 2021

1 you saw a couple of week ago, did it have -- did it look

2 like this?

3 A Yeah.

4 Q It said video game player of the century on it?

5 A Yeah.

6 Q Do you know where it said video game player of

7 the century on it?

8 A In the text.

9 Q What else did the text say, sir, to your

10 recollection?

11 A I don't remember.

12 Q The only thing you remember is that it said

13 video game player of the century on it?

14 A Because that's what left out. That's what left

15 out of the page.

The words "video game player of the century" "left out of the page"?

There are a few problems with this, including that it was Walter who added the words "video game" to the quoted title "player of the century" in a press release months after their Japan trip. Sure, Billy subsequently took that whole phrase, dropped the quote marks, and ran with it, but that was a demonstrably later creation.

More importantly though, as you may recall, that photo of the two plaques – at least the one shared with Mr. Tash – was of significantly low resolution. Either Walter Day the septuagenarian has t

world's best eyesight, or he's just making up all this testimony (a distinct possibility), or he was given a much clearer version of the photo than was shared with Tash.

5 Q Do you know who's currently a part of the
6 International Video Game Hall of Fame board of
7 directors?
8 A Julie Barwick, Wyatt Barwick, Jeff Peters,
9 Lonnie McDonald, Billy Hoffman, Jerry Byrum, someone
10 else.
11 Q What about Billy Mitchell?
12 A Oh, yeah. He's on the board.
13 Q How long has he been on the board of directors?
14 A Maybe since -- maybe since 2010.
15 Q Since 2010; is that correct?
16 A Or 2011.
17 Q Or 2009; is that right?
18 A I don't know.

At one point, Walter also gets asked about being filmed for a new movie by *King of Kong* producer Ed Cunningham. Walter suggests this movie is about his music career and is totes not about the lawsuit, but admits he can't say for sure what Ed has in mind for the final product. And finally, Walter testifies that Billy was totally on the board of directors for the International Video Game Hall of Fame. Guess the rest of Team Billy never informed him what their new story on that was.

BILLY'S NEW EXPERT

We'll end today with a couple other new discoveries. First, buried amongst the recent filings was a freshly signed declaration from David Bishop, former executive vice president at Namco USA, and longtime friend of Billy Mitchell's:

<https://perfectpacman.com/wp-content/uploads/2023/09/Legal-Billy-vs-TG-2023-09-14-Billy-Declaration-of-David-Bishop.pdf>



As discussed way back in "Dot Six", David seems to have been Billy's personal connection with Namco all these years. You can also see them both together on the 2015 promotional panel for the movie *Pixels*:



(It's a shame that David shaved that sweet Borat 'stache from the '90s. Oh, and yes, that is Billy's friend Triforce sitting in the front row.)

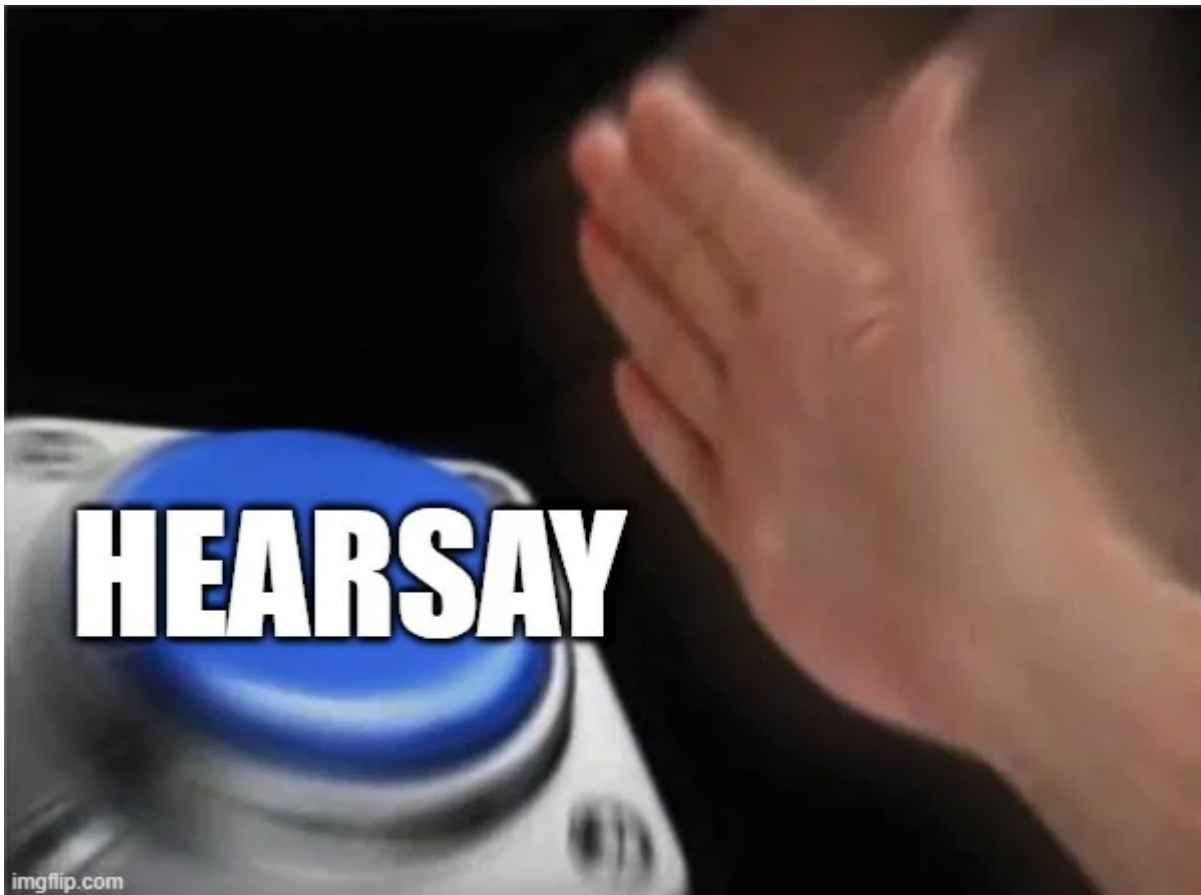
Ordinarily, this would be a very random time to start adding unrelated witness testimony. The inclusion of Bishop's declaration would seem to be Team Billy's counter to all the phony plaque clownery. "Well, even if I may have made fake trophies hoping to pass them off as genuine awards from Namco, and even if in doing so I may have falsely attributed words to the deceased Masaya Nakamura, this other guy who used to work for Namco is still friends with me, and really your honor, isn't everything truly about the friends we make along the way?"

So what, you may ask, is this powerful new testimony Mr. Bishop provides to blow this case wide open?

- 3 3. In or about 1999, NAMCO Limited received news of Mitchell's perfect Pac-Man
- 4 arcade score of 3,333,360 points. As a result, NAMCO Limited invited Mitchell to the Tokyo Game
- 5 Show in Tokyo, Japan, to recognize Mitchell for his achievements.
- 6 4. My understanding and communications within all of NAMCO itself was that at the
- 7 Tokyo Game Show in Tokyo, Japan, on or about September 17, 1999, Masaya Nakamura, on behalf
- 8 of NAMCO Limited, brought Mitchell on stage to honor him for his first recorded perfect Pac-Man
- 9 score and called him the "Player of the Century."



"MY UNDERSTANDING" BWAAAAAAHHAHAHAHAHAHAAAAAAAAAAAAA



He wouldn't even say "No, Namco definitely gave him the title 'Player of the Century'". It's just like "I sincerely believe that at some point, at some event I apparently did not attend, I'm fairly sure Masaya Nakamura said the words 'Player of the Century' in that order."

14 6. After the "Big Bang" event, I assisted Mitchell in contacting NAMCO Limited and
15 Masaya Nakamura by communicating to NAMCO Limited on his behalf and helped Mitchell obtain
16 the original high-definition photograph of him onstage with Masaya Nakamura at the Tokyo Game
17 Show in Japan on or about September 17, 1999. When Mitchell's name arose internally in all of
18 NAMCO, we described him as the person that achieved the first perfect score on Pac-Man and was
19 brought on stage by Masaya Nakamura and named "Player of the Century."

“Named”? What does that mean? As we discussed back in “Dot Seven”, all we ever get are these weasel words (“crowned”, “proclaimed”, “declared”, “introduced”), deliberately avoiding the fact that Billy’s “Player of the Century” title originated from his friend and business partner Walter Day, and was announced at CGE a month prior to his appearance at the Tokyo Game Show. No surviving evidence indicates Mr. Nakamura did anything other than read a prepared biography, and even [↑] Namco themselves at the time attributed Billy’s title to CGE. And while Billy himself may lie through

his teeth about this event that apparently nobody else attended, his witnesses all seem reluctant to do anything but dance around this unavoidable fact.

Also, hmmm.... Another reference to high-definition photographs of Billy on stage at Tokyo Game Show, which we haven't seen yet (aside from the Kasahara AP photo in which we can see the nine-line paragraph). I don't suppose it's because those stage photos we do have keep proving Billy lies about everything? Perhaps TG should ask for these photos. At the very least, this would force Billy and his friends to pay for several more plane flights so Triforce can "accidentally" leave all copies of them at a Waffle House in Tennessee.

That's basically the extent of Mr. Bishop's "value" to these proceedings, so let's move on. There's another new name amongst the otherwise dwindling ranks of Team Billy. Folks may have asked, how is Billy going to address the mountain of technical evidence proving his score tapes were fabricated?

Well, I think we recently found our answer:



Meet Michael Zyda, or "Mike" to his friends – Professor Emeritus of Computer Science Practice at the University of Southern California.

How do we know that Mr. Zyda's now working for Team Billy? Simple: He's bragging about it right on his personal site's biography!



Expert Witness for 36 law firms, 38 cases & 58 game & computing companies



- Created Continuing Legal Education (CLE) course for the Los Angeles County Bar Association on Games & the Law, 26 March 2019, mostly focusing on patent litigation & games.
- Billy Mitchell vs Twin Galaxies, expert for Billy Mitchell through Manning & Kass, June 2023 - present.

It's a bold strategy, Cotton.

As mentioned, Zyda's a professor at University of Southern California.





More like “palMAME” amirite? If Zyda is actually teaching classes at USC, then surely one of his students has to have seen Karl Jobst’s videos. I wonder if anyone from UCLA across town has any thoughts on Mr. Trojan here choosing to be Billy Mitchell’s workhorse. (Yes, I did the thing.)

And what is Professor Zyda, game designer and patent litigator, going to say that’s going to counter last year’s ironclad technical analysis from dedicated Donkey Kong expert Tanner Fokkens? “Computers are magic”? “Refresh rates are matters of opinion”? “Screen-tearing is the game’s way of saying ‘I love you’”? My gosh, are we going to see a return of “The Human Element”?

It was inevitable that *someone* with some degree of qualifications would choose to accept Billy’s money (or “mOVIE eXpOsUrE”) and either lie outright and say arcade Donkey Kong can produce MAME signatures, or just spout a bunch of technical mumbo jumbo in the hopes of befuddling a jury.

In a 2022 issue of the academic journal *Computer*, Zyda offered his insights into working as an expert witness in a write-up titled “Patent Litigation in the Games Space”:



”

The primary thing an expert does is to work with attorneys in drafting declarations that opine on the technical issues at hand in the current case. Once those declarations go to the other side, the other side responds with a declaration responding to what I wrote. I usually get a chance to do a short response to that declaration right before a date is set for my deposition.

I, for one, eagerly await his written declaration... although it seems like, if he was working for Billy since June, he would have found the time to produce one by now. How come we always gotta wait 'til the last moment for Billy's "exonerating evidence" only to find out, every time, that it's just more nonsense?

Okay, so Mr. Zyda's pretty confident that he can write declarations. But what about his trial experience?

”

I have been interviewed for maybe three times as many cases as I have actually done. I usually lose the gig when I answer the question, "Do you have trial experience?" The answer is no, I don't have trial experience — because usually you only get to trial if your declarations are not solid or if they are sloppily written. You don't get to trial if the opposing counsel cannot crush your soul.

So the answer is, no, no trial experience.

I hate to disappoint Mr. Zyda, but barring a late change of heart from the judge, it looks like this case is all but guaranteed to go to trial, possibly as soon as late November. One day, I may get to talk with one of the jurors from this trial. And they'll probably ask me "How on Earth did this ridiculous Donkey Kong lawsuit with all of this guy's lies ever get to trial in the first place? Why did I have to waste my time and cancel my Thanksgiving travel plans just to listen to this crap?" And if this case does go to trial, and if I do speak with that juror, I will be blunt, and I'll tell them the truth as I see it: "You had to sit through all of that because Judge Wendy Chang didn't put a stop to this nonsense when she should have."

Comments

6



ersatz cats October 11, 2023 at 3:42 pm

For the record, MAME is a tremendous and invaluable resource, and a platform of champions. I just knew that, when I went to look up USC's motto, I was going to make whatever pun I could and, well... there it was.



Also, I'm proud to say I made it through an entire update without a single Star Trek reference.

REPLY



David Knight October 11, 2023 at 5:59 pm

Interesting that Mitchell called in a favour with David Bishop and his Namco connections to get a photo of him on stage with the PlayStation Pac Plaque. Why doesn't Mitchell get Davey Boy to get the film footage of the entire event from Namco's archives? Odd that Mitchell would not want to acquire footage, that according to him, would prove his innocence....

REPLY



wesley October 11, 2023 at 6:00 pm

I have a bad feeling that Billy Mitchell may actually win at trial. I don't know why, but he may win somehow.

REPLY



Aya October 12, 2023 at 3:04 am

I start to think this more seriously now ...this going to trial actually a good thing for future references.

This lawsuit will be benchmark for the future of gaming competition, what if billy won and later e-sport teams start to sue each other accusing of cheating ,if some cheater sue speedrun,sue twitch,etc. if this won by some cheater, I am sure more law firms willing to take bet for big bucks and do it pro bono, expecting portions of the winning. Cheaters usually just walk away even todd(while he tried to sue twice he expect monies,settlements not meddle with gaming affairs anymore not travel around to gaming conventions, stream on twitch or the sort).

TLDR : Proven gaming cheaters walk away but if one can walk away with big bucks for "retirement" more will try to do it.

Karl jobst seems to took it seriously he don't want another cheaters walk away with monies,using lawsuits, I am Sure Jace Hall also see the bigger picture of these lawsuits, Originally While I personally doubt billy will win, I also doubting TG winning the counter sue(considering they also put the money claim in damages as joke). now I wish (if not expect) TG won the counter sue.

REPLY



RE October 11, 2023 at 9:09 pm

Just to make sure with all this talk about low resolution images. Is it known to everyone that messenger apps like whatsapp and such compress images and videos to lower resolutions and quality?

REPLY



Michael October 11, 2023 at 9:35 pm



I was bored so, in celebration of the new Saw movie, I have decided to write the following:

Hello Billy. I want to play a game. Or more accurately, I want you to play a game. You've done many disgraceful things over the years, from cheating in video game competitions and stealing glory to threatening litigation against anyone who questions your records. But all of this is rooted in one major issue: your compulsive vainglory which has created a web of lies and deceit so deeply rooted that you cannot admit the truth even to yourself. If there is any day for your boasts to matter, I assure you it is today.

The scenario you find yourself in is one you should be all too familiar with. There are two original arcade cabinets in this room, one for Pac-Man and one for Donkey Kong. Each contains a key that will unlock the door and allow you to return to your life. However, each machine has a different way of releasing the key. The Pac-Man cabinet is set to 5+1 settings and will only release the key once you reach a score of 3,333,360. The Donkey Kong cabinet contains original unmodified hardware and will only release the key once you hit a score of exactly 1,047,200, no more and no less. You only need to succeed at one game to escape, but each will only give you one try to succeed.

This task may seem ridiculously difficult to most, but I am well aware that the best Pac-Man players in the world can hit a perfect score on demand, and that you've boasted about hitting specific Donkey Kong scores on command. And since there's no one around to watch you play, you should be able to perform at your very best. Your world records did happen in isolation after all.

For the past 20 years, we've all heard stories about the exploits of the amazing "Video Game Player of the Century" Billy Mitchell. But today, I want to see the legend for myself. Let the games begin.

REPLY

Leave a Reply

Your email address will not be published. Required fields are marked *

Message



Your Name

Your E-mail



Your Website

☐ Save my name, email, and website in this browser for the next time I comment.

Post Comment



EXHIBIT V

Legal-Billy-vs-TG-2023-09-20-TG-Declaration-of-David-Tashr...

perfectpacman.com/wp-content/uploads/2023/09/Legal-Billy-vs-TG-2023-09-20-TG-Declaration-of-David-Tashr...

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SUPERIOR COURT OF THE STATE OF CALIFORNIA
COUNTY OF LOS ANGELES

WILLIAM JAMES MITCHELL,
Plaintiff,
v.
TWIN GALAXIES, LLC; and Does 1-10,

Case No. 19STCV12592
Assigned to: Hon. Wendy Chang
[Dept. 36]
REPLY DECLARATION OF DAVID A. TASHROUDIAN
[Filed concurrently with Objections to]

PROOF OF SERVICE

STATE OF CALIFORNIA, COUNTY OF LOS ANGELES

At the time of service, I was over 18 years of age and not a party to this action. I am employed in the County of Los Angeles, State of California. My business address is 801 S. Figueroa St, 15th Floor, Los Angeles, CA 90017-3012.

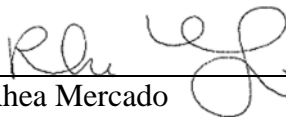
On October 24, 2023, I served true copies of the following document(s) described as **COMPENDIUM OF EVIDENCE IN SUPPORT OF PLAINTIFF'S MOTION TO DISQUALIFY DAVID A. TASHROUDIAN AND THE TASHROUDIAN LAW GROUP, APC** on the interested parties in this action as follows:

David Tashroudian, Esq. Mona Tashroudian, Esq. TASHROUDIAN LAW GROUP, APC 12400 Ventura Blvd. Suite 300 Studio City, CA 91604 Telephone: (818) 561-7381 Facsimile: (818) 561-7381 Email: david@tashlawgroup.com Email: mona@tashlawgroup.com Attorney for Defendants, TWIN GALAXIES	Robert W. Cohen, Esq. Law Offices of Robert W. Cohen 1901 Avenue of The Stars, Suite 1910 Los Angeles, CA 90067 Telephone: (310) 282-7586 Email: rwcohenlaw.com Attorneys for Cross-Defendant, WALTER DAY
---	---

BY E-MAIL OR ELECTRONIC TRANSMISSION: I caused a copy of the document(s) to be sent from e-mail address rhea.mercado@manningkass.com to the persons at the e-mail addresses listed in the Service List. I did not receive, within a reasonable time after the transmission, any electronic message or other indication that the transmission was unsuccessful.

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

Executed on October 24, 2023, at Los Angeles, California.


Rhea Mercado