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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,

Defendants.

AND RELATED CROSS-ACTION

Case No. 19STCV12592

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

**COMPENDIUM OF EVIDENCE RE  
TASHROUDIAN DECLARATION**

*[Filed concurrently with: (1) Declaration of David A. Tashroudian; (2) Declaration of Laura Carrell; (3) Declaration of Matthew Gabler; (4) Declaration of Jacob Pilkington; (5) Motion for Sanctions; and (6) Declaration of Elizabeth Hunter]*

**Hearing**

Date: January 11, 2024

Time: 8:30 a.m.

Place: Department 36

Reservation ID: 568771917469

Action Filed: 4/11/2019

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**COMPENDIUM OF EVIDENCE**

Defendant Twin Galaxies, LLC submits this compendium of evidence in support of its Motion to for Sanctions against plaintiff William James Mitchell.

Respectfully submitted,

Dated: December 18, 2023

TASHROUDIAN LAW GROUP, APC

By: /s/ David Tashroudian, Esq.  
David Tashroudian, Esq.  
Mona Tashroudian, Esq.  
Attorneys for Twin Galaxies, LLC

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# **EXHIBIT 1**

William James Mitchell  
January 09, 2023

SUPERIOR COURT OF THE STATE OF CALIFORNIA  
COUNTY OF LOS ANGELES

Case No. 19STCV12592  
HONORABLE WENDY CHANG (Dept. 36)

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WILLIAM JAMES MITCHELL,

Plaintiff,

vs.

TWIN GALAXIES, LLC; and Does 1-10,

Defendants.

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TWIN GALAXIES, LLC,

Cross-Complainant,

v.

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

Cross-Defendants.

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VIDEOTAPED  
DEPOSITION OF WILLIAM JAMES MITCHELL  
Pages 1 through 376

Monday, January 9, 2023  
10:01 a.m. - 6:32 p.m.  
2440 West Cypress Creek Road  
Fort Lauderdale, Florida

Stenographically Reported By:  
JOYCE B. GIACOMA  
Court Reporter

1 APPEARANCES:

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9 BY: ANTHONY J. ELLROD, ESQ.  
10 KRISTINA P. ROSS, ESQ. (Via Zoom)

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17 BY: DAVID TASHROUDIAN, ESQ.

18 ALSO PRESENT: JACE HALL  
19 JOSEPH LANGSAM, Videographer

20 I N D E X

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1 BY MR. TASHROUDIAN:

2 Q. All right. Do you know, Mr. Mitchell, if any  
3 objection was lodged to this notice of deposition?

4 MR. ELLROD: What do you mean by lodged?

5 BY MR. TASHROUDIAN:

6 Q. Did you object to the notice of deposition,  
7 Mr. Mitchell?

8 MR. ELLROD: We filed a response to the -- to  
9 the notice of deposition that included objections.

10 MR. TASHROUDIAN: All right. We can get to  
11 this later.

12 BY MR. TASHROUDIAN:

13 Q. This stack of documents that your attorney  
14 produced, Mr. Mitchell, is -- are these all of the  
15 documents that are responsive to the notice of  
16 deposition?

17 MR. ELLROD: That's all the documents that  
18 we're producing on his behalf in response to the  
19 notice of deposition.

20 BY MR. TASHROUDIAN:

21 Q. Mr. Mitchell, has Namco awarded you any award?

22 A. Yes.

23 Q. Okay. And what award is that?

24 A. Well, one was Player of the Century. And the  
25 other one basically reflected the world's best Pac-Man



1 player. They've given me accolades at different events  
2 such as their arcade in Chicago as well as in Tokyo.

3 Q. When did you receive the Player of the Century  
4 award from Namco?

5 A. 1999.

6 Q. Was that September 17, 1999?

7 A. Yeah. You know it might have been the 18th,  
8 but it was on or about the 17th.

9 Q. How did that -- how did that award look, the  
10 Player of the Century one?

11 A. It was about the size of this notepad, I don't  
12 know, what is that, about ten by eight, and dark, had a  
13 Pac-Man, had a message written on it and signed by the  
14 founder, president, CEO, whatever, Masaya Nakamura.

15 Q. Was it a plaque?

16 A. It was on a piece of wood. I'm not an expert.  
17 So was it a plaque? It was on a piece of wood with  
18 Pac-Man doing this, like...

19 MR. ELLROD: Thumbs up.

20 THE WITNESS: Yeah. I mean there's pictures  
21 of it online.

22 BY MR. TASHROUDIAN:

23 Q. And where did it say -- did it say -- what did  
24 it say on the front?

25 A. Oh, you want me to give it verbatim, I can't



1 give it to you verbatim. It recognized me as player,  
2 my accomplishments, what I had done, my contribution to  
3 Pac-Man, first perfect score. I mean, it's -- it's  
4 online. You can see it.

5 Q. Did it say Player of the Century?

6 A. It said Player of the Century on it.

7 Q. And you're sure of that?

8 A. I'm sure of that.

9 Q. Where is that plaque located today?

10 A. It would be, I believe it's at the Hall of  
11 Fame.

12 Q. Where's that?

13 A. That's in Ottumwa, Iowa.

14 Q. Is that the International Video Game Hall of  
15 Fame?

16 A. That is.

17 Q. Okay. How did it get there?

18 A. Well, it, maybe it was 2010 that I initially  
19 donated it there. To be honest, I keep very little of  
20 what it is I receive. I'm not a --

21 MR. ELLROD: Just answer the question.

22 THE WITNESS: -- sentimental.

23 Okay. I donate most of my stuff there.

24 BY MR. TASHROUDIAN:

25 Q. All right. And who did you donate it to?

1 A. The International Video Game Hall of Fame.

2 Q. Was there anyone in particular that you gave  
3 the doc -- the plaque to?

4 A. Well, at the time, Brian Cady was there, and  
5 Jerry Byrum was there. I don't know which one.

6 Q. Do you know if Byrum -- Brian Cady is still  
7 there?

8 A. No, I don't know.

9 Q. What about Jerry Byrum, do you know if he's  
10 still there?

11 A. He is still there because he's the one that's  
12 communicating.

13 Q. Communicating with you?

14 A. No, he sends out messages that I see online.

15 Q. And you receive communications from Jerry  
16 Byrum?

17 A. No, I don't.

18 Q. You've never received one?

19 A. Have I never?

20 Q. Yes.

21 A. Yes, I have.

22 Q. And when was the last time you received a  
23 communication from him?

24 A. Months ago.

25 Q. What was that about?



1 MR. ELLROD: I see three dots.

2 MR. TASHROUDIAN: Yes.

3 MR. ELLROD: No. Rotate left, rotate right,  
4 insert blank page, insert from files, scan page and  
5 delete.

6 MR. TASHROUDIAN: Maybe you can hand it to me  
7 and I'll just find the exhibit.

8 MR. ELLROD: Are we not going to have --

9 MR. TASHROUDIAN: Paper, no.

10 MR. ELLROD: -- copies?

11 MR. TASHROUDIAN: I'll send you these, sure.

12 MR. ELLROD: How are they getting to the court  
13 reporter?

14 MR. TASHROUDIAN: I'll email them to her.

15 BY MR. TASHROUDIAN:

16 Q. All right.

17 (Exhibit K to be marked for Identification.)

18 BY MR. TASHROUDIAN:

19 Q. Do you see this Exhibit K, Mr. Mitchell?

20 A. Oh yeah.

21 Q. Can you describe, too, what this is?

22 A. That was on stage, whether it was at 17th or  
23 18th of September. That's Masaya Nakamura and Namco  
24 cheerleaders at the Tokyo Game Show.

25 Q. Is this the Player of the Century plaque that

1 you're holding there?

2 A. I believe it is.

3 Q. All right. Who else is on stage with you  
4 there?

5 A. Masaya Nakamura.

6 Q. All right. Where did this picture take place?

7 A. On stage at the Tokyo game show.

8 Q. In what year?

9 A. 1999.

10 Q. All right.

11 You know, there -- there should be a -- a done  
12 at the top, do you see that there? All right. Now --  
13 now, can you click on Exhibit L? You see that there?

14 A. Yes.

15 Q. All right.

16 (Exhibit L to be marked for Identification.)

17 BY MR. TASHROUDIAN:

18 Q. Can you tell us what this is?

19 A. This is a plaque I received from them. That's  
20 the Pac-Man guy that I talk about. And this is the one  
21 that talks about Pac-Man and how it's such a part of  
22 the culture, how I achieved the first perfect score.

23 Q. Is this your Player of the Century plaque?

24 A. No, this is a different one.

25 Q. Is this the one that you were holding in the



1 picture?

2 A. No, it's not.

3 Q. So you were given -- given two different  
4 plaques?

5 A. Two awards from Namco.

6 Q. All right.

7 A. Just like I said earlier.

8 Q. And this is one of them and the other one is  
9 Player of the Century?

10 A. That's correct.

11 Q. Do you have any copies of the Player of the  
12 Century plaque?

13 A. No.

14 Q. Any pictures of it?

15 A. I guess no, I'd have to look for them. I  
16 don't know if I do.

17 Q. Have you looked for any of those pictures?

18 A. I haven't found any to this point.

19 Q. Have you looked for them is my question?

20 A. Yeah, I did a couple months back.

21 Q. Okay. And where'd you look for them?

22 A. Through emails, I asked a couple different  
23 people if they had them.

24 Q. Who did you ask?

25 A. Well, I asked my wife if she had ever taken



1 any pictures. I think I asked Walter Day. That was  
2 all.

3 Q. And what about Jerry Byrum, did you ask him?

4 A. Oh, no, I didn't.

5 Q. All right. Did you think to ask him?

6 A. No.

7 Q. Why not?

8 A. Why would he have pictures of them?

9 Q. Well, he has the -- the plaque at the  
10 International Video Game Hall of Fame; is that right?

11 A. Yeah. You asked me about pictures.

12 Q. Okay. Did you ask him to take a picture of  
13 the plaque for you?

14 A. No, I didn't.

15 Q. Could you have done that?

16 A. Could I have?

17 Q. Yes.

18 A. Of course I could have.

19 Q. Is there a reason that you didn't?

20 A. Yes, because you asked me if I had some. I  
21 don't have them. You didn't ask me if I could go out  
22 and research them.

23 MR. ELLROD: You don't need to -- you don't  
24 need to respond anymore.

25 THE WITNESS: Okay.

1 BY MR. TASHROUDIAN:

2 Q. Have you asked Jerry for a copy of the plaque?

3 MR. ELLROD: For a copy of the plaque or  
4 photograph of the plaque?

5 MR. TASHROUDIAN: Let's strike the question.

6 BY MR. TASHROUDIAN:

7 Q. Have you asked Jerry to send you the plaque so  
8 you could produce it in this litigation?

9 A. Actually, I think I did.

10 Q. And what did he say?

11 A. He said, Okay, I'll look for it.

12 Q. And has he looked -- has he looked for it?

13 A. I don't know. You'd have to ask Jerry.

14 Q. When did you ask him?

15 A. We talked about this months ago.

16 Q. How did you talk to him?

17 A. On the telephone.

18 Q. All right. What number did you call?

19 A. Speed dial ten, I think.

20 Q. And is that his cell phone number, speed dial  
21 ten?

22 A. Yeah, I guess it's his cell number.

23 Q. Okay. And what did he say to you?

24 A. He said okay. He said -- he said -- he said  
25 I'll let you know what I find.



1 Q. Did you send him any messages?

2 A. No, I would not have sent him any messages.

3 Q. What about email communications, did you send  
4 him any emails asking about the photo?

5 A. No, I did not.

6 Q. So I just want to be -- be clear. This is not  
7 the -- the plaque that you were holding in that picture  
8 with the women on the stage; is that right, this  
9 Exhibit L?

10 A. Can I look -- can I look at the other one  
11 again --

12 Q. Yeah.

13 A. -- for clarity?

14 Q. Go back.

15 MR. ELLROD: What was the other exhibit?

16 THE WITNESS: Oh, right here, I see it.

17 MR. TASHROUDIAN: K.

18 THE WITNESS: No, I don't, I don't believe so.

19 BY MR. TASHROUDIAN:

20 Q. That's a different plaque?

21 A. When I was on stage there were two different  
22 plaques, and then there was a framed award as well, and  
23 that's what he handed around the stage. You're asking  
24 me if this is A or B, or is it B and A, or --

25 MR. ELLROD: I think the question is whether

1 the -- the -- the plaque that you were holding on

2 the stage in Exhibit L -- I don't see the Exhibit

3 K --

4 THE WITNESS: I don't believe it's the same

5 one, to answer your question.

6 MR. ELLROD: That's all.

7 BY MR. TASHROUDIAN:

8 Q. So there's a different -- there's a different

9 plaque then?

10 A. There's two plaques, that's correct.

11 Q. Understood.

12 And one says Player of the Century?

13 A. One speaks more Player of the Century, okay,  
14 and not of Pac-Man and its contribution to the culture.

15 Q. All right. That --

16 A. You might say one is more about me.

17 Q. That wasn't my question. My -- my question is  
18 the other one says Player of the Century, correct?

19 A. Yes.

20 Q. And that was issued to you by Namco?

21 A. By Namco.

22 Q. All right. And it says Namco on it, right?

23 A. It does say Namco on it.

24 Q. Okay. And that was given to you -- given to  
25 you by Mr. Nakamura?



1 A. That is correct.

2 Q. At -- at the same Tokyo game show?

3 A. That is correct.

4 Q. On the stage, correct?

5 A. On the stage and a private ceremony in the

6 back prior to going on stage.

7 Q. So which one -- which plaque did you receive

8 in the private ceremony?

9 A. Both.

10 Q. Okay. And who was there?

11 A. Masaya Nakamura --

12 Q. Uh-huh.

13 A. -- other Namco people.

14 Q. What about Walter Day, was he present?

15 A. He was not there. Walter --

16 MR. ELLROD: You've answered.

17 BY MR. TASHROUDIAN:

18 Q. You also told me that there's a framed plaque?

19 A. That is correct.

20 Q. Framed certificate; is that right?

21 A. No, I didn't tell you that.

22 Q. Okay. So --

23 A. But if you'd like to ask me, I'll answer.

24 Q. Yes.

25 Was there a framed award that you also



1 received?

2 A. Yes, there was.

3 Q. Okay. And who -- who gave you that?

4 A. That was from the Classic Gaming Expo Show and  
5 it was on stage with Walter Day and John Hardy.

6 Q. In Tokyo?

7 A. No, in Las Vegas.

8 Q. And what did that framed award say?

9 A. Biggest headline, Player of the Century.

10 Q. So you received two Player of the Century  
11 awards?

12 A. Yeah. I believe you have a copy of that as  
13 well.

14 Q. And why do you believe that?

15 A. Because it's all over the internet.

16 Q. Okay. So you received one from Namco, and  
17 then you received another plaque from Namco, the one  
18 that I showed you, and then you received the Player of  
19 the Century award given to you by Walter Day?

20 A. So I've -- I have received three, you are  
21 correct.

22 Q. All right. So I want to -- I want you to look  
23 at Exhibit N.

24 (Exhibit N to be marked for Identification.)

25 BY MR. TASHROUDIAN:

1 Q. Do you see that?

2 A. Like I said, I believe -- Like I said, I  
3 believe --

4 MR. ELLROD: Just answer questions, okay?

5 THE WITNESS: Understood.

6 BY MR. TASHROUDIAN:

7 Q. Now, what is this document, sir?

8 A. Player of the Century award. If I can zoom in  
9 a little. Very good. Can't -- I can't read it, but I  
10 recognize it.

11 MR. ELLROD: Okay.

12 THE WITNESS: That's all.

13 BY MR. TASHROUDIAN:

14 Q. Is that the Player of the Century award that  
15 was awarded to you by Walter Day?

16 A. By Walter Day of Twin Galaxies --

17 Q. Yeah.

18 A. -- and John Hardy at the Classic Gaming Expo.

19 Q. All right. So you received two Player of the  
20 Century awards, right?

21 A. That is correct.

22 Q. Okay. Now, if you wanted to go to the  
23 International Video Game Hall of Fame and retrieve your  
24 plaque from Namco that says Player of the Century on  
25 it, could you do that?



1 MR. ELLROD: Objection, calls for speculation.

2 BY MR. TASHROUDIAN:

3 Q. You can answer the question.

4 A. I don't know.

5 Q. Are you associated with the video game --

6 International Video Game Hall of Fame at all?

7 A. I support them however I can.

8 Q. You're a director, aren't you?

9 A. You're wrong. I am not a director.

10 Q. Have you ever been a director?

11 A. No.

12 Q. I'd like to direct your attention at -- to

13 Exhibit O over there. Could you pull that up?

14 (Exhibit O to be marked for Identification.)

15 THE WITNESS: What does it matter if it says

16 I'm the director?

17 MR. ELLROD: Answer the question only, okay?

18 THE WITNESS: Okay.

19 MR. ELLROD: I don't know how to run this  
20 thing.

21 MR. TASHROUDIAN: It was working a lot easier  
22 or better yesterday.

23 BY MR. TASHROUDIAN:

24 Q. Here you are, sir, Exhibit O. Could you  
25 scroll through that for me, please?

1 A. I don't believe I have any copies.

2 Q. You told me that you spoke to Jerry Byrum in  
3 November, correct?

4 A. Well, not only did I speak with him, I met  
5 with him, yes.

6 Q. You met with him in person.

7 And I don't recall if I asked you this, but  
8 did you ask him for a copy of the plaque, the video  
9 game Player of the Century plaque, at that time?

10 A. At that time, no.

11 Q. You also told me I think earlier that you had  
12 asked him previously for a copy of the plaque, correct?

13 A. I asked him if he could find a copy, yes.

14 Q. Okay.

15 A. Not a copy. There's only one. You make it  
16 sound like it's a piece of paper.

17 Q. Okay. So there's two of them though, right,  
18 there are two plaques?

19 A. Two individual plaques.

20 Q. Yeah. One said Player of the Century and the  
21 other one is the one I showed you as Exhibit -- Exhibit  
22 L, correct?

23 A. That is correct.

24 Q. Do you know of any other pictures of the  
25 player, the Namco Player of the Century plaque that



1 exists?

2 A. I don't -- I don't have any to show you, and  
3 if you're asking me what other people have, I can't  
4 speak for them.

5 Q. All right. Do you know whether or not the  
6 International Video Game Hall of Fame has destroyed  
7 your Namco Player of the Century plaque?

8 A. Do I know if they've done that?

9 Q. Yeah.

10 A. No.

11 Q. No one's ever told you that, right?

12 A. No. This is the first time hearing it.

13 Q. Did you follow up with Mr. Byrum about  
14 production of this plaque?

15 A. I believe I asked him twice.

16 Q. And what did he say the second time you asked  
17 him?

18 A. He said, I'll find it.

19 Q. And when did you ask him that?

20 A. I'm going to guess it was in the early fall,  
21 maybe the summer.

22 Q. Has he sent you a copy of it yet?

23 A. No.

24 Q. Have you gone to Ottumwa, Iowa to ask for it?

25 A. No, I have not.



1 Q. Do you recall that camcorder recording your  
2 game play?

3 A. It did not.

4 Q. All right. So I want to get back to this.

5 Mr. Childs allowed you to borrow that Donkey  
6 Kong cabinet to play in Orlando, correct?

7 A. That is correct.

8 Q. All right. Did it have a PCB in it when he  
9 gave it to you?

10 A. No, it didn't.

11 Q. Okay. So he gave you a -- a cabinet without a  
12 PCB, right?

13 A. That's correct.

14 Q. Are you sure of that?

15 A. I'm a hundred percent sure of that.

16 Q. So it was delivered to you in Orlando without  
17 a PCB?

18 A. It wasn't delivered to me, it was delivered to  
19 the venue.

20 Q. It was delivered to the venue, got it.

21 And how was that Donkey Kong machine set up,  
22 can you explain that to me?

23 A. No. Explain the question.

24 Q. Yeah. So eventually that Donkey Kong machine  
25 had a PC board put into it, right?

1 A. Correct.

2 Q. Who did that?

3 A. It was a guy who Walter contacted, he was a  
4 manager of Game Stop, he came over, received the board  
5 that had been sent there, he put it inside the machine,  
6 and that camcorder was used by the lady, Sheila, to  
7 videotape him putting it in.

8 Q. Were you there?

9 A. I was, I watched.

10 Q. You watched the whole thing?

11 A. Yes.

12 Q. So explain to me what you saw.

13 A. I saw him take the board, and it was pretty  
14 self-explanatory that this connects here, there, here,  
15 there because you, it only connects one way. He  
16 connected everything. He locked up the cabinet. He  
17 put a padlock on it so that it could not be opened.

18 Q. When you say he connected everything, what --  
19 what exactly do you mean?

20 A. He hooked up the board to all the connectors  
21 -- excuse me, and the converter board got connected in  
22 order to draw the signal that would be recorded, and  
23 then he locked the cabinet.

24 Q. So he installed the converter board?

25 A. Yeah. Well, the converter board was already



1 there. It just had to be plugged in.

2 Q. The converter was already -- board was already  
3 where?

4 A. Inside the cabinet.

5 Q. Okay. And he -- you saw him?

6 A. I saw him do it.

7 Q. You saw him install the converter board?

8 A. I saw him do everything.

9 Q. Okay. How did he install the converter board?

10 A. He plugged the stuff in where it goes.

11 Q. Does the converter board get plugged directly  
12 into the Donkey Kong machine?

13 A. Well, how else? I don't understand the  
14 question.

15 Q. Well, I'm asking you, like, what did he do to  
16 plug in the converter board?

17 MR. ELLROD: If you know.

18 THE WITNESS: No. I mean, I -- I don't.

19 BY MR. TASHROUDIAN:

20 Q. But you saw him do it, right?

21 A. Yeah. I don't know how it works.

22 Q. Yeah. What else -- what did you see him do?

23 A. I saw him take many different wires that were  
24 hanging all over the place and find the places where  
25 they should go because, for example, three-prong only

1 A. I saw it.

2 Q. What was that converter board hooked up to?

3 A. It was in the machine. He plugged it in.

4 MR. ELLROD: Object as vague. What do you  
5 mean?

6 MR. TASHROUDIAN: Okay.

7 THE WITNESS: It's not my area of expertise.

8 BY MR. TASHROUDIAN:

9 Q. That converter board outputted to a recording  
10 device, right?

11 A. Oh yeah.

12 Q. What kind of recording device?

13 A. VCR.

14 Q. And where was that recording device placed?

15 A. It was on top of the machine.

16 THE WITNESS: I can't say nothing to you, huh?

17 MR. ELLROD: No, you can't. If you want to  
18 chat, let us know and we'll go off the record.

19 BY MR. TASHROUDIAN:

20 Q. Do you want to go off the record?

21 A. No, I was just going to say something to him  
22 that --

23 MR. ELLROD: Don't worry about it.

24 BY MR. TASHROUDIAN:

25 Q. Okay. So you arrived there Thursday night.



1 kind of removed from the situation that he had, so I  
2 was able to say, Hey Jordan, there's somebody here  
3 interested, and Jace Hall was happy to have me go there  
4 and open the door for communications with Jordan. Once  
5 those communications opened, I did nothing.

6 Q. All right. Did you provide Jace Hall with a  
7 draft agreement for the purchase of --

8 A. Not a chance, no.

9 Q. Are you sure of that?

10 A. I'm very sure of that.

11 Q. Did you provide him with a copy of the  
12 original Pete Bubea (phonetic) contract?

13 A. No, Walter had that.

14 Q. Did you provide Jace Hall a copy of that?

15 A. I don't think so. I can't see why --

16 MR. ELLROD: Yes or no.

17 BY MR. TASHROUDIAN:

18 Q. Were you -- did you receive -- did you receive  
19 any portion of the funds that HD Films paid for Twin  
20 Galaxies?

21 A. Actually, no.

22 Q. Not at all?

23 A. Not at all.

24 Q. Did you ask Walter why not?

25 A. No, because he offered them.



CERTIFICATE OF REPORTER

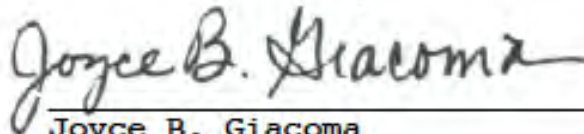
STATE OF FLORIDA

COUNTY OF BROWARD

I, Joyce B. Giacomia, Court Reporter, certify that I was authorized to and did stenographically report the deposition of WILLIAM JAMES MITCHELL, pages 5 through 371; that a review of the transcript was requested; and that the transcript is a true record of my stenographic notes.

I further certify that I am not a relative, employee, attorney, or counsel of any of the parties, nor am I a relative or employee of any of the parties' attorneys or counsel connected with the action, nor am I financially interested in the action.

Dated this 17th day of January, 2023.



Joyce B. Giacomia  
Court Reporter

# **EXHIBIT 2**

INTENTIONALLY OMITTED



# **EXHIBIT 3**

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



A P P E A R A N C E S

FOR THE PLAINTIFF/CROSS-DEFENDANT WILLIAM  
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ALSO PRESENT:

Ali Ney, Videographer  
Jace Hall  
Billy Mitchell

INDEX OF EXAMINATION

JERRY LEE BYRUM

June 26, 2023

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B Photograph	16
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D Email	33

1 asking for your best estimate on things and  
2 not a guess.

3 Do you understand the difference  
4 between a guess and an estimate?

5 A. I do.

6 Q. Okay. Cool. It's also very important  
7 that I get your best testimony today because  
8 you will have an opportunity to review and  
9 revise your deposition transcript and make  
10 changes if you wish, but I will caution, if  
11 you do make changes, I will have an  
12 opportunity to comment on those changes at  
13 the time of trial; do you understand that?

14 A. I do.

15 Q. Is there any reason that you can't give  
16 your best testimony today?

17 A. No.

18 Q. You're not under the influence of any  
19 drugs or alcohol now, are you?

20 A. No.

21 Q. Okay. All right. So Mr. Byrum, you're  
22 here pursuant to a subpoena; correct?

23 A. Yes.

24 Q. Have you produced any documents in  
25 response to that subpoena?



1 A. Well, no, I haven't, because I really  
2 don't have any documents.

3 Q. Do you have any pictures of Billy  
4 Mitchell's Pac-Man awards?

5 A. I do not.

6 Q. Have you ever seen any pictures of Billy  
7 Mitchell's awards?

8 A. It's possible I have. I can't pinpoint  
9 a specific instance when I have seen photos  
10 of that.

11 Q. All right.

12 MR. TASHROUDIAN: Let's start with  
13 this. Let's mark now as Exhibit A notice of  
14 deposition of Jerry Byrum.

15 (Exhibit A marked)

16 BY MR. TASHROUDIAN:

17 Q. I'm gonna share my screen here.

18 Have you seen this document before,  
19 sir?

20 A. Was that in the subpoena?

21 Q. Let me go to the subpoena document.  
22 That might be a little similar. Have you  
23 seen the subpoena document before, sir?

24 A. If that is the one that was sent to me,  
25 then yes.

1 Q. Now, do you understand that the subpoena  
2 also asks you to produce documents?

3 A. Yes, I did read that.

4 Q. Let's start with request for document  
5 production number 1. Produce for inspection  
6 all awards donated to you by William James  
7 Mitchell, also known as Billy Mitchell, and  
8 you are defined here as, shall mean Jerry  
9 Byrum and all of its agents including  
10 attorneys or other persons acting on his  
11 behalf.

12 So did you look for any awards that  
13 were donated to you by Mr. Mitchell?

14 A. David, will you do me a favor; can you  
15 zoom that a little bit.

16 Q. Yes, of course. Number 1?

17 A. That's fine right there. Ask me again,  
18 please.

19 Q. Yes. Did you look for any documents  
20 that are responsive to request for production  
21 number 1?

22 A. I have not.

23 Q. You didn't look for any awards that were  
24 donated to you by Mr. Mitchell?

25 A. No. I did not.

1 Q. Is there a reason you didn't look for  
2 those documents?

3 A. He hasn't given me any awards.

4 Q. How about request for production of  
5 documents number 3, produce for inspection  
6 all awards donated to the International Video  
7 Game Hall of Fame by William James Mitchell,  
8 also nobody as Billy Mitchell.

9 A. I didn't look for those either.

10 Q. Is there a reason?

11 A. I have been in this position for three  
12 or four years. He's never donated anything  
13 to me. And, to my knowledge, I've never  
14 received anything, any awards from Billy.

15 Q. How about the International Video Game  
16 Hall of Fame? Do you know if the IVGHOF has  
17 received any donations from Billy Mitchell or  
18 awards?

19 A. Not in my tenure.

20 Q. My question's a little bit different,  
21 though. Do you know whether or not the hall  
22 of fame -- we'll just call it the hall of  
23 fame, make it easy -- has received any  
24 donations from Billy Mitchell?

25 A. I don't. I don't know that.



1 Q. Has Mr. Mitchell ever called you and  
2 asked you to look for pictures of his awards  
3 that he had previously donated to the hall of  
4 fame?

5 A. Not that I recall.

6 Q. Did he make any sort of request in 2022  
7 for you to find and send him copies of his  
8 awards that he's previously given to the hall  
9 of fame?

10 A. I don't believe so. I don't recall any  
11 conversation like that.

12 Q. Has he ever asked you to send him any  
13 awards that he has donated to the hall of  
14 fame?

15 A. Not that I recall.

16 Q. Did you look for any -- I'm looking at  
17 number 7 here. Did you look for any  
18 documents that the hall of fame might have  
19 related to any recordings of Billy's game  
20 play?

21 A. Currently the hall of fame doesn't have  
22 anything. So these are, I mean, these  
23 questions are all going to be no.

24 Q. So the hall of fame does not have any of  
25 Mr. Mitchell's donated awards?

1           A.    The hall of fame currently only owns  
2           very, very few items that were given to them  
3           by myself and others close to me in recent  
4           years.

5           Q.    Nothing from Billy Mitchell?

6           A.    Not that I'm aware of, no.

7           Q.    What about anything from Walter Day?  
8           Does the hall of fame have anything from  
9           Walter Day?

10          A.    Let's see, I think Walter gave me a  
11          jersey, a referee jersey at some point. I  
12          believe there might, if I recall, from the  
13          35th anniversary, there might be a Guinness  
14          award. I don't recall where that went or  
15          even who it was to. It might have been -- it  
16          might -- I don't recall. I really don't.

17          Q.    All right. What about this request for  
18          production number 11, produce for inspection  
19          all documents relating to your business  
20          dealings with Mr. Mitchell. Did you look for  
21          any of those documents?

22          A.    I don't have any business dealings with  
23          Billy.

24          Q.    Have you had business dealings with  
25          Mr. Mitchell in the past?

1 A. Probably 20, 25 years ago.

2 Q. Where would those business dealings have  
3 been?

4 A. I used to work for Billy.

5 Q. In what respect?

6 A. At an arcade in Ottumwa, Iowa, in the  
7 mid '80s.

8 Q. Did you guys ever own any businesses  
9 together in the '90s?

10 A. No. I don't know. I don't believe so.

11 Q. Does the hall of fame have any documents  
12 related to Mr. Mitchell's 2010 induction into  
13 the hall of fame?

14 A. The hall of fame doesn't have anything  
15 from 2010.

16 Q. I'm going to show you now here  
17 Exhibit B, a photo.

18 (Exhibit B marked)

19 BY MR. TASHROUDIAN:

20 Q. See that there?

21 A. I do see it, yes.

22 Q. Do you recognize this photo, sir?

23 A. No.

24 Q. Did you take this photo?

25 A. I don't believe so, no. I'm not even



1           sure where that is.

2           Q.    I understand. Have you ever seen any of  
3           the three awards, four awards, rather, that  
4           are represented in this photo?

5           A.    So the one in the bottom left looks  
6           familiar. Whether or not I can tell you when  
7           I've seen it, I can't tell you that. The  
8           award in the middle on the round base looks  
9           familiar just simply because I believe that's  
10          a hall of fame award from 2010, but I may be  
11          mistaken.

12          Q.    And what about these two awards with the  
13          Pac-Man on it? Have you ever seen these?

14          A.    Not that I recall.

15          Q.    Have you ever seen an award issued by  
16          Namco that says Player of the Century on it,  
17          which was given to Mr. Mitchell by Namco?

18          A.    So being under oath, my answer is I'm  
19          pretty sure I have seen it, but I don't  
20          recall when or where. It might have been in  
21          2010.

22          Q.    Well, what did it look like?

23          A.    Oh, my gosh. You know, I don't know any  
24          details. I really don't. That was 23 years  
25          ago or 13 years ago.

1 Q. Are you sure that the award that you saw  
2 was issued by Namco, and it says Player of  
3 the Century award on it?

4 A. No.

5 Q. You're not sure of that?

6 A. No.

7 Q. Has Billy ever told you that he was  
8 awarded the Player of the Century -- or  
9 rather, strike the question.

10 Has Mr. Mitchell ever told you that  
11 he was awarded an award that says Player of  
12 the Century on it from Namco?

13 A. I believe he and I have spoken about it,  
14 yes.

15 Q. Do you know whether or not Mr. Mitchell  
16 is currently on the board of directors for  
17 the hall of fame?

18 A. To my knowledge, he is.

19 Q. How long has he been on the board of  
20 directors for the hall of fame?

21 A. The entire time I have been president.  
22 I'm not sure how long before.

23 (Exhibit C marked)

24 BY MR. TASHROUDIAN:

25 Q. Marked now as Exhibit C, series of text

1 Q. You say here, in this bottom text here,  
2 that you said in the other chat that you were  
3 not coming to Tom Welch. When you refer to  
4 other chat, what were you talking about here?

5 A. It was probably a previous message  
6 maybe.

7 Q. Do you chat with Billy Mitchell on any  
8 programs aside from your phone's default chat  
9 program?

10 A. No.

11 Q. What about Signals? Do you use Signal?

12 A. What is Signal?

13 Q. Signal is a messaging application. Do  
14 you use that?

15 A. No. I use Facebook Messenger, and I use  
16 whatever's in my phone, Messenger.

17 Q. I just want to be clear here. Does the  
18 International Video Game Hall of Fame have  
19 any of Billy Mitchell's video game awards?

20 A. No.

21 Q. Does the International Video Game Hall  
22 of Fame have any of Billy Mitchell's plaques  
23 that were issued to him by Namco?

24 A. No. My statement earlier was that the  
25 hall of fame doesn't own anything other than



1 a few pieces that have been given to us in  
2 recent years. And when I say recent years, I  
3 mean within the past three or four.

4 Q. And I want to be clear that Mr. Mitchell  
5 has never asked you to send him copies or the  
6 actual awards that he's previously donated to  
7 the hall of fame; is that correct?

8 A. Not that I recall. I mean, I don't have  
9 them.

10 Q. Let me go back to Exhibit B. Have  
11 you -- did I ask you had you ever seen these  
12 two plaques?

13 A. You did.

14 Q. Have you ever seen them?

15 A. Not that I recall, specifically. I  
16 mean, I've seen that Pac-Man all over the  
17 place, and whatever's written on that, I  
18 don't know what that is. So I don't know  
19 that I've seen those.

20 Q. Have you held those two plaques?

21 A. I doubt it.

22 Q. And you don't know where this picture  
23 was taken, do you?

24 A. I don't.

25 Q. When was the last time you spoke with

1           this morning or evening, whatever it is. So  
2           yeah, I'll pass.

3                       MS. ROSS: All right.

4                               EXAMINATION

5           BY MS. ROSS:

6           Q.     Jerry, I just have a few questions about  
7           the International Video Game Hall of Fame for  
8           you.

9                       When did you start working for the  
10          International Video Game Hall of Fame?

11          A.     I don't recall exactly. I'm wanting to  
12          say it may have been around 2019.

13          Q.     Did you have any involvement with the  
14          International Video Game Hall of Fame in  
15          2010?

16          A.     Absolutely not.

17          Q.     Okay. And currently you're the  
18          president; is that correct?

19          A.     That is correct.

20          Q.     When did you become the president?

21          A.     I believe it was around 2019.

22          Q.     So when you first started on, you were  
23          started on as the president?

24          A.     No. Actually, yes. That is true.

25          Q.     Okay. And how many employees does the

1 questions. I believe John may have said  
2 that. Actually, he -- it was John. He did  
3 say that when we were sitting down for a  
4 panel, and I was part of the panel, and John  
5 had said that Billy was supposed to be there  
6 but couldn't make it.

7 MS. ROSS: What exhibit did we  
8 leave off on? I think C?

9 MR. TASHROUDIAN: Yes, C.

10 MS. ROSS: Okay. This will be

11 Exhibit D.

12 (Exhibit D marked)

13 BY MS. ROSS:

14 Q. Can you see this email?

15 A. I can.

16 Q. Okay. Is this your email address,

17 Jerry --

18 A. It is not.

19 Q. That's not your current email address?

20 A. It is not.

21 Q. Well, that would explain why you didn't  
22 get the email, potentially, then.

23 A. I haven't had that email for probably  
24 five years at least.

25 Q. Okay. Do you recognize this as Laura's

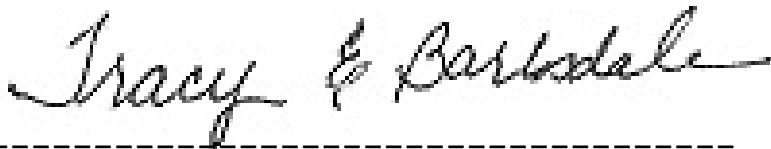


C E R T I F I C A T E

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 4**

SUPERIOR COURT OF THE STATE OF CALIFORNIA  
COUNTY OF LOS ANGELES

WILLIAM JAMES MITCHELL,	)	
	)	
Plaintiff,	)	
	)	Case No. 19STCV12592
vs.	)	
	)	Volume I
TWIN GALAXIES, LLC; and Does	)	
1-10,	)	
	)	Pages 1 to 109
Defendants.	)	
_____	)	
	)	
TWIN GALAXIES, LLC,	)	
	)	
Cross-Complainant,	)	
	)	
v	)	
	)	
WILLIAM JAMES MITCHELL; WALTER	)	
DAY; and Roes 1-25,	)	
	)	
Cross-Defendants.	)	
_____	)	

REMOTE VIDEOCONFERENCED VIDEOTAPED DEPOSITION OF

JOHN GRUNWALD

Fairfield, Iowa

Thursday, July 20, 2023

Reported by:

ELIZABETH BORRELLI, CSR No. 7844, CCRR, CLR  
JOB NO. 6414910

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Remote Videoconferenced Videotaped  
Deposition of JOHN GRUNWALD, Volume I, taken on  
behalf of the Defendant and Cross-Complainant  
Twin Galaxies, LLC, at Fairfield, Iowa,  
commencing at 8:02 a.m., Thursday, July 20,  
2023, before Elizabeth Borrelli, a Certified  
Shorthand Reporter in the State of California,  
License No. 7844.

\* \* \*



1 saying, you and I, and preparing that in a booklet.

2 In order for her to make a really accurate  
3 transcript, we can't talk over one another.

4 So I'll just ask that if I ask a question,  
5 you'll allow me to finish my question, and I'll  
6 allow you to finish your answer, fair?

7 A. Yes.

8 Q. All right. Everything that you say today  
9 will be written down, like I said, in a -- in a book  
10 for you to review, and you'll be able to make  
11 changes to your testimony. But I will comment on  
12 those changes at trial, so it's very important that  
13 you give me your best testimony here today.

14 Do you understand that?

15 A. Yes.

16 Q. All right. Is there any reason you can't  
17 give your best testimony today?

18 A. No.

19 Q. Are you under the influence of any drugs  
20 or alcohol?

21 A. No.

22 Q. All right. We'll dispose of the other  
23 admissions. We'll get straight into it.

24 Mr. Grunwald, do you know why you're here  
25 today?

1           A.     Because of accusations involving awards  
2     for Billy Mitchell.

3           Q.     All right.  What do you mean "by  
4     accusations involving awards by Billy Mitchell"?

5           A.     It has been stated, from what I've seen,  
6     that I found awards, I took a picture of the awards,  
7     and I either have the awards or know where they're  
8     at.

9           Q.     And do you know who's making those  
10    acquisitions?

11           MS. ROSS:  Objection to the term  
12    "acquisitions."  Vague and ambiguous.

13           THE WITNESS:  When I received information  
14    from you.  You included an e-mail that stated that  
15    Kristina Ross had -- was under the assumption or had  
16    the information that I had taken the picture of the  
17    four awards on a table, that I had found them at the  
18    Bridge View Center in Ottumwa, and that either they  
19    were there or I had them.

20           Q.     Got it.

21                   And can you -- can you elaborate on -- on  
22    what awards these are?

23           A.     Two Namco plaques, a certificate naming  
24    Billy Mitchell video game player of the century, I  
25    do believe, and a trophy that I do believe he

1 received when he was added to the hall of fame.

2 Q. All right. So we'll break down each of  
3 these, as you sort of describe them, accusations and  
4 we'll go through them.

5 Number one was the -- the accusation that  
6 you found the awards, right? Now, did you find  
7 those awards?

8 A. No, I did not.

9 Q. All right. Do you know who found those  
10 awards?

11 A. They were brought to me by TriForce.

12 Q. And that's Isaiah TriForce Johnson?

13 A. Correct.

14 Q. When were they brought to you by  
15 Mr. Johnson?

16 A. On June 23rd, I would say, approximately  
17 7:30 p.m.

18 Q. Where did he bring those to you?

19 A. At the Meet Your Destiny Tournament at  
20 the -- at the Bridge View Center in Ottumwa.

21 Q. Did he tell you where he got those awards  
22 from?

23 A. No, he did not.

24 Q. Where inside the Bridge View Center did he  
25 deliver those awards to you?

1           A.    He made contact with me in the room that  
2   we were running the games at, asked to go to a  
3   different room, which I thought, okay, whatever he  
4   had, because I did not know at that time, that there  
5   were just the games going on. So we went to a  
6   different room in the back area of the Bridge View  
7   Center.

8           Q.    And then he showed you the awards in that  
9   back room?

10          A.    Yes.

11          Q.    You know, let's -- I guess we'll get to  
12   that.

13                   Did he -- was he carrying the awards?

14          A.    He had them in a black garbage bag.

15          Q.    So on June 23, around 7:00 -- 2023, around  
16   7:00 p.m., Mr. Johnson approaches you in the area  
17   where the games were being held, correct?

18          A.    I believe it was about 730, but yes.

19          Q.    Yes. It's very important because I have  
20   the CCTV camera footage, so I just want to make sure  
21   all of this is correct. 7:30 p.m.

22                   So he shows up with a black trash bag; is  
23   that correct?

24          A.    Yes.

25          Q.    And what does he tell you when he -- when



1 he approaches you with the black trash bag?

2 A. That he wanted to talk in another room.

3 Q. Did he tell you why he wanted to talk in  
4 another room?

5 A. Nope.

6 Q. All right. So you guys walk into another  
7 room; is that correct, with the trash bag?

8 A. We walked into the back hallway, and he  
9 said, let's find a different spot. I had thought  
10 about a storeroom that was right there. I think he  
11 said a different spot, so we found a -- an empty  
12 conference room in the back hallway.

13 Q. Okay. So you guys walk into this empty  
14 conference room in the back hallway, and then does  
15 he proceed to take these awards out of the bag?

16 A. Yes.

17 Q. All right. And how many awards did he  
18 remove from the bag?

19 A. Four.

20 Q. Did you -- did you ask him what those  
21 awards were?

22 A. I knew when I saw them what they were.

23 Q. How did you know what they were?

24 A. Because Billy had asked earlier in an  
25 e-mail that if by chance we saw anything there while

1 we were at the Bridge View, if we could let him know

2 and asked for some more information about those.

3 And he said it was like a Namco plaque.

4 So when I saw the Namco name, I -- I

5 figured that's exactly what they were.

6 Q. All right. So once you saw the awards

7 come out of the black bag in this -- in this

8 conference room, you knew that TriForce had found

9 the awards, correct?

10 A. Yes.

11 Q. And these are the awards that Billy was

12 looking for in the e-mail that he sent you?

13 A. Yes.

14 Q. And you had been looking for those awards  
15 that day, correct?

16 A. Yes. I was sent an e-mail in the morning  
17 asking if we could keep our eyes open for that. And  
18 that's when I contacted Laura, because I don't have  
19 access to the space. And she's fairly new, and I  
20 didn't know how much she even knew that they would  
21 have been there at one time.

22 She checked a couple spaces on her own,  
23 because I don't have access to those spaces. She  
24 did not find them and reported that back to me.

25 After that, I hadn't looked anymore

1 A. Correct.

2 Q. All right. And he takes you into his back  
3 room, and he shows you them, right?

4 A. Correct.

5 Q. And he takes them out of the bag -- out of  
6 the black trash bag; is that correct?

7 A. Correct.

8 Q. Were you excited once he showed you the  
9 awards and you had finally like completed the  
10 treasure hunt?

11 A. Yes.

12 Q. Nice.

13 Did you asked TriForce where he found the  
14 awards?

15 A. No.

16 Q. So I just want to be clear here.

17 You guys had been looking for these awards  
18 all day. You were excited when he found them, but  
19 you never asked TriForce where he found them?

20 MS. ROSS: Objection. Misstates  
21 testimony. Asked and answered.

22 THE WITNESS: Okay.

23 BY MR. HELLING:

24 Q. You can answer the question.

25 A. He just stated that he had to get

1 something for Billy earlier. And when he came back  
2 with that, I figured that was it. And, honestly, I  
3 have always tried to stay out of any legal cases  
4 involving Billy and others because I have not wanted  
5 any -- any part of that.

6 Q. I understand that.

7 But, unfortunately, I think they're --  
8 they're using you as a pawn right now.

9 MS. ROSS: Objection. Argumentative. I  
10 move to strike from the record. It's not a  
11 question.

12 BY MR. TASHROUDIAN:

13 Q. All right. So -- so TriForce busts out  
14 these awards, and then what does he do with them?

15 A. He wants to let Billy know that we had  
16 them. But he does not have a phone, so he asked if  
17 we could call Billy on my phone.

18 Q. And you called Billy on your phone?

19 A. Yes.

20 Q. All right. And what did you guys talk  
21 about on the phone?

22 A. I was going to tell you that call, I do  
23 believe, was 7:53. And I had him on speaker phone,  
24 and I told him that I think we have the awards he  
25 was looking for.



1 Q. And what did Billy say?

2 A. He agreed that that was it. I don't  
3 remember exactly what he said, but he said that they  
4 are it. And I think he was very surprised.

5 Q. Did he ask you or TriForce where the  
6 awards were found?

7 A. He said he did not want to ask. And I  
8 figured because of his friendship with other people  
9 that had been looking in previous years, he was glad  
10 to get them and didn't want us to trouble with --  
11 with friends that may have overlooked them before.

12 That was my -- my take on that. So he --  
13 he did not ask. He said, I don't know -- I don't  
14 want to know where they were found. I'm glad that  
15 they were found. I think not word for word, but  
16 that is basically, I think, what he said.

17 Q. He told you, though, that he didn't want  
18 to know where they were found?

19 A. Yeah.

20 Q. All right. And then did you guys take  
21 pictures of the plaques?

22 A. TriForce had his iPad there and took  
23 pictures of the plaques, yes.

24 Q. And where were the plaques set up when he  
25 was taking pictures of the plaques?

1 A. Those were on the floor.

2 Q. Do you know about how many pictures he  
3 took?

4 A. I do not know. I would guess four,  
5 because there were four trophies -- or four awards.  
6 But I can't say for positive, no.

7 Q. Did you look at any of the Namco plaques?

8 A. I did not look close enough to -- to quote  
9 anything from them. I knew they were the Namco  
10 plaques. I recognized the Pac-Man from photos I've  
11 seen over the years.

12 But, otherwise, I didn't think anything of  
13 it. I didn't -- yeah, I didn't think I had to  
14 scrutinize anything. I just thought we found the  
15 plaques that he was looking for that had been lost,  
16 and I was satisfied with that. I -- I was happy  
17 that we could help.

18 Q. All right. But you didn't do anything,  
19 right, to find those plaques?

20 A. No, I did not. I was working the  
21 tournament. And if you check the CCTV, you'll see  
22 that I was at the Bridge View Center running that  
23 tournament.

24 Q. All right. So Mr. Johnson showed up at  
25 the Bridge View Center that morning at 11:00 a.m.,

1 correct?

2 A. I -- I believe so, yes.

3 Q. All right. And then was he part of the  
4 tournament with you?

5 A. He was helping run a Pac-Man and Tetris  
6 tournament, yes.

7 Q. So then at some point between 11:00 a.m.  
8 and 7:30, he went off to discover these plaques; is  
9 that correct?

10 A. He went off to get some stuff, I think,  
11 for Billy from the -- the arcade, and he took some  
12 footage at the arcade, because they made some  
13 changes. And that -- that's all I know there. He  
14 said he was going there. And then he came back  
15 later and had this -- this stuff.

16 Q. And where is the arcade?

17 A. It's in Ottumwa.

18 Q. Is it at the Bridge View Center?

19 A. No, it is not.

20 Q. Okay. So he left the Bridge View Center  
21 and went to an arcade in Ottumwa; is that correct?

22 A. Correct.

23 Q. And then when he returned from the arcade  
24 in Ottumwa, he had a trash bag full of Billy's  
25 awards; is that right?

1 A. Correct.

2 Q. Including these two Namco awards?

3 A. Correct.

4 Q. And what's the -- what's the name of the  
5 arcade that he went to?

6 A. I can't say exactly. It's old school  
7 pinball arcade or something like that.

8 Q. And that's in Ottumwa?

9 A. Yes, it is.

10 Q. Do you know who owns that arcade?

11 A. I do believe Jerry Byrum owns it.

12 Q. Ah, interesting. Okay. Cool.

13 So he went to Jerry Byrum's arcade, picked  
14 up the plaques and then came to you at the Bridge  
15 View Center; is that correct?

16 A. I cannot say for sure that he got them  
17 there. I know that he had to go get something there,  
18 and he did not tell me where they came from.

19 Excuse me, my phone is ringing, I'm just  
20 silencing that.

21 Q. Yeah, that's fine.

22 Do you know the address of the arcade?

23 A. No, I do not. I know that it is in the  
24 mall in Ottumwa.

25 Q. Are you affiliated with the International

1 Video Game Hall of Fame, sir?

2 A. As of that weekend, yes.

3 Q. And what's your affiliation?

4 A. That weekend, I was voted on as a board  
5 member.

6 Q. Do you know if Billy Mitchell is a board  
7 member of the Hall of Fame?

8 A. I do believe he is.

9 Q. So you saw the July 6th e-mail from  
10 Ms. Ross saying that you found the awards, correct?

11 A. Correct.

12 Q. That's an incorrect statement by her,  
13 right?

14 A. Correct.

15 Q. That July 16 e-mail from her also said  
16 that you took the pictures of the plaques, correct?

17 A. Correct.

18 Q. And that's an incorrect statement?

19 A. Correct.

20 Q. Those pictures were taken by TriForce  
21 Johnson, right?

22 A. Correct.

23 Q. Well, at least the pictures that were  
24 taken on June 23rd in the Bridge View Center, those  
25 were taken by TriForce Johnson, right?



1 Q. Well, do you know what time it was that  
2 you dropped him off at the Bridge View Center?

3 A. At the Bridge View Center or at...

4 Q. Correct. At the America Inn -- Americ- --  
5 it's a weird name, AmericInn, right?

6 A. Yes. I texted Billy at 10:08 to say that  
7 I had dropped him off at hotel, and then I returned  
8 to the Bridge View Center.

9 Q. Okay. So you dropped him off at 10:08  
10 with the box of the plaques, correct?

11 A. Yes.

12 Q. All right. And then you took him back to  
13 the airport, right?

14 A. Correct.

15 Q. On the 25th?

16 A. Yes.

17 (Reporter requests clarification.)

18 MR. TASHROUDIAN: On the 25th?

19 BY MR. TASHROUDIAN:

20 Q. And he had that box of plaques with him,  
21 right?

22 A. Correct.

23 Q. And he took that from Ottumwa onto the  
24 plane with him; is that correct?

25 A. I saw him carry it to security, and then

1 he was gone.

2 Q. All right.

3 A. So, yes, I surmised that he did.

4 Q. And you paid for his flight from Des

5 Moines, or wherever it was, to Fort Lauderdale,

6 right?

7 A. Correct. And I also had to pay for an

8 extra piece of baggage when he left to go to

9 Florida.

10 Q. And what was that extra --

11 A. That would be --

12 Q. What was that extra --

13 A. That would be that box. He did not have

14 that box when he came to Ottumwa. He had that box

15 when he left.

16 Q. And he was getting on a flight to

17 Fort Lauderdale; is that correct?

18 A. Correct.

19 Q. And you booked and paid for that flight

20 for him to Fort Lauderdale, right?

21 A. Correct.

22 Q. And I just wanted to be certain that you

23 paid for the additional baggage for him to transport

24 these plaques down to Fort Lauderdale?

25 A. Correct.

1 day to ask if he had returned all right.

2 And he said that he did.

3 But that was all that I had talked about.

4 No discussion about the awards.

5 Q. And you notified Billy, right, that the  
6 flight was going to be delayed?

7 A. Yes. Because he was going to have to pick  
8 TriForce up at the airport.

9 Q. And how did you know that Billy was  
10 picking TriForce up from the airport?

11 A. That was the plans we had made several  
12 months ago.

13 Q. Okay.

14 A. So when he flew from Jamaica to  
15 Fort Lauderdale, Billy was going to pick him up.  
16 And they were supposed to fly up here together, and  
17 then they would fly back together. And then he  
18 would get them to the airport to send him back to  
19 Jamaica.

20 Q. All right. Do you know if Billy picked up  
21 TriForce from the airport in Florida?

22 A. I don't know if he did or somebody else  
23 did, but somebody picked him up at the airport to  
24 take him to Billy's house.

25 Q. How do you know that TriForce went to

1 Billy's house after the airport?

2 A. I had a -- well, I guess that's an  
3 assumption on my part because that was our plan, is  
4 that he would go there. And then Billy would get  
5 him to the airport the next day to fly to Jamaica.

6 Q. And Billy told you that that was the plan,  
7 correct?

8 A. That was the plan from the beginning, yes.

9 Q. I just want to be certain that Billy told  
10 you that that was the plan, right?

11 A. Yes, I do believe so. I don't remember  
12 exactly. We had a -- we had arrangements for a  
13 ceremony in February, and that was going to be the  
14 same plans then. But TriForce was not able to make  
15 that trip.

16 Q. Let's go back to this second, you know,  
17 sort of accusation, as you call it, about you taking  
18 the pictures.

19 You didn't take the picture that was  
20 ultimately shown to you, correct, the one with the  
21 four plaques on the desk inside the hotel room with  
22 the coffee machine?

23 A. Correct, I did not.

24 Q. And you weren't there when the picture was  
25 taken?

1 A. I was not.

2 Q. Did anyone tell you to send that picture  
3 to Laura Carrell?

4 A. Yes. TriForce asked me to send it to  
5 Laura for -- so -- there's a text message that you  
6 have, Facebook message, that says Billy would like  
7 you to send this to Laura. I assumed it was so that  
8 she knew that the plaques were found and that she  
9 didn't have to bother trying to look or dig any  
10 deeper with anybody at the Bridge View.

11 Q. Okay. So was it your understanding that  
12 Billy was instructing you to send that photo to  
13 Laura Carrell?

14 MS. ROSS: Objection as to the term  
15 "instructed." Vague and ambiguous.

16 (Reporter requests clarification.)

17 MS. ROSS: As to the term "instructed."  
18 Vague and ambiguous.

19 BY MR. TASHROUDIAN:

20 Q. And what was the answer?

21 A. He asked me to let her know by sending her  
22 the picture, yes.

23 Q. And "he" is Billy, correct?

24 A. He, through TriForce. TriForce sent me  
25 the picture with the message that Billy would like



1 me to send that to Laura.

2 Q. All right. Do you know if that photo had  
3 been altered?

4 A. I have no clue.

5 Q. Do you know about how big a typical cell  
6 phone photograph is?

7 A. Not offhand, no.

8 Q. It would be larger than a 150 kilobytes,  
9 right?

10 MS. ROSS: Objection. Calls for expert  
11 testimony.

12 You can answer, if you know.

13 THE WITNESS: I'm unsure offhand. I would  
14 guess probably so.

15 BY MR. TASHROUDIAN:

16 Q. 150 kilobytes is pretty small, right?

17 A. Yeah.

18 Q. About the size of a Word file?

19 A. Possibly, yeah.

20 Q. Okay. So I just want to make sure that  
21 you didn't take that picture, right?

22 A. I did not.

23 MS. ROSS: Objection. Asked and answered.

24 BY MR. TASHROUDIAN:

25 Q. Do you know who took that picture?

1 A. I can only --

2 MS. ROSS: Objection. Asked and answered.

3 THE WITNESS: -- surmise.

4 BY MR. TASHROUDIAN:

5 Q. I'm sorry, what was that?

6 A. I can only surmise.

7 Q. And what do you surmise?

8 A. Not Billy. It was TriForce.

9 Q. And he had those with him at the time the  
10 pictures were taken, right?

11 A. The awards?

12 Q. Yeah.

13 A. Yes, I would guess so. He had those -- he  
14 had those at his hotel room.

15 Q. All right. I want to go back to the  
16 pictures you guys took of the awards at the Bridge  
17 View Center.

18 That was about 7:50 p.m., right?

19 A. In that time, yeah. We had called Billy  
20 at 7:53, I think it was.

21 Q. And TriForce was taking pictures of those  
22 awards?

23 A. With his iPad.

24 Q. With his iPad.

25 Did you see him take the pictures?

1 Q. And Expo A is where you guys were doing  
2 your -- or, actually, the -- probably the whole expo  
3 hall right?

4 A. Expo A.

5 Q. Expo A is where you guys had the -- the  
6 tournaments?

7 A. Correct.

8 Q. And TriForce approached you in Expo A; is  
9 that correct?

10 A. Correct.

11 Q. And then from Expo A, you guys left  
12 through this bottom door here?

13 A. Not through that door. There was a piano  
14 blocking that door in the hallway. We went through  
15 the door at bottom.

16 Q. Is this the door at the bottom up here  
17 (indicating)?

18 A. Nope. At the bottom of the picture.

19 Q. I see.

20 A. Right there.

21 Q. Okay. So you walked through this door  
22 (indicating) --

23 A. Correct.

24 Q. -- and then entered into C2 how?

25 A. Through the door right above -- oop. So

1 go back into the hallway.

2 Q. Okay.

3 A. Go up. Go up. Right there.

4 Q. And then left into here.

5 And the whole time --

6 A. In the top right corner.

7 Q. Top right corner up here? Oh, okay.

8 A. Nope.

9 There.

10 Q. So you guys were in the top right corner,  
11 up here, looking the --

12 A. Correct.

13 Q. At about 7:00 -- between 7:30 to 8:00; is  
14 it fair to say?

15 A. I would say -- yes.

16 Q. On June 23rd?

17 A. Yes.

18 Q. Excellent. All right.

19 And do you know where in Expo A he  
20 originally approached you with the trash bag?

21 A. Right down by the door that had the piano  
22 blocked.

23 Q. So right in here (indicating)?

24 A. Right in that area, yes. The bleachers  
25 were pulled out, so that was an open area next to

1 the bleachers.

2 Q. All right. And then did you -- did you  
3 give him a box when you guys were in the conference  
4 room for him -- for him to put the awards in?

5 A. Yes.

6 Q. Where did you find the box?

7 A. The same spot that I had -- he had  
8 approached me, next to the bleachers.

9 Q. Uh-huh.

10 A. There was an empty box from some of the  
11 prizes.

12 Q. So you came back, you grabbed the box from  
13 the bleacher area, and you returned to the  
14 conference room for him to put them in the box?

15 A. Correct.

16 Q. All right. And then where did he store  
17 the awards until you had returned into the hotel?

18 A. We carried them back into that spot again.

19 Q. I'm sorry, you carried them back into  
20 which spot?

21 A. Into the Expo Hall A where he had  
22 originally talked to me and we took the boxes from.  
23 Because we had some storage there for prizes for the  
24 games and things. That was just a back collecting  
25 area away from the participants.



1 Q. Got it.

2 Okay. So you guys transferred the box --  
3 so you take the awards out of the black trash bag in  
4 this conference room C2, take pictures, put it back  
5 in a box, and then return that box to the bleacher  
6 area, correct?

7 A. Yes.

8 Q. And this all probably happened between  
9 7:30 and 8:30 in the evening of June 23rd?

10 A. Yes.

11 Q. Okay. That's very, very helpful. Thank  
12 you.

13 All right. Okay. So let me get to my  
14 outline here.

15 We have your relationship (indiscernible.)

16 (Reporter requests clarification.)

17 BY MR. TASHROUDIAN:

18 Q. I'm sorry. I was just -- we have here  
19 your relationship with the IVGHOF. And you  
20 explained to me you're a board member, correct?

21 A. As of Sunday, the 24th, yes.

22 Q. All right. And you also told me that  
23 Billy is an office of the IVGHOF?

24 A. I believe he is.

25 MS. ROSS: Objection. Misstates

1 A. Correct.

2 Q. And then at some point while TriForce was  
3 with you, he left the Bridge View Center and he went  
4 to Jerry Byrum's arcade in Ottumwa, right?

5 A. Correct.

6 Q. And then he returned from Jerry Byrum's  
7 arcade in Ottumwa -- in Ottumwa with Billy  
8 Mitchell's awards, these four awards, correct?

9 A. Correct.

10 Q. Including --

11 A. I can't say if he went anywhere else, but  
12 that was where I knew he was headed at one point and  
13 was returning from, correct.

14 Q. And those awards included the two Namco  
15 plaques, right?

16 A. Correct.

17 Q. But you never asked TriForce where he  
18 found those awards that you guys were looking for?

19 A. No.

20 Q. Did he tell you?

21 A. I felt it was -- I felt it was not my  
22 business. My business was the tournament. My  
23 business was having them work there. I did -- I  
24 said I would help to see if I could locate them.  
25 They were located. I was done.

1 Q. Was he acting -- some kind of -- oh,  
2 sorry, let me stop the screen share.

3 (Reporter requests clarification.)

4 MR. TASHROUDIAN: Sorry. Let me stop the  
5 screen share here.

6 BY MR. TASHROUDIAN:

7 Q. Was he acting suspicious at all?

8 MS. ROSS: Objection. Vague and ambiguous  
9 as "suspicious." Calls for speculation. Assumes  
10 facts not in evidence.

11 BY MR. TASHROUDIAN:

12 Q. Was he acting suspicious at all when he  
13 returned --

14 MS. ROSS: Same objections.

15 BY MR. TASHROUDIAN:

16 Q. -- with the awards?

17 A. Shall I answer that?

18 Q. Yeah, you can answer it.

19 A. I would say no, not -- nothing that really  
20 alarmed me.

21 Q. All right. Let's look now at Exhibit A.

22 (Whereupon Exhibit A was marked for  
23 identification.)

24 BY MR. TASHROUDIAN:

25 Q. Share the screen here.

1 Do you recognize this document, sir?

2 A. Yes, I do believe that is the e-mail  
3 thread.

4 Q. All right. You say here on June 24th at  
5 7:31 a.m. -- this is an e-mail from you, John --  
6 okay.

7 So I just want to make sure, is this a  
8 true and correct copy of the e-mail thread between  
9 you, Laura Carrell, Billy Mitchell, and Jerry Byrum  
10 from --

11 A. Yes, I believe -- I believe so, yes.

12 Q. And you produced this pursuant to a  
13 subpoena, right?

14 A. Yes.

15 Q. All right. I'm looking here now at the  
16 e-mail from Saturday, June 24th, 2023. You say  
17 here -- at 7:31 a.m.

18 You say here, "Thank you Billy. And to --  
19 and to continue with the good news vibe...it appears  
20 the lost has been found."

21 What do you mean here, "it appears the  
22 lost has been found"?

23 A. The -- the lost trophies were found.

24 Q. Did TriForce ask you to write -- did  
25 TriForce or Billy ask you to write to Laura telling

1 her that the awards had been found?

2 MS. ROSS: Objection. Asked and answered.

3 THE WITNESS: Yes.

4 BY MR. TASHROUDIAN:

5 Q. Is that a yes?

6 A. Yes, so that she wouldn't have to continue  
7 looking.

8 Q. Okay. So -- do you know if those Billy or  
9 if it was TriForce that instructed you to write to  
10 Laura letting her know that the awards had been  
11 found?

12 MS. ROSS: Objection. Asked and answered.

13 BY MR. TASHROUDIAN:

14 Q. You can answer.

15 A. I don't remember for sure. It might have  
16 been Billy that -- that just asked me to let her  
17 know because he was also conversing with her through  
18 me to say, hey, can you help find them.

19 Q. And then you sent her this picture,  
20 correct?

21 A. Yes.

22 Q. All right. And this picture was an  
23 attachment to that same e-mail?

24 A. Yes.

25 Q. And who provided you with this picture,



1 again?

2 A. TriForce.

3 Q. And TriForce told you that Billy wanted  
4 you to send this picture to Laura, correct?

5 A. Correct.

6 MS. ROSS: Objection. Asked and answered.

7 BY MR. TASHROUDIAN:

8 Q. Correct? Is that right?

9 A. Correct.

10 Q. And then you followed Billy's instructions  
11 and sent this picture it Laura, right?

12 MS. ROSS: Objection. Calls for  
13 speculation. Assumes facts not in evidence.  
14 Misstates the testimony.

15 BY MR. TASHROUDIAN:

16 Q. Is that a yes?

17 A. Yes, I sent that picture to Laura.

18 Q. Pursuant to Billy's instructions, correct?

19 MS. ROSS: Same objections.

20 BY MR. TASHROUDIAN:

21 Q. Is that a yes?

22 MS. ROSS: He didn't try to answer yet.

23 THE WITNESS: Yes.

24 BY MR. TASHROUDIAN:

25 Q. And then you forwarded the e-mail you sent

1 to Billy so that he knew that you sent Laura a  
2 picture -- let's -- let's strike the question.

3 You forwarded that e-mail with the picture  
4 that you sent to Laura to Billy so that Billy would  
5 know that you followed his instructions, correct?

6 A. Yes.

7 Q. And that's -- that's shown here at the  
8 very top --

9 A. Yes.

10 Q. -- in this 6/25 e-mail to Billy Mitchell?

11 A. Correct.

12 Q. See if I have anything else.

13 All right. Let's mark now as Exhibit B  
14 another series of text messages between you and  
15 Billy Mitchell.

16 (Whereupon Exhibit B was marked for  
17 identification.)

18 BY MR. TASHROUDIAN:

19 Q. This document has 26 pages.

20 You produced text messages between you and  
21 Mr. Mitchell, correct, pursuant --

22 A. Yes.

23 Q. -- to subpoena?

24 Does this appear to be the text -- or  
25 portions of the text messages between you and Billy

1 A. Correct.

2 Q. And then when you say here, "We just  
3 didn't know if those were a clue that we were on the  
4 right track."

5 When you refer to "we," that's just you  
6 and Laura, right?

7 A. Correct.

8 Q. TriForce wasn't looking for any of this  
9 stuff at the Hall of Fame on the 23rd, correct?

10 A. No. He wasn't even there at that time.

11 Q. He arrived at 11:00?

12 A. I do believe so, yes.

13 Q. All right. And then Billy says here on  
14 page 6, "Sir, please don't share our treasure hunt  
15 project with Jerry."

16 Do you know which Jerry he was talking  
17 about?

18 A. Jerry Byrum.

19 Q. Then you respond here at 10:19 a.m.

20 saying, "I won't say a word to him."

21 And then you go on to say, "Laura got a  
22 response from the guy who actually runs the center  
23 and said swing by."

24 Do you know who that was?

25 A. I don't know his name, no.

1           That's you telling Billy that you dropped  
2       TriForce off at the AmericInn, right?

3           A.    Yes.

4           Q.    Did you pay for that room for TriForce?

5           A.    Meet Ottumwa did as part of our tournament  
6       fees. We were in charge of all the fees, booking  
7       the rooms, paying the workers and things like that.  
8       Meet Ottumwa was direct billed for those rooms.

9           Q.    How many rooms were -- were blocked off  
10      for you guys?

11          A.    We originally said 10, but I think we  
12      probably had seven. And then --

13          Q.    And TriForce -- and TriForce was in room  
14      308?

15          A.    Yes, I do believe so.

16                I'd like to state the only reason I know  
17      what room he was in was because I had to have food  
18      delivered to him. And on Sunday, I showed up to  
19      help him take his stuff to the car. Otherwise, I  
20      would not have known what room he was. I don't know  
21      what room any of the people were in. I just knew  
22      that they were booked.

23          Q.    Did you enter Room 308 on Sunday?

24          A.    On Sunday to help him take the stuff down  
25      to the car, correct.

1 Q. Okay. That's good to know.

2 And you ordered him salmon with garlic

3 mashed potatoes and broccoli, right?

4 A. Correct.

5 Q. From Applebee's?

6 A. Correct.

7 Q. Was it any good?

8 A. Apparently, because he had that the day

9 before, and he liked -- liked it enough to ask for

10 it again.

11 Q. Right. Okay.

12 So when you entered -- you know, I'll show

13 you a picture of -- of the room so you can tell me

14 if that's what it looked like in there.

15 Now -- actually, let's go back here to

16 Exhibit A.

17 Do you see this picture, the attachment on

18 Exhibit A here?

19 A. Yes.

20 Q. All right. When you entered Room 03 --

21 308, did you see this desk in the room?

22 A. I do believe that was right on the

23 right-hand side, correct.

24 Q. So you can tell from this picture, right,

25 that the photo was taken in TriForce's hotel room?



1 A. I would agree with that.

2 Q. Is that a yes?

3 A. Yes.

4 Q. Let's move on to Exhibit C.

5 (Whereupon Exhibit C was marked for  
6 identification.)

7 BY MR. TASHROUDIAN:

8 Q. All right. Is this an e-mail that you  
9 sent to -- is this, Exhibit C, an e-mail that you  
10 sent to Billy Mitchell on 6/26 at 9:26 a.m.?

11 A. Yes.

12 Q. Why did you send this picture to Billy  
13 Mitchell?

14 A. I do believe he asked what picture I sent  
15 to Laura.

16 Q. And you forward -- how did he ask you  
17 that? By text? By phone?

18 A. I don't remember offhand. If it's not in  
19 the e-mails or the texts that I sent to you, then it  
20 was by phone. But I don't remember offhand which  
21 way it was.

22 Q. Did you talk to him regularly by phone  
23 around this time?

24 A. During that weekend, I would say yes.

25 Q. Okay. I see here on Exhibit B, page 22,

1 at 6:26, "Pic is sent."

2 Do you see that there?

3 A. Yep.

4 Q. Is this you acknowledging to -- to Billy  
5 that you sent the picture to him.

6 A. I would think, yes.

7 Q. All right. Let me see if there's a --  
8 there are no text messages beforehand here, so is it  
9 fair to say that you may have talked to him Monday  
10 the 26th about the picture?

11 A. On the phone?

12 Q. On a the phone, yes.

13 A. Yes.

14 Q. All right. So on Monday the 26th, you  
15 talked to him about the picture. He asked you to  
16 send it to him. And you sent it to him, correct?

17 A. I think so, yes.

18 Q. But this is the same picture that he had  
19 sent for you to send to Laura through TriForce,  
20 correct?

21 A. Correct.

22 MS. ROSS: Objection. Misstates prior  
23 testimony. Who is "he"?

24 MR. TASHROUDIAN: Billy. That -- that's  
25 who "he" is. Billy is the mastermind, Kristina, in

1 case you haven't realized.

2 MS. ROSS: The question -- that's not a  
3 question. I'm -- your question was talking about  
4 multiple people. It was very confusing. You just  
5 said "he."

6 MR. TASHROUDIAN: I'll try it again.  
7 Let's try it again.

8 BY MR. TASHROUDIAN:

9 Q. So this picture that you sent in Exhibit  
10 C, all right, this is the same picture that TriForce  
11 had asked you to send to Laura through Billy,  
12 correct?

13 A. Correct.

14 Q. Or, rather, that Billy had asked you to  
15 send to Laura through TriForce in that Facebook text  
16 message, which we'll get to.

17 A. Correct.

18 Q. And then you confirmed -- you sent this  
19 e-mail to him with the picture -- of a picture that  
20 he had sent to you originally, right?

21 A. Correct.

22 MS. ROSS: Objection. Vague and ambiguous  
23 as to "he."

24 BY MR. TASHROUDIAN:

25 Q. And Billy had asked you, in fact, to ask

1 Laura to send him an e-mail confirming that the  
2 awards are found, right?

3 A. I do believe so, yes. I think that is in  
4 a text message.

5 Q. And Laura thought that was --

6 A. No. That may have been in a phone call  
7 that I -- and I -- then I asked Laura to text  
8 message. I think that's the way that is.

9 Q. So Billy called you up, and he said, hey,  
10 John, can you have Laura send me a -- an e-mail  
11 saying that the awards had been found?

12 A. I believe that was on the day that I was  
13 returning after dropping TriForce off, but yes, I  
14 believe so.

15 Q. Did you find that that was a weird  
16 request?

17 A. Yes. And I do believe in the text message  
18 to Laura it even says this is weird request.

19 Q. Why did you -- why did you think that was  
20 a weird request?

21 A. I felt it was pretty redundant. But I've  
22 only known Billy as a friend, casual friend for a  
23 year and a half or two years. And I don't have a  
24 lot of experience with a lot of people that have the  
25 recognition that he does. So I felt, well,

1 picture at the plaque?

2 A. I don't remember if it was even the day  
3 before that. It might have been. Give me a second.  
4 I might be able to -- it was the day that we did the  
5 League of Legends, so that was probably the -- the  
6 previous day that we went to take the picture.

7 Q. All right. So I want to get this time  
8 line straight.

9 On June 23rd, there was a -- there was a  
10 panel discussion with TriForce Johnson, Walter Day,  
11 and with Jerry Byrum, correct?

12 A. Yes, as well as Lonnie McDonald, myself,  
13 and two other tournament organizers that I work  
14 with.

15 Q. And what time did that panel discussion  
16 end?

17 A. I believe it was probably about 5:00.

18 Q. 5:00.

19 And then TriForce left after that panel  
20 discussion to go to Jerry Byrum's arcade, correct?

21 A. I do believe so, yes.

22 Q. And he returned two hours later with the  
23 awards?

24 A. Approximately, yes.

25 Q. Do you know if he left with Jerry Byrum?

1 STATE OF CALIFORNIA )  
2 ) ss.  
3 COUNTY OF LOS ANGELES )  
4

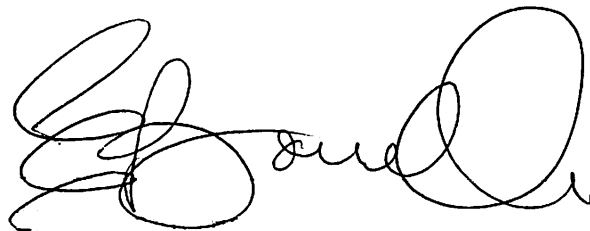
5 I, Elizabeth Borrelli, Certified Shorthand  
6 Reporter, Certificate No. 7844, for the State  
7 of California, hereby certify:

8 I am the deposition officer that steno-  
9 graphically recorded the testimony in the foregoing  
10 deposition;

11 Prior to being examined the deponent was  
12 by me first duly administered an oath;

13 The foregoing transcript is a true record  
14 of the testimony given.  
15

16 Dated: July 21, 2023  
17

18   
19  
20  
21

22 Elizabeth Borrelli, CSR No. 7844  
23  
24  
25



# **EXHIBIT 5**

INTENTIONALLY OMITTED

# **EXHIBIT 6**

SUPERIOR COURT OF THE STATE OF CALIFORNIA  
COUNTY OF LOS ANGELES

WILLIAM JAMES MITCHELL,	)	
	)	
Plaintiff,	)	Case No. 19STCV12592
vs.	)	
	)	
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.	)	
	)	

VIDEOTAPED DEPOSITION OF BRIAN CADY

APPEARING REMOTELY FROM

BONNEY LAKE, WASHINGTON

JULY 5, 2023

1:00 P.M.

REPORTED BY:

Mary E. Collins

CSR No. 12763

APPEARING REMOTELY FROM KOOTENAI COUNTY, IDAHO

1 REMOTE APPEARANCES:

2  
3 For Plaintiff:

4 MANNING & KASS

5 LINNA LOANGKOTE

6 801 South Figueroa Street, 15th Floor

7 Los Angeles, California 90017

8 linna.loangkote@manningkass.com

9 tony.ellrod@manningkass.com

10  
11 For Defendant:

12 TASHROUDIAN LAW GROUP

13 DAVID A. TASHROUDIAN

14 12400 Ventura Boulevard, Suite 300

15 Studio City, California 91604

16 david@tashlawgroup.com

17  
18 Also present:

19 ROB DENOS, videographer

20 WILLIAM MITCHELL

21 JACE HALL

1 A. I believe it was at the Bridge View Center.

2 Q. Do you recall when the 2010 induction  
3 ceremony took place?

4 A. No. Not off -- I mean, it's been some time  
5 ago. No, I don't.

6 Q. Was it the summer of 2010?

7 A. It could be. I don't recall being cold, so I  
8 would -- like I said, I believe it was sometime around  
9 the summertime.

10 Q. What about August of 2010? Does that sound  
11 about right?

12 A. It could have been.

13 Q. All right. What was your position with the  
14 International Video Game Hall of Fame at the -- during  
15 the time when the 2010 Hall of Fame induction ceremony  
16 took place?

17 A. I had no position with them. I was simply --  
18 I was an inductee.

19 Q. And you -- you currently have or hold any  
20 position with the International Video Game Hall of  
21 Fame?

22 A. Things have been quiet for a little bit, but  
23 I believe I am on the board for the Hall of Fame at  
24 this time.

25 Q. So you're on the board of directors; is that

1 Q. You about you don't recall seeing him then?

2 A. I did not know Pete at that time. I had  
3 never met him. So I have no recollection of him  
4 either being there or not being there. I had no idea  
5 who he was.

6 Q. Do you know whether or not Billy Mitchell has  
7 been named the Player of the Century by NAMCO?

8 A. I have no direct knowledge of that one way or  
9 the other.

10 Q. Do you have any knowledge of that fact at  
11 all?

12 A. No, I -- I -- I do not.

13 Like I said, I don't know -- I cannot -- I  
14 don't have any information that either supports or  
15 detracts from that.

16 Q. Has Billy Mitchell ever told you that NAMCO  
17 awarded him video game Player of the Century in 1999?

18 A. I don't recall. Yeah. I honestly don't  
19 recall.

20 I've heard that. I just don't remember where  
21 from.

22 Q. In 2010 did Billy Mitchell donate any --

23 sorry, strike the question.

24 In 2010, did Billy Mitchell donate any

25 plaques or awards to you as a representative --



1 representative of the International Video Game Hall of  
2 Fame?

3 A. No. And as I was not a representative of the  
4 Hall of Fame, there -- I was neither a representative  
5 of the Hall of Fame at that time. And no, he did not  
6 give me any awards or plaques or donations.

7 Q. Has Billy Mitchell ever given you any awards  
8 or plaques or donations of his personal awards?

9 A. Nothing of his awards.

10 Q. Have you ever seen any of Billy Mitchell's  
11 Player of the Century awards?

12 A. I have not.

13 Oh, actually I take that back. I don't know.

14 If -- like I said, I've never -- when he was  
15 in -- during 20 -- the 2010 event I was -- really  
16 wasn't close enough to see anything one way or the  
17 other.

18 Q. Do you know if Jerry Byrum is a  
19 representative of the International Video Game Hall of  
20 Fame in 2010?

21 A. I don't believe so. I don't -- I have no  
22 idea if he was there or not, but I don't believe he  
23 was a representative of the Video Game Hall of Fame at  
24 that time.

25 Q. Do you know when he became a representative

1 so I -- I -- and I believe that's -- that all of us  
2 that were there in 2010 were given those.

3 And the other items, no. I -- I don't recall  
4 seeing. There -- I believe one of them may have been  
5 on a table where Billy was signing autographs in 2010,  
6 but I was never more closer than probably 30, 40 feet  
7 from the table.

8 But the little stand-up one with the little  
9 Pac-Man thumbs up, whether it was that one leaning up  
10 or standing, I can't say. But that looks like it may  
11 have been what I saw from a distance. But that's as  
12 close -- I mean, I never got very close to it.

13 Q. All right. So let's break it down a little  
14 bit.

15 This award in the center that says "Billy  
16 Mitchell" on it, it appears to say "Class of 2010."

17 A. Yes.

18 Q. Is that similar to the award you were given  
19 at the induction ceremony?

20 A. Correct, yes.

21 Q. And then there are these two plaques here  
22 with Pac-Man on them.

23 Is it your testimony you've seen these -- one  
24 of those two awards before?

25 A. I believe one of them was on a table where --

1 was at the 2010 events. I can't remember -- speak to  
2 the context of where it was. I believe it may have  
3 been there, but I was never very close to it. And so  
4 it's difficult to say for sure.

5 Q. Have either ever these two plaques ever been  
6 donated to you by Billy Mitchell to -- to remain at  
7 the IVGHOF archives?

8 A. Not to me, no.

9 Q. What about this framed plaque here that says  
10 the Player of the Century -- not plaque. This framed  
11 certificate that says Player of the Century Award?

12 Have you ever seen that?

13 A. That does not look at all familiar.

14 Q. Did Billy Mitchell ever donate that document  
15 to you?

16 A. No.

17 Q. I -- do you know the whereabouts of any of  
18 Billy Mitchell's awards that were donated to the  
19 International Video Game Hall of Fame?

20 A. No, I don't.

21 Q. Does the International Video Game Hall of  
22 Fame regularly accept donations of awards from --

23 A. I don't know. I just don't know.

24 Q. How about while you were there, did you see  
25 anyone or do you know if anyone has ever donated any

1 STATE OF IDAHO )  
2 )  
3 COUNTY OF KOOTENAI )  
4

5 I, MARY E. COLLINS, CSR No. 12763 for the  
6 State of California, 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 but  
10 the truth;

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

16 I further certify that I am neither counsel  
17 for, nor related to, any party to said proceedings,  
18 not in anywise interested in the outcome thereof.

19 In witness whereof, I have hereunto  
20 subscribed my name this day, July 19, 2023.

21  
22   
23

24 MARY E. COLLINS

25 Certified Shorthand Reporter #12763

# **EXHIBIT 7**



**EXHIBIT**  
K  
Wm. Mitchell  
01-09-2023



# **EXHIBIT 8**



# **EXHIBIT 9**



# **EXHIBIT 10**





# **EXHIBIT 11**

**From:** Kristina Ross Kristina.Ross@manningkass.com  
**Subject:** RE: Mitchell NAMCO Award [Twin Galaxies v. Billy Mitchell]  
**Date:** June 26, 2023 at 4:05 PM  
**To:** David Tashroudian david@tashlawgroup.com, Anthony J. Ellrod Tony.Ellrod@manningkass.com  
**Cc:** rwc robertwcohenlaw.com rwc@robertwcohenlaw.com

KR

Here is the photograph that was recently received from IVGHOF.

**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](mailto:Kristina.Ross@manningkass.com) | [manningkass.com](http://manningkass.com)

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

Note: This e-mail is covered by the Electronic Communications Privacy Act, 18 U.S.C. 2510-2521 and is legally privileged. The information transmitted in or with this message is intended only for the person or entity to which it is addressed and may contain confidential and/or privileged material and is protected from disclosure. If the reader of this message is not the intended recipient, or an employee or agent responsible for delivering this message to the intended recipient, you are hereby notified that any retransmission, dissemination, distribution, copying or other use of, or the taking of any action in reliance upon, this communication is strictly prohibited. If you have received this communication in error, please notify us immediately by replying to the message and deleting the material from your computer. Thank you. Manning & Kass, Ellrod, Ramirez, Trester, LLP

**From:** David Tashroudian <david@tashlawgroup.com>  
**Sent:** Monday, June 26, 2023 3:28 PM  
**To:** Anthony J. Ellrod <Tony.Ellrod@manningkass.com>; Kristina Ross <Kristina.Ross@manningkass.com>  
**Cc:** rwc robertwcohenlaw.com <rwc@robertwcohenlaw.com>  
**Subject:** Mitchell NAMCO Award [Twin Galaxies v. Billy Mitchell]

Good afternoon Tony & Kristina --

Walter Day testified today that Billy Mitchell has provided him with a picture of Mitchell's NAMCO "Player of the Century Award." We have been asking for a picture of this award for months now and have always been told that it does not exist. But it does.

I write to ask for a copy of the award in advance of Byrum's deposition today -- happening in 30 minutes -- considering that Mr. Mitchell has claimed that this award is in Byrum's possession. Please send a picture of the award over right away.

David

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

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# **EXHIBIT 12**

On Fri, Jun 23, 2023, 9:11 AM Laura Carrell <[lcarrell@meetottumwa.org](mailto:lcarrell@meetottumwa.org)> wrote:

Good morning, Billy! Can you tell me exactly what we're looking for? The only thing I had in the Convention & Visitors Bureau storage area was the three CD cases of discs, but no awards or anything. I can have the Bridge View Center staff help look, just let me know what and how many we're looking for. Do you know what year they might have last been seen here, too?

Thanks so much!

**Laura Carrell**

**Executive Director**

**MeetOttumwa**

102 Church St., Ottumwa, IA 52501-4209

O: 641.684.4303

C: 641.455.4361

[www.meetottumwa.org](http://www.meetottumwa.org)



---

**From:** Bill Mitchell/Rickeys <[rickeysshotsauce@aol.com](mailto:rickeysshotsauce@aol.com)>

**Sent:** Friday, June 23, 2023 1:11 AM

**To:** Laura Carrell <[lcarrell@meetottumwa.org](mailto:lcarrell@meetottumwa.org)>; John Grunwald <[john.grunwald@fairfieldsfuture.org](mailto:john.grunwald@fairfieldsfuture.org)>;  
[jerry.byrum@ibsa.com](mailto:jerry.byrum@ibsa.com) <[jerry.byrum@ibsa.com](mailto:jerry.byrum@ibsa.com)>

**Subject:** Little help please

Hi there,

I expressed my regrets for not being able to attend and support this year's event.

One more concern, I expressed on more than a few occasions, of the many awards and memorabilia that were loaned to the IVGHOF and the Video Game Capital of the World a handful of them that were left and last seen at the Bridgeview Center have yet to be located.

Please make any effort possible to locate this because as expressed before, it has become quite important. It can stay with IVGHOF at a later time as part of my continuing support.

Still hoping you can help

Appreciative

Billy Mitchell  
954-829-9464

---

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---

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---

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# **EXHIBIT 13**



David A. Tashroudian [SBN 266718]  
Mona Tashroudian [SBN 272387]  
TASHROUDIAN LAW GROUP, APC  
12400 Ventura Blvd., Suite 300  
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Email: [david@tashlawgroup.com](mailto:david@tashlawgroup.com)  
[mona@tashlawgroup.com](mailto:mona@tashlawgroup.com)

Attorneys for 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.

AND RELATED CROSS-ACTION

Case No. 19STCV12592

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

**EX PARTE APPLICATION OF TWIN  
GALAXIES, LLC FOR ORDER  
REQUIRING PLAINTIFF TO PRODUCE  
DOCUMENTS & APPEAR FOR  
DEPOSITION; DECLARATION OF  
DAVID A. TASHROUDIAN IN SUPPORT**

*[Filed concurrently with [PROPOSED] Order]*

Hearing Date

Date: July 7, 2023

Time: 8:30 a.m.

Place: Department 36

Action Filed: 4/11/2019

**EX PARTE APPLICATION**

Defendant and cross-complainant Twin Galaxies, LLC (“Twin Galaxies”) respectfully applies *ex parte* pursuant to Rules 3.1200 *et seq.* the California Rules of Court (“CRC”) for an order: (a) requiring plaintiff and cross-defendant William James Mitchell (“Plaintiff” or “Mitchell”) to produce the NAMCO Video Game Player of the Century plaque and all other NAMCO awards requested in discovery; and (b) ordering Plaintiff to sit for deposition to testify to the facts surrounding the recent photograph of the NAMCO plaques.

There is an immediate danger pursuant to CRC 3.1202(c) that the NAMCO awards will be secreted to Jamaica by Plaintiff’s associate Isaiah TriForce Johnson. [See Declaration of David A. Tashroudian (“Tashroudian Decl.”), ¶¶ 7-15.] The NAMCO plaques are essential to Twin Galaxies proving its claims for fraud and Civil RICO and will not be available for trial if this Court does not immediately order production of the plaques. Moreover, Plaintiff should be required to sit for deposition to explain where and how he received pictures of the NAMCO plaques that were previously demanded in discovery but where he claimed the pictures do not exist.

Twin Galaxies has given notice of the *ex parte* application to counsel in this matter on July 5, 2023 by email. [See Tashroudian Decl., ¶17.]

The parties to this action are Twin Galaxies; plaintiff and cross-defendant William James Mitchell; and, cross-defendant Walter Day. Mr. Mitchell is represented by Anthony J. Ellrod, 801 S. Figueroa St, 15th Floor, Los Angeles, CA 90017, phone (213) 624-6900. Mr. Day is represented by Robert W. Cohen, 1901 Avenue of the Stars, Suite 1910, Los Angeles, CA 90067, phone (310) 282-7586. There have been no other *ex parte* applications of the same character or for the same relief made by Twin Galaxies.

Respectfully submitted,

Dated: July 5, 2023

TASHROUDIAN LAW GROUP, APC

By: /s/ David Tashroudian, Esq.  
David Tashroudian, Esq.  
Attorneys for defendant and cross-  
complainant Twin Galaxies, LLC

1 **MEMORANDUM OF POINTS & AUTHORITIES**

2 **I. FACTS**

3 A. Plaintiff alleges he was proclaimed to be the Video Game Player of the Century by  
4 NAMCO in 1999 but claims it was donated to the International Video Game Hall of  
5 Fame.

6 Plaintiff alleges that he was proclaimed to be the Video Game Player of the Century by the  
7 Japanese creator of the Pac-Man video game NAMCO at the 1999 Tokyo Game Show. [See  
8 Tashroudian Decl., ¶ 2 (FAC at ¶ 2).] At deposition, Plaintiff claims that NAMCO awarded him  
9 two plaques at the Tokyo Game Show with one being inscribed with the words “Video Game  
10 Player of the Century.” [Tashroudian Decl., ¶ 3, Exh. A (Mitchell Depo., 21:16-30:21).]

11 Plaintiff was asked to produce the NAMCO Video Game Player of the Century plaque in  
12 discovery and he responded that he is not in possession of the plaque because the plaque was  
13 donated to the International Video Game Hall of Fame (“IVGHOF”) in 2010. [Tashroudian Decl.,  
14 ¶ 4 (Mitchell Discovery Responses.)]

15 B. Twin Galaxies seeks third-party discovery to obtain the NAMCO Video Game Player  
16 of the Century plaque.

17 Twin Galaxies subpoenaed Jerry Byrum, the current president of the IVGHOF, and  
18 demanded production of the NAMCO Video Game Player of the Century plaque or pictures of the  
19 same. Mr. Byrum appeared at deposition on the afternoon of June 26, 2023 and testified that  
20 Mitchell did not donate the NAMCO Video Game Player of the Century plaque to him, and he  
21 testified that the IVGHOF does not have the award. [Tashroudian Decl., ¶ 5.]

22 Twin Galaxies also subpoenaed Brian Cady, an IVGHOF member identified by Mitchell  
23 as having knowledge of his donation of the plaque. Mr. Cady testified at deposition that Mitchell  
24 did not donate any awards to the IVGHOF in 2010 when Mr. Cady was part of the organization.  
25 [Tashroudian Decl., ¶ 6.] No representative of the IVGHOF has produced a the NAMCO Video  
26 Game Player of the Century plaque, or a picture thereof, despite being subpoenaed to do so.

1 C. Plaintiff produces a purported picture of the NAMCO Video Game Player of the  
2 Century plaque on June 26, 2023.

3 On the morning of June 26, 2023, Twin Galaxies deposed cross-complainant Walter Day  
4 – Mitchell’s long-time (40 year) associate – who testified that Mitchell had shown him a picture  
5 of the NAMCO Video Game Player of the Century award (the “Picture”). Counsel for Mitchell  
6 and Day objected to questions about the picture on the grounds that the information sought is  
7 subject to the common interest privilege by virtue of the parties’ joint defense agreement.  
8 [Tashroudian Decl., ¶ 7.]

9 Twin Galaxies’ counsel demanded the immediate production of the Picture after Day’s  
10 deposition and prior to Byrum’s deposition. Mitchell’s counsel complied and produced the picture  
11 to Twin Galaxies’ counsel by email with filename “IVGHOF.jpeg” minutes prior to Byrum’s  
12 deposition. Byrum testified that he has not seen the Picture before. [Tashroudian Decl., ¶ 8.]

13 D. The Picture was taken on, or about, June 24, 2023.

14 The Picture produced by Plaintiff’s counsel on June 24, 2023 was taken no later than June  
15 23, 2023. The Picture is of four of Mitchell’s awards – two from NAMCO, one from the IVGHOF,  
16 and another Player of the Century Award from Walter Day. [Tashroudian Decl., ¶ 9.]

17 The Picture also shows a laptop that is playing the YouTube video “BABYMONSTER  
18 AHYEON SAYS THE "N" WORD (My Thoughts)” by Quani Covers which was posted to  
19 YouTube on June 24, 2023 (the “YouTube Video”). The Picture in the top-right corner contains  
20 a frame of the YouTube Video at video timestamp 2:23. Mitchell’s associate Isaiah TriForce  
21 Johnson commented on the YouTube Video on June 24, 2023. [Tashroudian Decl., ¶¶ 10-13.]

22 E. Mitchell, Day, and Johnson were in Ottumwa, Iowa from June 22 through June 24.

23 Plaintiff is informed, believes, and based thereon alleges that all three of Mitchell, Day,  
24 and Johnson were present in Ottumwa, Iowa between June 22 through June 24 at the event “Meet  
25 Ottumwa Presents - Meet Your Destiny 2023!” [Tashroudian Decl., ¶¶ 14-16.] Plaintiff is further  
26 informed and believes that the Picture was taken during the Ottumwa meeting between the three  
27 considering that Mitchell sent Brian Cady a text message on June 23, 2023 about a “secret” relating  
28 to Ottumwa. [Id. at ¶16.] On of Mitchell, Day or Johnson has the plaques.

1     **II.     ARGUMENT**

2           A. Plaintiff has custody, control, or possession of the NAMCO Video Game Player of the  
3             Century plaque and should be ordered to produce it immediately.

4           Twin Galaxies has previously demanded production of the NAMCO Video Game Player  
5     of the Century plaque and Mitchell has claimed he does not have it because it was doated to the  
6     IVGHOF.

7           The Picture – produced on June 26, 2023 – shows that either Mitchell, or one of his  
8     associates Day or Johnson, currently have possession, custody, or control or the NAMCO Video  
9     Game Player of the Century plaque. The Picture can be dated to no later than June 24, 2023 by  
10    reason of the YouTube Video. The YouTube Video was posted on June 24 and the Picture shows  
11    in the upper right-hand corner the frame at timestamp 2:23 from video. The match is perfect.

12          What is more is that Isaiah Triforce Johnson posted a comment on the Video on June 24,  
13    2023 as well. This evidence is enough to show that Plaintiff or his associates have control over  
14    the NAMCO Video Game Player of the Century Award and he should be required to produce it  
15    pursuant to Twin Galaxies’ document request. (*See* Cal. Code Civ. Proc. § 2031.010(a).)

16          B. There is an immediate danger that the NAMCO Video Game Player of the Century  
17          award will be taken oversees by Isaiah TriForce Johnson.

18          Twin Galaxies is informed and believes and based thereon alleges that Isaiah TriForce  
19    Johnson resides in Jamaica. [Tashroudian Decl., ¶ 15.] Accordingly, Twin Galaxies does not  
20    have the reach to obtain the NAMCO Video Game Player of the Century plaque in the foreign  
21    jurisdiction in time for trial on October 27, 2023.

22          The NAMCO Video Game Player of the Century plaque is necessary for Twin Galaxies to  
23    prove its fraud and its Civil RICO claims since Twin Galaxies’ allegation is Mitchell fabricated  
24    the story of him being crowned “Video Game Player of the Century” by NAMCO as set forth in  
25    Paragraph 17 of Twin Galaxies cross-complaint.

26          Accordingly, Twin Galaxies seeks the requested order to preserve evidence to prove its  
27    case at trial. This evidence can be secreted by Mitchell to Jamaica and the only way to prevent  
28    that is obtaining an order from this court requiring the immediate production of the plaque.

1 C. Plaintiff should be ordered to sit for deposition re production of the Picture.

2 Twin Galaxies has previously demanded production of the NAMCO Video Game Player  
3 of the Century plaque or pictures of the same. Plaintiff has not produced any pictures or the actual  
4 plaque until June 26, 2023 – well after his deposition and well after the documents were requested.  
5 But the Picture, as produced, indicates from the filename IVGHOF.jpeg that the document was  
6 prepared by or obtained from the International Video Game Hall of Fame despite the fact that  
7 IVGHOF representatives have testified that Mitchell did not donate any of his awards to the  
8 organization. The Picture is also low resolution – with a file size of 148KB which is much smaller  
9 than a picture from a cellphone camera which is approximately 3-4MB. Meaning that the Picture  
10 is only 4.5% as large as a regular picture taken from a cellphone camera. That means the Picture  
11 and the text of the plaque cannot be read at this low of a resolution. The Picture also shows signs  
12 on manipulation and deliberate obfuscation where the text occurs in the form of blurring with a  
13 photo-editing tool. Mitchell should be required to sit for deposition to explain these anomalies  
14 and to explain the origin of the Picture. Twin Galaxies will pay the costs.

15 Respectfully submitted,

16 Dated: July 5, 2023

TASHROUDIAN LAW GROUP, APC

18 By: /s/ David Tashroudian, Esq.  
19 David Tashroudian, Esq.  
20 Attorneys for defendant and cross-  
21 complainant Twin Galaxies, LLC  
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1. I am an attorney duly licensed to practice law before this Court and I am counsel of record for Twin Galaxies. I make this declaration in support of Twin Galaxies' *ex parte* application. The facts declared to herein are known to me personally to be true and if called as a witness to testify to these facts, I could and would do so.

2. After a hiatus, Mitchell returned to gaming in the late 1990's. On July 3, 1999, Mitchell achieved the first perfect score of 3,333,360 points on the original Pac-Man. As a result, Pac-Man's manufacturer, Namco, brought Mitchell to Japan for the Tokyo Game Show and named him the "Video Game Player of the Century."

4. Plaintiff was asked to produce the NAMCO Video Game Player of the Century plaque in discovery and he responded that he is not in possession of the plaque because the plaque was donated to the International Video Game Hall of Fame (“IVGHOF”) in 2010. True and Correct copies of Plaintiff’s responses to Special Interrogatory No. 120 and Demand for Production No. 9 where he indicates that the plaques were donated to the IVGHOF are reproduced on the next page:

**SPECIAL INTERROGATORY NO. 120:**

State all facts, including the date of donation, supporting the contention made in response to Special Interrogatory No. 11 that you donated the "Video Game Player of the Century" plaque that was created by NAMCO on or about September 17, 1999 to the International Video Game Hall of Fame in Ottumwa, Iowa.

**RESPONSE TO SPECIAL INTERROGATORY NO. 120:**

Responding Party objects to this Interrogatory on the grounds that it is vague, ambiguous, overbroad, and compound.

Subject to and without waiving the foregoing objections, Responding Party responds: In or about 2010, Responding Party donated the "Video Game Player of the Century" award plaque to the Intentional Video Game Hall of Fame located at 102 Church St, Ottumwa, Iowa 52501, when he visited its facility in Ottumwa, Iowa.

**DEMAND FOR PRODUCTION NO. 9:**

Produce for inspection all non-privileged DOCUMENTS, including any actual physical

4866-9453-7509.1

8

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

awards or plaques, that support the contention in Paragraph 7 of your June 22, 2020, Declaration that: "On September 17, 1999, on behalf of the Japanese Amusement Machine and Manufacturing Association, NAMCO proclaimed me as the "Video Game Player of the Century."

**RESPONSE TO DEMAND FOR PRODUCTION NO. 9:**

Responding Party objects to this Request on the grounds that it is overbroad, burdensome, oppressive and harassing. Responding Party objects to this Request on the grounds that it fails to identify the requested documents with sufficient particularity. Responding Party further objects to this Request to the extent that it seeks documents already in the possession of Responding Party and/or equally, if not more available to them. The Request improperly seeks information protected by Responding Party's constitutional right of privacy. Cal. Const. Art. I, § 1; *Valley Bank of Nevada v. Superior Court* (1975) 15 Cal. 3d 652, 656.

Subject to and without waiving the foregoing objections, Responding Party responds: Upon a diligent search and reasonable inquiry, Responding Party is unable to comply because the requested items no longer exist, or are no longer in your possession as Responding Party donated all actual physical awards or plaques obtained from his videogame career to the International Videogame Hall of Fame located in Ottumwa, Iowa.

1           5.       Twin Galaxies subpoenaed Jerry Byrum, the current president of the IVGHOF, and  
2 demanded production of the NAMCO Video Game Player of the Century plaque or pictures of the  
3 same. Mr. Byrum appeared at deposition on the afternoon of June 26, 2023 and testified that  
4 Mitchell did not donate the NAMCO Video Game Player of the Century plaque to him, and he  
5 testified that the IVGHOF does not have the award or responsive documents. I deposed him.

6           6.       Twin Galaxies also subpoenaed Brian Cady, an IVGHOF member identified by  
7 Mitchell as having knowledge of donation of the plaque. Mr. Cady testified at deposition on July  
8 5, 2023 that Mitchell did not donate any awards to the IVGHOF in 2010, nor did he donate any  
9 awards to Mr. Cady. I took Mr. Cady's deposition.

10          7.       On the morning of June 26, 2023, I deposed cross-complainant Walter Day –  
11 Mitchell's long-time (40 year) associate – who testified that Mitchell had recently shown him a  
12 picture of the NAMCO Video Game Player of the Century award. Counsel for Mitchell and Day  
13 objected to further questions about the picture on the grounds that the information sought is subject  
14 to the common interest privilege by virtue of the parties' joint defense agreement.

15          8.       I demanded from Mitchell's counsel the immediate production of the picture after  
16 Day's deposition and prior to Byrum's deposition. Mitchell's counsel complied and produced the  
17 picture to me by email with filename "IVGHOF.jpeg" minutes prior to Byrum's deposition (the  
18 "Picture"). Byrum testified that he has not seen the Picture before. A true and correct copy of the  
19 Picture is reproduced below:

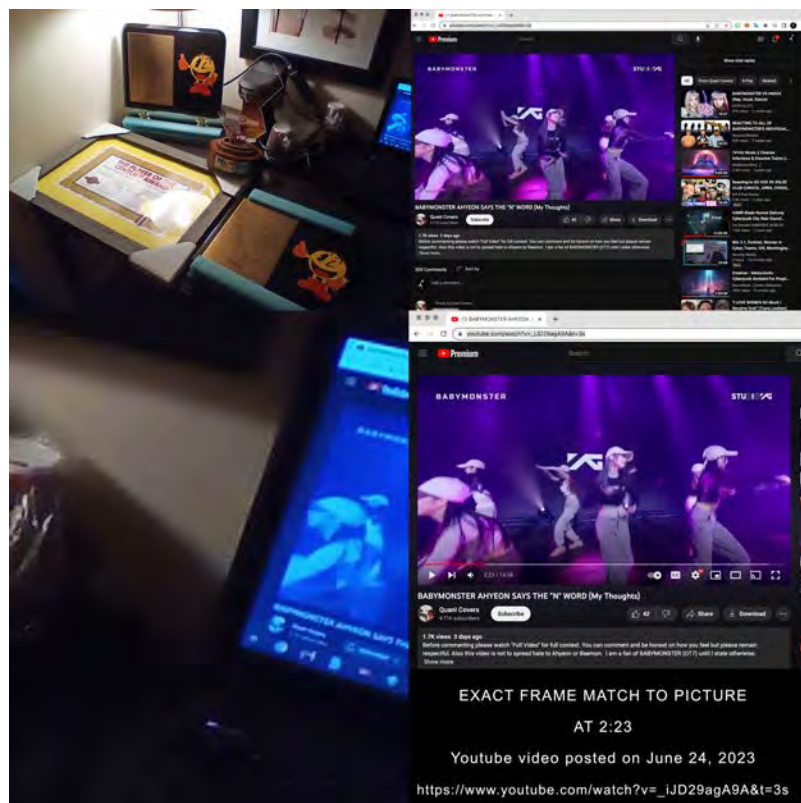




1           9.       The Picture produced by Plaintiff's counsel on June 24, 2023 was taken no later  
2 than June 24, 2023 as set forth in Paragraphs 10 and 11 below. The Picture is of four of Mitchell's  
3 awards – two from NAMCO, one from the IVGHOF, and another Player of the Century Award  
4 from Walter Day.

5           10.      The Picture shows a laptop in the upper right-hand corner that is playing the  
6 YouTube video "BABYMONSTER AHYEON SAYS THE 'N' WORD (My Thoughts)" by  
7 Quani Covers which was posted to YouTube on June 24, 2023 (the "YouTube Video"). The  
8 Internet hyperlink to access the YouTube Video is  
9 [https://www.youtube.com/watch?v=\\_iJD29agA9A&ab\\_channel=QuaniCovers](https://www.youtube.com/watch?v=_iJD29agA9A&ab_channel=QuaniCovers). The YouTube  
10 Video has a premier date of June 24, 2023 and I personally observed that date on the YouTube  
11 site on July 5, 2023. All of the comments on the video were posted on or after June 24, 2023.

12          11.      The Picture contains a frame of the YouTube Video captured at video timestamp  
13 2:23. A side-by-side comparison of the YouTube Video at 2:23 with the video captured on the  
14 laptop screen in the Picture is reproduced below and shows definitively that the Picture was taken  
15 no later than the date the YouTube Video was posted – June 24, 2023.



12. Mitchell's associate Isaiah TriForce Johnson commented on the YouTube Video on June 24, 2023 under the YouTube username EmpireArcadia. A true and correct copy of Mr. Johnson's comment on the YouTube Video posted on June 24, 2023 is reproduced below:



@EmpireArcadia 11 days ago

Honestly, I need to see the lyrics for that song performance first before being able to determine if it was a message of words and rushed together that sounded like the N-word, vs. her saying it out right. Keep in mind, even if she did say the N-word, it's not being said in a racial manner. It's being used in a hip-hop sense. This is why you have to credit Africans for th...



9

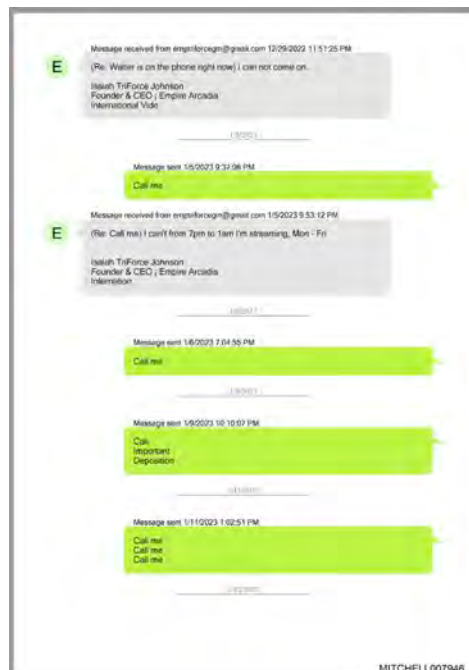


Reply



• 13 replies

13. Isaiah TriForce Johnson is known to me to be an associate of Mr. Mitchell and I know him to be the Founder and CEO of Empire Arcadia. Mr. Johnson has submitted a declaration in support of Mitchell's opposition to Twin Galaxies' motions in this case, and Mitchell has submitted a number of correspondences in this case between him and Mr. Johnson related to Mitchell's defamation claims. For example, Mitchell has produced document MITCHELL 007946 where Mr. Johnson's signature line shows that he is the Founder and CEO of Empire Arcadia. The two were talking about Mr. Mitchell's deposition on the day of the deposition on January 9, 2023 as shown below:



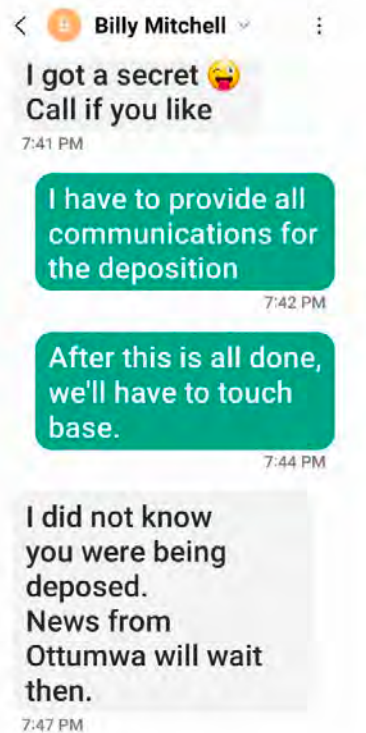
1           14.     Twin Galaxies is informed, believes, and based thereon alleges that all three of  
2 Mitchell, Day, and Johnson were present in Ottumwa, Iowa between June 22 through June 24 at  
3 the event “Meet Ottumwa Presents - Meet Your Destiny 2023!” The event was described as “Meet  
4 the Father of Esports - WALTER DAY, the most famous video game player of the 20th century -  
5 BILLY MITCHELL and international esports ambassador - TRIFORCE JOHNSON Come join  
6 us for three days of games, competition, and fun as we celebrate video games in the video game  
7 capital of the world, Ottumwa, Iowa!” on the Meet Ottumwa Facebook page which I Personally  
8 visited on July 5, 2023. Moreover, the screenshots below show the three in a promotional video  
9 posted on YouTube for the event, and the video can be found at the following URL:  
10 [https://www.youtube.com/watch?v=8yU559GvibI&ab\\_channel=FHSEsports](https://www.youtube.com/watch?v=8yU559GvibI&ab_channel=FHSEsports)



17           15.     Twin Galaxies is informed and believes that one of either Mitchell, Day, or Johnson  
18 have possession, custody, or control of the NAMCO Player of the Century Award plaque.  
19 Plaintiff’s discovery responses which I have personally reviewed indicate that Mr. Johnson works  
20 and lives in Jamaica. Accordingly, there is a real immediate risk that Plaintiff will be able to  
21 withhold production of the plaque by giving it to Mr. Johnson to take to Jamaica.

22           16.     This information and belief is also based on the fact that on June 23, 2023, Mr.  
23 Mitchell wrote by email to Mr. Cady about a “secret” that he had concerning “[n]ews from  
24 Ottumwa.” Mr. Cady produced the communication in response to a subpoena and testified that  
25 the communication came from Mr. Mitchell on June 23, 2023. Again, I took the deposition today.  
26 The communication, which is reproduced in full below, is circumstantial evidence that Mitchell,  
27 Day, and Johnson are hiding a secret -- with that secret likely being the plaques that were allegedly  
28 given to Mr. Mitchell by NAMCO. This Court should order Mr. Mitchell to produce the secret

1 plaques he alluded to in this June 23, 2023 text message to Cady.



#### 15 DECLARATION RE NOTICE

16 17. On July 5, 2023 at 4:30 p.m. I wrote by email to counsel for Mr. Mitchell and Mr.  
17 Day to give notice of this application. The contents of the email notice are: "I write to give notice  
18 that on Friday, July 7, 2023 at 8:30 a.m. or as soon thereafter as the matter may be heard, Twin  
19 Galaxies will apply *ex parte* in Department 36 of the LASC, Stanley Mosk branch, for an order  
20 compelling production of William James Mitchell's NAMCO plaques, and for an order requiring  
21 Mr. Mitchell to sit for deposition regarding the current disposition of the plaques and all pictures  
22 of the plaques. Will Plaintiff oppose the application?" I received no response as of filing.

23 I declare, under penalty of perjury of the laws of the State of California, that the preceding  
24 is true and correct. Executed this 5<sup>th</sup> day of July, 2023 at Los Angeles, California.

25   
26  
27 David A. Tashroudian  
28



**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., Suite 300, Studio City, California 91604. On July 5, 2023, I served the herein described document(s):

***EX PARTE* APPLICATION OF TWIN GALAXIES, LLC FOR ORDER REQUIRING  
PLAINTIFF TO PRODUCE DOCUMENTS & APPEAR FOR DEPOSITION;  
DECLARATION OF DAVID A. TASHROUDIAN IN SUPPORT**

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](mailto:jeg@manningllp.com) & [rwc@robertwcohenlaw.com](mailto:rwc@robertwcohenlaw.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.

Anthony J. Ellrod [aje@manningllp.com](mailto:aje@manningllp.com)  
MANNING & KASS  
ELLROD, RAMIREZ, TRESTER LLP  
801 S. Figueroa St, 15<sup>th</sup> Floor  
Los Angeles, California 90017-3012

Attorneys for Plaintiff  
WILLIAM JAMES MITCHELL

Robert W. Cohen [rwc@robertwcohenlaw.com](mailto: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 July 5, 2023 at Los Angeles, California.



Mona Tashroudian

# **EXHIBIT 14**

**From:** Kristina Ross Kristina.Ross@manningkass.com  
**Subject:** RE: Meet and Confer re NAMCO Plaques [Mitchell v. Twin Galaxies]  
**Date:** July 6, 2023 at 10:11 AM  
**To:** David Tashroudian david@tashlawgroup.com, Anthony J. Ellrod Tony.Ellrod@manningkass.com  
**Cc:** Linna Loangkote Linna.Loangkote@manningkass.com

KR

Sorry for the delay, but we are agreeable to a 15 day continuance from your current motion to compel deadline.

Please propose some dates for the IDC.

For clarity, my understanding is that the plaques are at the Bridgeview Center in Iowa, not in the possession of a single individual, but that Mr. Grunwald was the one that located and took the photograph of them.

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](mailto:Kristina.Ross@manningkass.com) | [manningkass.com](http://manningkass.com)

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

Note: This e-mail is covered by the Electronic Communications Privacy Act, 18 U.S.C. 2510-2521 and is legally privileged. The information transmitted in or with this message is intended only for the person or entity to which it is addressed and may contain confidential and/or privileged material and is protected from disclosure. If the reader of this message is not the intended recipient, or an employee or agent responsible for delivering this message to the intended recipient, you are hereby notified that any retransmission, dissemination, distribution, copying or other use of, or the taking of any action in reliance upon, this communication is strictly prohibited. If you have received this communication in error, please notify us immediately by replying to the message and deleting the material from your computer. Thank you. Manning & Kass, Ellrod, Ramirez, Trester, LLP

**From:** David Tashroudian <david@tashlawgroup.com>  
**Sent:** Wednesday, July 5, 2023 6:48 PM  
**To:** Kristina Ross <Kristina.Ross@manningkass.com>; Anthony J. Ellrod <Tony.Ellrod@manningkass.com>  
**Cc:** Linna Loangkote <Linna.Loangkote@manningkass.com>  
**Subject:** Re: Meet and Confer re NAMCO Plaques [Mitchell v. Twin Galaxies]

Good evening Kristina --

Thank you for taking my call today. We met and conferred about the production of the plaques in the IVGHOF.jpeg document you sent me on June 26, 2023. I indicated that I was going to apply *ex parte* on July 7, 2023 to obtain an order compelling the physical production of the plaques. You told me that the plaques are in the possession of John Grunwald in Iowa. I did not know that -- I thought Isaiah TriForce Johnson had the plaques and was

going to run away to Jamaica. I asked that your client obtain the plaques from Mr. Grunwald and produce them in California for my inspection and you said you would talk to Tony about that.

After our call, and considering you are in trial Friday and I am in arbitration next week, I think we can resolve this issue with an IDC as opposed to an *ex parte* application. Accordingly, I request an additional 15 days to move to compel further responses to the discovery you sent back to me on June 9, 2023. That way, we have some breathing room to get an IDC date from the judge and brief the issue.

Will you agree to the continuance to allow for an IDC?

Please let me know this evening as my *ex parte* papers are due by tomorrow morning.

Regards,

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 Wed, Jul 5, 2023 at 2:35 PM David Tashroudian <[david@tashlawgroup.com](mailto:david@tashlawgroup.com)> wrote:

Hi Kristina and Linna --

Can either of you meet and confer today regarding Mitchell's NAMCO plaques?

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 15**

**From:** Laura Carrell lcarrell@meetottumwa.org  
**Subject:** Re: Plaque Production & CCTV Preservation [Mitchell v. Twin Galaxies]  
**Date:** July 7, 2023 at 2:30 PM  
**To:** David Tashroudian david@tashlawgroup.com  
**Cc:** john.grunwald@fairfieldsfuture.org

LC

Hello David - to your three points:

1. I do not have the awards, nor does Bridge View Center.
2. I do not have access to any pictures of the awards.
3. Meet Ottumwa rents an office inside Bridge View Center, but we are not associated with the venue as an entity. To receive the CCTV footage from Bridge View Center/VenuWorks, please submit a written request to:

Bridge View Center/VenueWorks  
Attn: Jacob Pilkington and/or Scott Hallgren  
102 Church St.  
Ottumwa, Iowa 52501

If you need to be in contact sooner, please call Bridge View Center at 641.684.7000 and ask to speak with Operations Manager Jacob Pilkington. He will give you a venue email address to submit the request.

Please let me know if there is anything else I can do to help.  
Thank you.

**Laura Carrell**

**Executive Director**

**MeetOttumwa**

102 Church St., Ottumwa, IA 52501-4209

O: 641.684.4303

C: 641.455.4361

[www.meetottumwa.org](http://www.meetottumwa.org)



---

**From:** David Tashroudian <david@tashlawgroup.com>  
**Sent:** Friday, July 7, 2023 3:05 PM  
**To:** Laura Carrell <lcarrell@meetottumwa.org>  
**Cc:** john.grunwald@fairfieldsfuture.org <john.grunwald@fairfieldsfuture.org>  
**Subject:** Plaque Production & CCTV Preservation [Mitchell v. Twin Galaxies]

Good afternoon Laura --

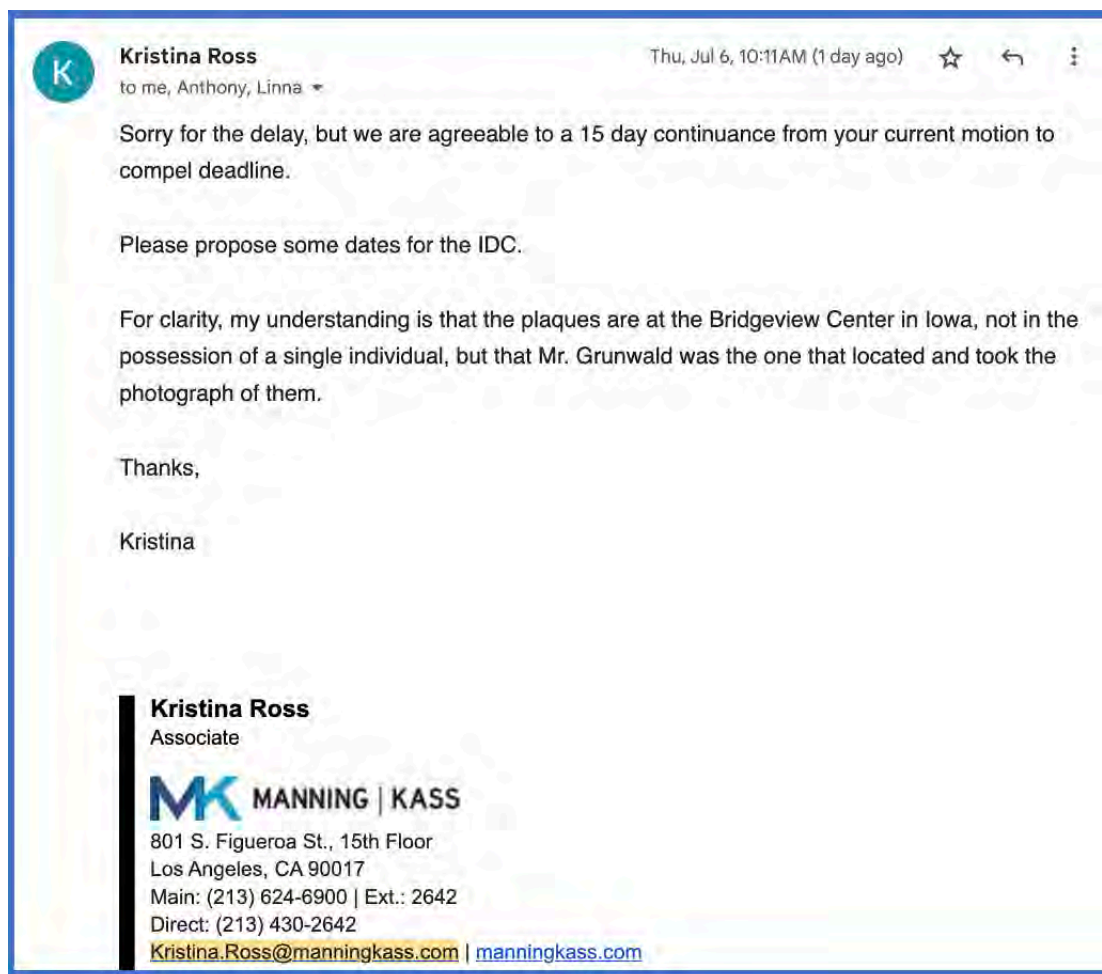
Thank you for taking my call earlier today. As I explained, I represent Twin Galaxies in the defamation claim asserted by Billy Mitchell in California. We have trial approaching in October 2023. I have been trying to track down two awards (plaques) that Billy Mitchell claims he was awarded by the creator of Pac-Man in 1999. Discovery in this case has turned up your name and John Grunwald's name as people with information related to the plaques.

An email from Mr. Mitchell to you, Mr. Grunwald, and Jerry Byrum was produced at Mr. Byrum June 26, 2023 deposition. A copy of that email from Mr. Byrum's deposition is attached for review and that is how I got your contact information. On that same day, Mr. Mitchell produced a picture of the plaques and his lawyers indicated to me that Mr. Grunwald took that picture. A copy of the picture is attached for your reference.



is attached for your reference.

Mr. Mitchell and his attorneys have told me that the plaques are with the Bridgeview Center. A copy of Mr. Mitchell's attorney's correspondence to that effect is reproduced below for your reference.



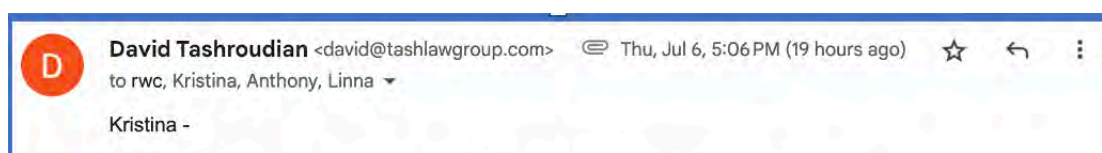
My understanding from our conversation is that the Bridgeview Center is not in possession of the plaques or the picture. I appreciate your candor on that point. My suspicion and inference from the facts that I have is that Isaiah Triforce Johnson (or one of Mr. Mitchell's other associates) is in possession of the plaques. I am attaching a declaration I prepared recently to this email as well with facts that support my suspicion. Take a read if you care to apprise yourself about the controversy regarding the picture and the plaques.

I think what happened is that either Mr. Mitchell, or one of his associates, hid a box of Mr. Mitchell's awards at the Bridgeview Center during the June 22-24 Meet Ottumwa event for Mr. Grunwald to find.

Accordingly, I ask for 3 things from you:

- (1) production of each physical award of Billy Mitchell's that the Center has;
- (2) production of a high resolution copy of the picture of the awards that was allegedly taken by Mr. Grunwald; and,
- (3) preservation of CCTV footage from the Center for the period of June 20-26 to determine if anyone planted a box with Mr. Mitchell's awards at the Center where Mr. Grunwald found the awards.

The reason these awards are so important is that I suspect Billy Mitchell has fabricated the awards that were allegedly discovered by Mr. Grunwald. My argument on falsification to Billy Mitchell's lawyers is below for you to see what I am dealing with with respect to these plaques:



How about July 24, 25, or 26 for the IDC? Does that work for you Robert Cohen?

To continue our meet and confer efforts on production of the physical plaques, we demand immediate inspection because Plaintiff obviously has control of the plaques. I alluded to these facts on our phone call. I set them forth in my declaration supporting the *ex parte* application that we did not file because of these meet and confer efforts. I am attaching a copy of the declaration for your reference to the facts.

In addition, and again like I told you on the phone, the plaques in the picture are replicas -- they are fake. Plaintiff is manufacturing evidence and trying to avoid production to further his deception. Just take a look at the attached comparison of the real plaque and Billy's farce. This preliminary analysis clearly shows (1) the proportions of Pac-Man are off; and (2) the text does not match -- i.e. 9 lines in para 2, and 11 lines in Billy's recent production at para 2. Physical production and analysis of the plaques is in the interests of justice to prevent fraud on the court.

Accordingly, I ask if you will produce the physical plaques for inspection?



Thank you for your attention and for hearing me out. I am searching for the truth and the information you have is critical to me finding the truth.

David

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 16**

# TASHROUDIAN LAW GROUP

12400 Ventura Blvd., Ste. 300, Studio City, CA 91604 ▪ david@tashlawgroup.com ▪ 818.561.7381

---

July 7, 2023

## **VIA ELECTRONIC DELIVERY**

Bridge View Center  
Attn: Jacob Pilkington  
102 Church St.  
Ottumwa, Iowa 52501  
E: [jacob@bridgeviewcenter.com](mailto:jacob@bridgeviewcenter.com)

**RE: Letter of Litigation Hold & Preservation of Evidence [Case No. 19STCV12592]**

Dear Mr. Pilkington,

I am counsel for Twin Galaxies, LLC in the defense of the defamation charge brought by William James Mitchell in the matter of William James Mitchell v. Twin Galaxies, LLC, Case No. 19STCV12592 currently pending in the Superior Court of the State of California, County of Los Angeles (the “Lawsuit”).

We believe the Bridge View Center is in possession of evidence relevant to the Lawsuit. It is our suspicion that between June 20, 2023 through June 24, 2023, someone planted four awards belonging to Mr. Mitchell at the Center. The awards were either a planted in a box, or without. A picture of the awards allegedly found at the Center was produced in this litigation by Mr. Mitchell and is reproduced below:



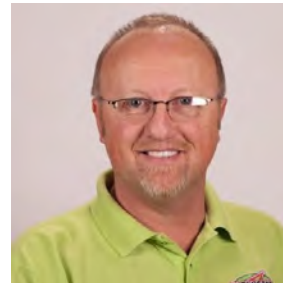
We believe the awards were planted by either Walter Day, Isaiah Triforce Johnson, William James Mitchell, or Jerry Byrum. Photos of these individuals are reproduced below:



Isaiah TriForce Johnson



Billy Mitchell



Walter Day

Jerry Byrum

Accordingly, we respectfully demand that the Bridge View Center retain all video camera and CCTV footage from June 20, 2023 through June 24, 2023 for us to determine whether any of these four individuals planted the awards at the Center. We are in the process of determining where the awards were found to help narrow the cameras to look at, but until that point we request that no footage from June 20, 2023 through June 24, 2023 be destroyed.

Thank you for your prompt attention to this matter. Please call or write with any questions. Your help in preserving evidence will allow the truth to come out at trial in the Lawsuit and that is always a worthy endeavor.

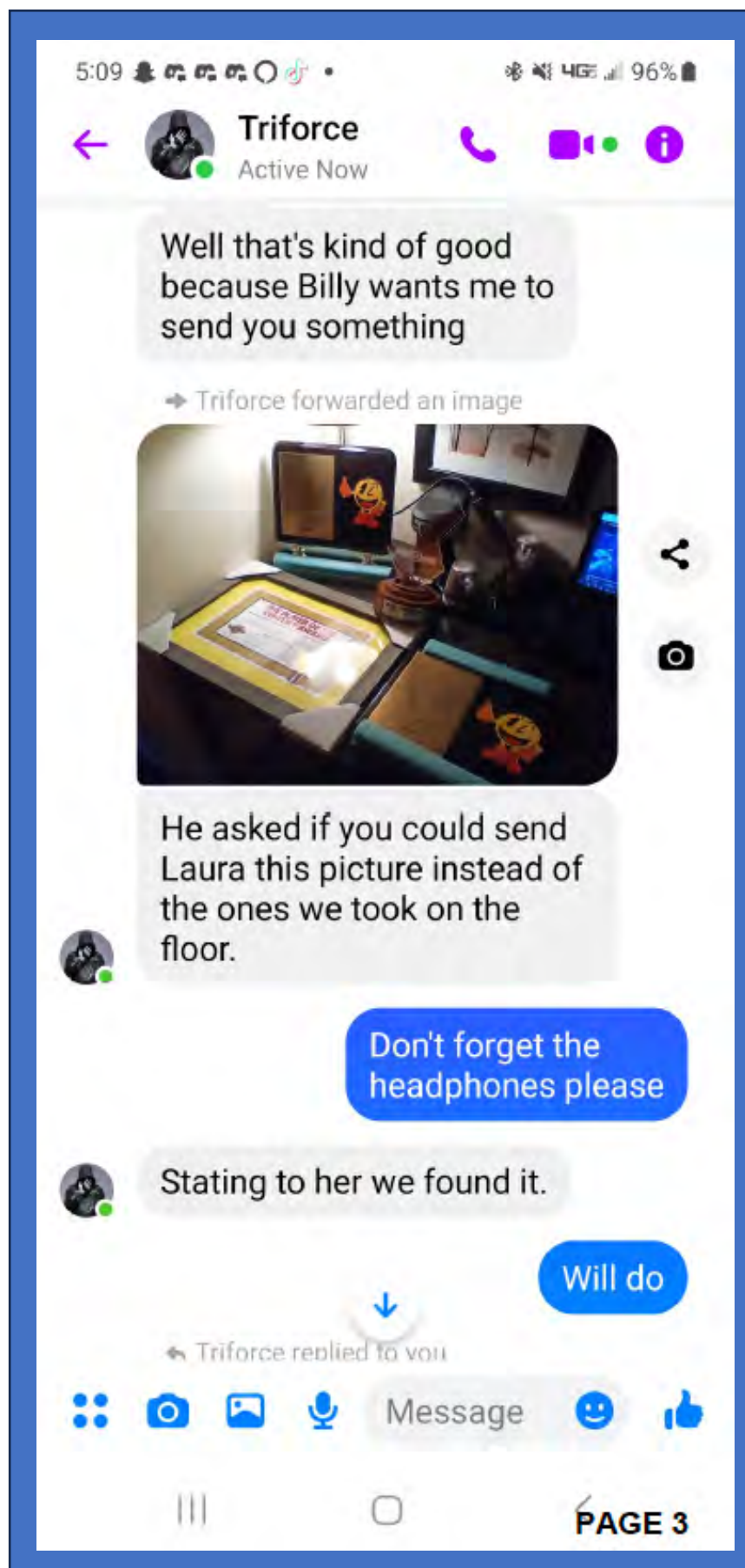
Very truly yours,



David Tashroudian, Esq.  
TASHROUDIAN LAW GROUP, APC

# **EXHIBIT 17**





# **EXHIBIT 18**

**Subject:** Fwd: Little help please  
**From:** John Grunwald <[john.grunwald@fairfieldsfuture.org](mailto:john.grunwald@fairfieldsfuture.org)>  
**Date:** 6/25/23, 8:06 AM  
**To:** Billy Mitchell <[rickeyshotsauce@aol.com](mailto:rickeyshotsauce@aol.com)>

This is the picture I forwarded to Laura.

----- Forwarded message -----  
**From:** John Grunwald <[john.grunwald@fairfieldsfuture.org](mailto:john.grunwald@fairfieldsfuture.org)>  
**Date:** Sat, Jun 24, 2023, 9:44 PM  
**Subject:** Re: Little help please  
**To:** Laura Carrell <[icarrell@meetottumwa.org](mailto:icarrell@meetottumwa.org)>

On Sat, Jun 24, 2023, 7:39 AM Laura Carrell <[icarrell@meetottumwa.org](mailto:icarrell@meetottumwa.org)> wrote:  
Good news all around! What a great way to start community play day.  
Thanks for everything!  
Laura

Get [Outlook for iOS](#)

---

**From:** John Grunwald <[john.grunwald@fairfieldsfuture.org](mailto:john.grunwald@fairfieldsfuture.org)>  
**Sent:** Saturday, June 24, 2023 7:31:10 AM  
**To:** Bill Mitchell/Rickeys <[rickeyshotsauce@aol.com](mailto:rickeyshotsauce@aol.com)>  
**Cc:** Laura Carrell <[icarrell@meetottumwa.org](mailto:icarrell@meetottumwa.org)>  
**Subject:** Re: Little help please

Thank you Billy!!! And to continue with the good news vibe...it appears the lost has been found. :)

Thank you for your help and support!

John

On Fri, Jun 23, 2023, 11:05 PM Bill Mitchell/Rickeys <[rickeyshotsauce@aol.com](mailto:rickeyshotsauce@aol.com)> wrote:  
Hey there,  
Sharing good news with you .  
I have received several contacts in regards to the event, all very favorable.  
The first was of course Old School Gamer Magazine.  
I have 3 interviews beginning Monday and I will be sure to turn the focus to Ottumwa and High School Esports.  
  
Your hard work never goes unnoticed  
  
Sincerely,  
  
Billy Mitchell  
954-829-9464

----- Original message -----  
**From:** John Grunwald <[john.grunwald@fairfieldsfuture.org](mailto:john.grunwald@fairfieldsfuture.org)>

**EXHIBIT**

A

John Grunwald  
7/20/23

Date: 6/23/23 10:28 AM (GMT-05:00)

To: Laura Carrell <[icarrell@meetottumwa.org](mailto:icarrell@meetottumwa.org)>

Cc: Bill Mitchell/Rickeys <[rickeyshotsauce@aol.com](mailto:rickeyshotsauce@aol.com)>, [jerry.byrum@ibsa.com](mailto:jerry.byrum@ibsa.com)

Subject: Re: Little help please

As far as awards, would they be plaques?

On Fri, Jun 23, 2023, 9:11 AM Laura Carrell <[icarrell@meetottumwa.org](mailto:icarrell@meetottumwa.org)> wrote:

Good morning, Billy! Can you tell me exactly what we're looking for? The only thing I had in the Convention & Visitors Bureau storage area was the three CD cases of discs, but no awards or anything. I can have the Bridge View Center staff help look, just let me know what and how many we're looking for. Do you know what year they might have last been seen here, too?

Thanks so much!

**Laura Carrell**

**Executive Director**

**MeetOttumwa**

102 Church St., Ottumwa, IA 52501-4209

O: 641.684.4303

C: 641.455.4361

[www.meetottumwa.org](http://www.meetottumwa.org)



---

**From:** Bill Mitchell/Rickeys <[rickeyshotsauce@aol.com](mailto:rickeyshotsauce@aol.com)>

**Sent:** Friday, June 23, 2023 1:11 AM

**To:** Laura Carrell <[icarrell@meetottumwa.org](mailto:icarrell@meetottumwa.org)>; John Grunwald

<[john.grunwald@fairfieldsfuture.org](mailto:john.grunwald@fairfieldsfuture.org)>; [jerry.byrum@ibsa.com](mailto:jerry.byrum@ibsa.com) <[jerry.byrum@ibsa.com](mailto:jerry.byrum@ibsa.com)>

**Subject:** Little help please

Hi there,

I expressed my regrets for not being able to attend and support this year's event.

One more concern, I expressed on more than a few occasions, of the many awards and memorabilia that were loaned to the IVGHOF and the Video Game Capital of the World a handful of them that were left and last seen at the Bridgeview Center have yet to be located.

Please make any effort possible to locate this because as expressed before, it has become quite important. It can stay with IVGHOF at a later time as part of my continuing support.

Still hoping you can help

Appreciative

Billy Mitchell  
954-829-9464

Confidentiality Statement: This message is intended only for the use of the Addressee and may contain information that is PRIVILEGED and CONFIDENTIAL. If you are not the intended recipient, dissemination of this communication is prohibited. If you have received this communication in error, please erase all copies of the message and its attachments and notify the sender immediately. Thank you.

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received\_278720044837902.jpeg



Attachments:

received\_278720044837902.jpeg

145 KB

# **EXHIBIT 19**





<http://www.arcaderestoration.com/media/Graphics/cge2000/billysmall.jpg>

# **EXHIBIT 20**





# **EXHIBIT 21**





<http://www.jammajup.co.uk/classic-gaming-expo-2005/Picture042.jpg>





<http://www.jammajup.co.uk/classic-gaming-expo-2005/Picture044.jpg>



<http://www.jammajup.co.uk/classic-gaming-expo-2005/Picture043.jpg>



<http://www.jammajup.co.uk/classic-gaming-expo-2005/Picture039.jpg>

# **EXHIBIT 22**



Video Game Documentary- CHASING GHOSTS (2006)

# **EXHIBIT 23**



September 17, 1999

Mr. William J. Mitchell, Jr.  
4799 Hollywood Blvd  
Hollywood, Florida 33021  
U.S.A.

Dear Billy,

As Father of Pac-Man, I wish to extend my heartiest Congratulations on your amazing feat of becoming the first player ever to achieve a perfect score of 3,333,360 points on the Pac-Man game.

The news of your accomplishment which has spread quickly throughout the world comes to us at a very opportune time. We are currently preparing to celebrate Pac-Man's 20th birthday on October 10, 1999 and as part of the celebration, we will be releasing "Pac-Man World 20th Anniversary" for the PlayStation platform in October. Your historical feat will help us remind the world of this special occasion and will also help bring back memories of yesteryears for many fans of Pac-Man when, as young players, they feverishly challenged every aspect of the Game. Most importantly, however, your feat will undoubtedly remind the world once again of the greatness of the Game itself.

The entire Namco Group joins me in congratulating you and thanking you for your invaluable support of Namco's most prominent game, the Pac-Man.

With personal Best Wishes,

Yours very truly,  
NAMCO LTD.

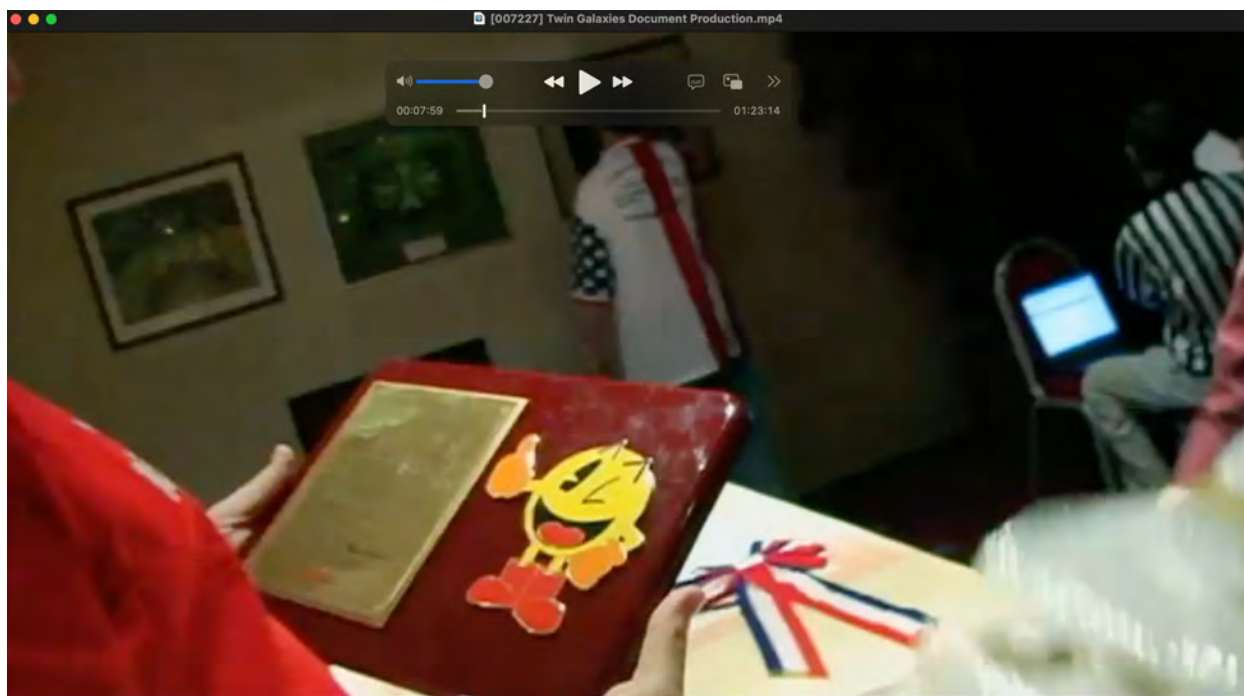
[SIGNATURE]

Masaya Nakamura  
Chairman & CEO

**NAMCO**

# **EXHIBIT 24**

## NAMCO PLAQUE FROM KING OF KONG



# **EXHIBIT 25**

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**  
**ELLROD, RAMIREZ, TRESTER LLP**

4 801 S. Figueroa St, 15<sup>th</sup> Floor  
Los Angeles, California 90017-3012  
5 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 DAVID L. BISHOP**

Action Filed: 4-11-2019

17  
18 I, David L. Bishop, declare as follows:

19 1. I am an individual of the age of majority. The facts declared herein are known to me  
20 personally to be true, and if called to testify to these facts, I could and would do so competently. I  
21 make this declaration in support of Plaintiff and Cross-Defendant William “Billy” Mitchell  
22 (“Mitchell”) and Cross-Defendant Walter Aldro Day.

23 2. My name is David L. Bishop. I am the former executive vice-president and chief  
24 operating officer of NAMCO USA INC. I began working at NAMCO USA as its Director of  
25 Operations at its inception on or about September 1, 1990, when NAMCO USA split from Atari  
26 Games Corporation. I retired in 2017 as its executive vice-president. I refer hereinafter to NAMCO  
27 in Japan as “NAMCO Limited” and NAMCO in the United States as “NAMCO USA.” NAMCO  
28

1 USA was ultimately a wholly owned subsidiary of NAMCO Limited (today listed as BANDAI  
2 NAMCO Holdings Inc.).

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."

10 5. I met Mitchell and Walter Day in-person in 2010 at the "Big Bang" in Ottumwa,  
11 Iowa. I attended the event on behalf of NAMCO Limited and Masaya Nakamura to accept awards  
12 given to the original Pac-Man and Masaya Nakamura by the International Video Game Hall of  
13 Fame.

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."

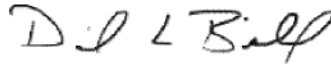
20 7. In or about 2015, NAMCO USA opened a Pac-Man restaurant and bar in  
21 Schaumburg, Illinois, named "Level 257." When NAMCO USA underwent its preparations to open  
22 Level 257, NAMCO USA decided to bring Mitchell to the venue for the purpose of marketing the  
23 new restaurant and bar and pushing the Pac-Man brand to a higher level. Moreover, in the museum  
24 at Level 257, NAMCO USA featured the below framed picture and words:

25  
26  
27  
28





I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct. Executed on this August 16, 2023, in Chicago, Illinois.

DocuSigned by:  
  
7EEA148C0211471...

David L. Bishop

**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.

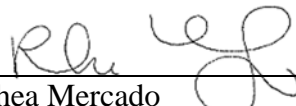
On September 14, 2023, I served true copies of the following document(s) described as **DECLARATION OF DAVID BISHOP** on the interested parties in this action as follows:

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: <a href="mailto:david@tashlawgroup.com">david@tashlawgroup.com</a> Email: <a href="mailto:mona@tashlawgroup.com">mona@tashlawgroup.com</a>  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: <a href="mailto:rwcohenlaw.com">rwcohenlaw.com</a>  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](mailto: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 September 14, 2023, at Los Angeles, California.

  
Rhea Mercado

**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., Suite 300, Studio City, California 91604. On December 18, 2023, I served the herein described document(s):

**COMPENDIUM OF EVIDENCE RE TASHROUDIAN DECLARATION**

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 tony.ellrod@mannigkass.com pursuant to an agreement of the parties in lieu personal service.

Anthony J. Ellrod *tony.ellrod@mannigkass.com*  
MANNING & KASS  
ELLROD, RAMIREZ, TRESTER LLP  
801 S. Figueroa St, 15<sup>th</sup> Floor  
Los Angeles, California 90017-3012

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 December 18, 2023 at Woodland Hills, California.



Mona Tashroudian