

Billy Mitchell Evidence Package



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Carlos Pineiro Statement

I, Carlos Pineiro, attest to the following:

1. During the Billy Mitchell dispute, I walked into Robert Child's showroom and offered to provide any knowledge I possessed about the controversy.
2. During this, I did not receive any type of compensation for my work, as I did it in my spare time, which was not much. As such, I did not represent Billy Mitchell in the dispute, and my research was not being done on his behalf. I was simply providing any knowledge I possessed about the issues.
3. I have been presented with Billy Mitchell's evidence. After seeing the evidence, I retract my conclusions from the dispute case. Billy Mitchell did not cheat.
4. Moreover, I assert that the strength Twin Galaxies' evidence did not justify the attempt to strip all of his records and his 35 year legacy, and I maintained that position long before this retraction.

I declare under penalty of perjury under the laws of the states of California and Florida that the foregoing is true and correct to the best of my knowledge.



Carlos Pineiro

9-28-2019
Date

Introduction

Introduction

The following is the Billy Mitchell evidence package, which accompanies the official request for retraction of the claims made by Guinness World Records and Twin Galaxies. It is highly recommended, for both corporations, to review the request for retraction letter, and the testimonial letter from Walter Day prior to looking at the evidence package. This package consists of sections, some sections consist of several parts, while others do not.

Notes:

- **Some Twin Galaxies dispute forum screenshots do not transfer well to google drive. As a result, post numbers and/or transcriptions are provided for reference. However, many, if not most, are readable.**
- **Information may be added to this evidence package. Twin Galaxies and Guinness World Records should understand that.**

Section 1: 1,047,200 Was Not A Score Submission

|1,047,200 Not a Score Submission

Background

In the Twin Galaxies “investigation” of Billy Mitchell’s Donkey Kong scores, there were three different Donkey Kong scores. These three scores were: 1,047,200, 1,050,200, and 1,062,800. Although these were the mentioned scores, there was a fourth score of 1,014,400, which occurred in 2003. However, this score was never submitted as a world record, even though it was one at the time, so it was generally forgotten.

Among the three mentioned scores, two were done in live venues with many witnesses. These scores are 1,050,200 and 1,062,800. The 1,050,200 performance occurred at the Mortgage Brokers Convention, and the 1,062,800 performance occurred at Boomers Arcade, which was the world’s largest arcade at the time. The lowest score, 1,047,200, occurred at a local arcade, and has few witnesses.

When it comes to score submissions, Billy Mitchell holds himself to a high standard. Mitchell only submits scores performed at live events under proper adjudication. Mitchell has never submitted a score via video tape.

In the Twin Galaxies investigation, Jace Hall heavily leaned on the King of Kong movie to provide him with historically accurate information involving Billy Mitchell’s Donkey Kong scores. This was especially hypocritical considering Hall himself called it a “docu-drama,” and said it “isn’t even really a documentary.” Hall used the movie to cite “thorough documentation” that Mitchell submitted his 1,047,200 performance, and that it remained in the database thereafter. Hall needed this information to justify his position, because he couldn’t prosecute Mitchell for a score never submitted to Twin Galaxies.

Evidence

In 2005, At Funspot Arcade, Billy Mitchell allowed Brian Kuh to showcase a video of his 1,047,200 score performance. This event was documented in the movie “The King of Kong: A Fistful of Quarters.” However, the movie left out the important information involving the score’s unveiling, because the information debunked the production team’s narrative. Among the omitted footage was a disclaimer from Kuh, who stated, “This is not a score submission, this is for entertainment purposes only.” In other words, this score was not a Twin Galaxies submission. This occurrence is further backed by witnesses, and actual film still in our possession. Following the score’s unveiling, the movie shows Walter Day submitting the score into the database. However, this was only acting done for the movie, and the scoreboard shown by the movie was forged. Actually, this is very obvious, because the movie’s has errors. For example, in the scene where Day submits the score, he enters the wrong score. Day enters the score 1,048,200, not 1,047,200 (Figure 1). Following that scene, the movie shows a fake scoreboard that says 1,047,200 (Figure 2).

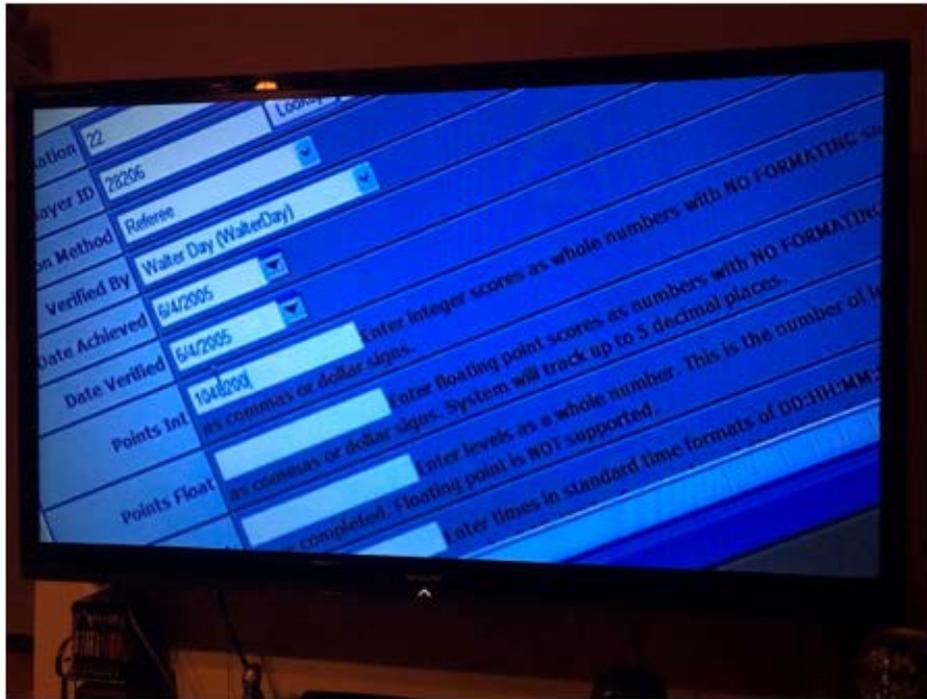


Figure 1. The scene in the King of Kong movie where Walter Day submits the Billy Mitchell tape into the database. The wrong score was entered, which was 1,048,200, not 1,047,200.



Figure 2. The scoreboard shown in the movie, clearly not showing the score entered by Day.

Moreover, there's even more evidence that the production team forged this scoreboard for few reasons. Firstly, the scoreboard omits Tim Sczerby's world record score of 879,200, because it occurred prior to Wiebe's scores, and that would've discredited movie's storyline (Figure 3). Also, it omits other scores, such as Tim Jackson's 767,700, and Jeffrey Brandt's 591,200. Furthermore, Twin Galaxies' scoreboard only shows a player's highest submitted score. Therefore, Billy Mitchell's 874,300 shouldn't be displayed, only the new highest score. Actually, Mitchell submitted a score of 933,900 between his 874,300 achievement and the 1,047,200 unveiling (Figure 3). This score isn't displayed in the movie either.

Rank	% Score	Points	Player	Date Verified	Verification Method
1	100.00 %	985,600	Steve J. Wiebe	06/03/2005	Video
2	94.75 %	933,900	Billy L. Mitchell	05/27/2004	Referee
3	89.20 %	879,200	Timothy F. Sczerby	04/23/2001	Video
4	77.89 %	767,700	Tim Jackson	02/01/1983	Referee
5	59.98 %	591,200	Jeffrey Brandt	10/25/1982	Referee
			Brian Kuh	05/11/2001	Referee
			James Brewer	07/24/1982	Referee

Figure 3. A picture of the actual Twin Galaxies scoreboard shown in the King of Kong movie.

Now that we've exposed the movie's fictitious nature, let's dive into the historical facts. In the scene Day acted out a submission, Day did hit the submit button. However, this submission was then removed from the database thereafter. The score remained off the Twin Galaxies scoreboard for about 7 months. Queue Robert Mruzek, this Twin Galaxies referee, who served as chief referee for years, had extreme hatred for Steve Wiebe and the King of Kong production team. Mruzek hated Wiebe because he kept finding faults with Wiebe's scores, and these concerns we're justified. Wiebe consistently couldn't follow the correct rules, such as using

double donkey kong boards and 8-way joysticks. What boiled Mruzek's more was Walter Day's overruling of Mruzek to accept Wiebe's scores. Moreover, Mruzek hated the movie people for including a man named Roy Shildt in the movie, and for aligning themselves with Wiebe. As a result of Mruzek's hatred, he decided to submit Mitchell's 1,047,200 to the database so Steve Wiebe's 985,000 score would not be the displayed world record. Mruzek never consulted with Mitchell on the matter, he entered the score without permission in January 2006. There was never a formal submission for the player.

Mruzek never acknowledges these events, and it's difficult to grasp his story, which he provided in the Twin Galaxies dispute thread. However, from his words, it seems as if he claims Walter Day's acting in the movie was the sole submission, and that the score wasn't removed thereafter (Figure 4).

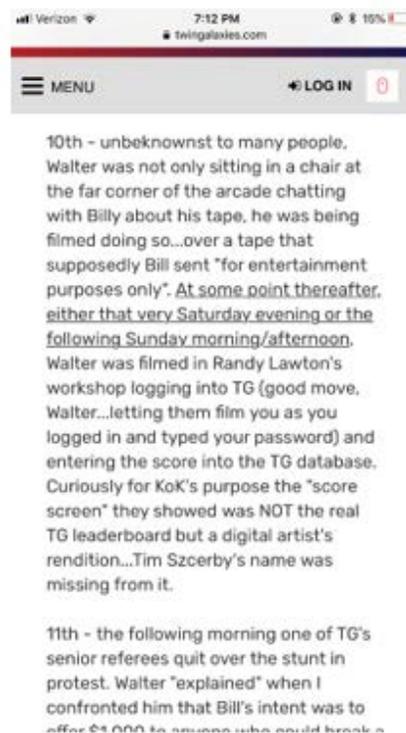


Figure 4. Robert Mruzek's recollection of the 1,047,200's submission, seemingly blaming Walter, and acting like the score wasn't removed from the database.

However, Mruzek's words don't maintain congruency, as later on he creates a fictitious story that he required Billy to send him the "master tape" of the 1,047,200 performance for it to be accepted into the database. In this statement, Mruzek now seems to claim he handled a supposed submission of the tape (Figure 5).

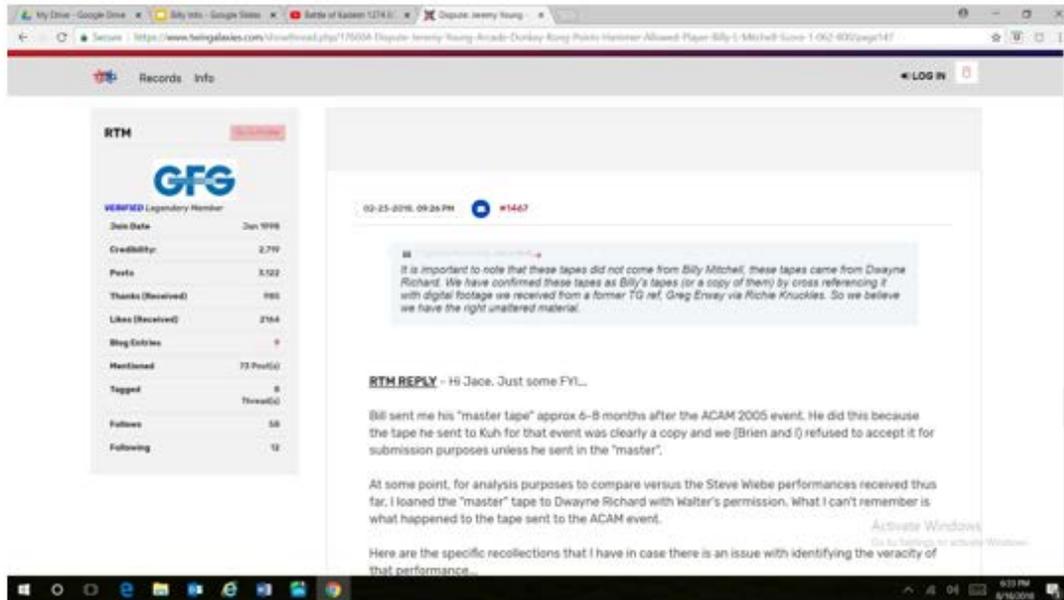
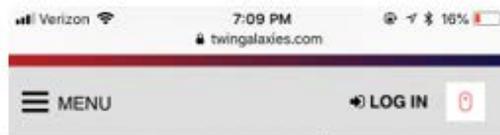


Figure 5. Mruczek's story that he required the "master" tape for the score's acceptance.

However, there are other issues with his testimony here. For Mruczek to accept and input Mitchell's score, the score must've been removed from the database, which contradicts his claims that Day's input was an actual submission, as this implies he's receiving the actual submission. Next, According to Brian Kuh, Robert left the Funspot event with Mitchell's tape, so there was no tape for Mitchell to send Mruczek. Moreover, Mitchell retains the same UPS and Fedex account numbers, and would be more than willing to allow a judge to subpoena his records for this alleged shipment, because it never occurred. This story created by Mruczek is an attempt to deflect his own fault for entering this score without permission. Admission to his actions would disqualify this performance as evidence, because prosecuting someone for a score never submitted is like prosecuting someone for a crime never committed.

To further Mruczek's conflicting testimony, let's look at his recollection of the tape's reception (Figure 6). As Mruczek said, "We also told Walter that this could not possibly be accepted by TG." The reasoning for this were obvious: the tape had quality issues, there was no external camera showing who played the game, and there was no hardware verification. Knowing these things, why did this tape all of sudden become acceptable for submission? None of these issues changed, and there's no reason for Mruczek's change of course. Not only was the score never submitted, it never should've made it into the database, because it didn't qualify to video tape guidelines.

Figure 6 is Twin Galaxies Dispute Thread Post #1467



following night, so we watched that in my cabin (cottage 5) with Walter present, Kuh, one of the documentary guys (Josh or Ross Tuttle, I think) and a few others.

5th - Prior to the end of "part two" in the 600K-range it was clear that the copy was problematic in terms of clarity and general quality. At the end of "part two" a lot of people left but a few stayed behind to watch the rest even against Bill's instructions to Brian. It was then that we discovered at the 1M roll-over the major glitch and we speculated that this was not a "master tape". We also told Walter that this could not possibly be accepted by TG, but mind you Billy had never formally submitted it for TG...this was to be shown "for entertainment purposes"

6th - on a side note, Wiebe showed up on that same night and Kuh would not allow him to watch the tape claiming Billy explicitly said Steve could not. Mark Alpiger was there and ended up leaving

Figure 6. Mruzek's recollection of the general reaction to the tape.

Lastly, it's important to note Billy Mitchell's approach to score submissions. Having been a player since the 80's, Mitchell places a high value on live, public gameplay, because that was the standard of the 80's. Mitchell has never submitted a score via video tape, or submitted a live score without proper adjudication. This is easily proven by his submission history, as every score he submitted occurred live in a public venue. Moreover, it's also powerful to see other world records that Billy Mitchell never submitted, because he doesn't submit records via video tape. For example, in May 2003, Mitchell achieved a Donkey Kong score of 1,014,400 points at Robert Childs' arcade. This score, which was never submitted, was only shown to friends, such as Brian Kuh, for entertainment purposes, similar to the 1,047,200 performance. Although the video was lost by Twin Galaxies, the existence of it is thoroughly documented. Moreover, in February 2010, Mitchell achieved a Ms. Pac-man score of 941,000 points, which was also a world record. Although Mitchell had credible witnesses, he never submitted this score because it was not done in a public venue, nor did it have proper adjudication. There's actually a pattern in

Mitchell's scores: scores with live, proper adjudication are submitted, and those without it are not.

Before proceeding, I'd like to summarize the points presented regarding the historical facts around the 1,047,200 score:

1. Jace Hall and Twin Galaxies leaned on the King of Kong movie as historically accurate information, while also conceding it to be a "docu-drama" and "not even really a documentary."
2. Billy Mitchell only submits scores with live, proper adjudication. He has never submitted a score via video tape. All video tapes we're made strictly for archival purposes. Moreover, Mitchell's behavior shows a pattern of this regarding his submissions.
3. The King of Kong movie totally falsifies the narrative that Mitchell submitted the 1,047,200 performance. This is proven in three ways: Brian Kuh's witness testimony, Josh Bearman's witness testimony, and actual footage from the event, where Kuh states "this is not a score submission, this is for entertainment purposes only."
4. Robert Mruzek, the only person that contends the score was submitted, has conflicting testimony, and doesn't tell a straight story. His story about Mitchell shipping him the tape is falsified, and we're willing to subpoena shipping records should he say its not.

In the Twin Galaxies investigation, Billy Mitchell notified Jace Hall that 1,047,200 score was never submitted. Hall's counter was to cite the King of Kong as historical documentation, saying "you had half a dozen referees in the cabin that night verifying the tape." To counter, Mitchell offered to provide the witnesses and footage and left out of the movie, where Brian Kuh states the score was not for submission purposes. Hall refused Mitchell's opportunity to provide this evidence, stating "scientific evidence only." Furthermore, Hall moved forward by saying that Mitchell "benefitted from it." In other words, implying that he didn't care if the score was submitted or not, he would attack Mitchell regardless. What's extremely hypocritical is Hall's refusal of Mitchell's opportunity to provide historical video as evidence, as he used the historical video from the King of Kong movie to justify his own position. This, among other things, is another example of Jace Hall's selective standards for evidence in this dispute. If it went against Billy Mitchell, a lot more evidence was considered admissible, historical videos being one.

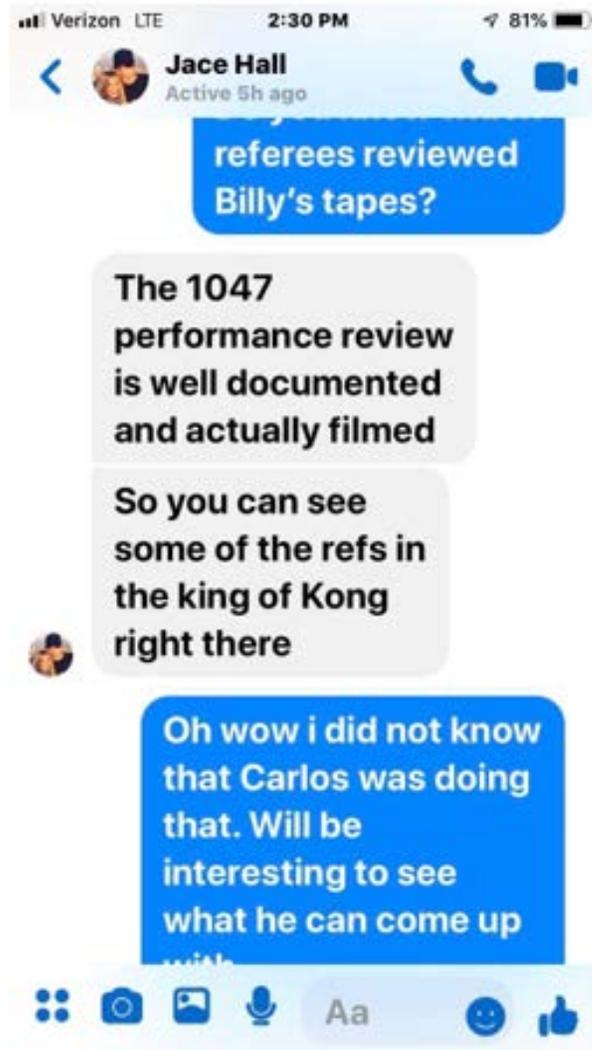
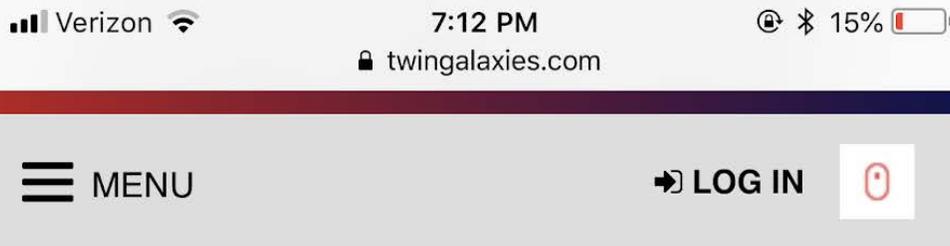


Figure 7. Facebook messages between Jace Hall and Eric Tessler, where Hall cites the King Of Kong as documentation of score submission.



10th - unbeknownst to many people, Walter was not only sitting in a chair at the far corner of the arcade chatting with Billy about his tape, he was being filmed doing so...over a tape that supposedly Bill sent "for entertainment purposes only". At some point thereafter, either that very Saturday evening or the following Sunday morning/afternoon, Walter was filmed in Randy Lawton's workshop logging into TG (good move, Walter...letting them film you as you logged in and typed your password) and entering the score into the TG database. Curiously for KoK's purpose the "score screen" they showed was NOT the real TG leaderboard but a digital artist's rendition...Tim Szczerby's name was missing from it.

11th - the following morning one of TG's senior referees quit over the stunt in protest. Walter "explained" when I confronted him that Bill's intent was to offer \$1,000 to anyone who could break a

Figure 4

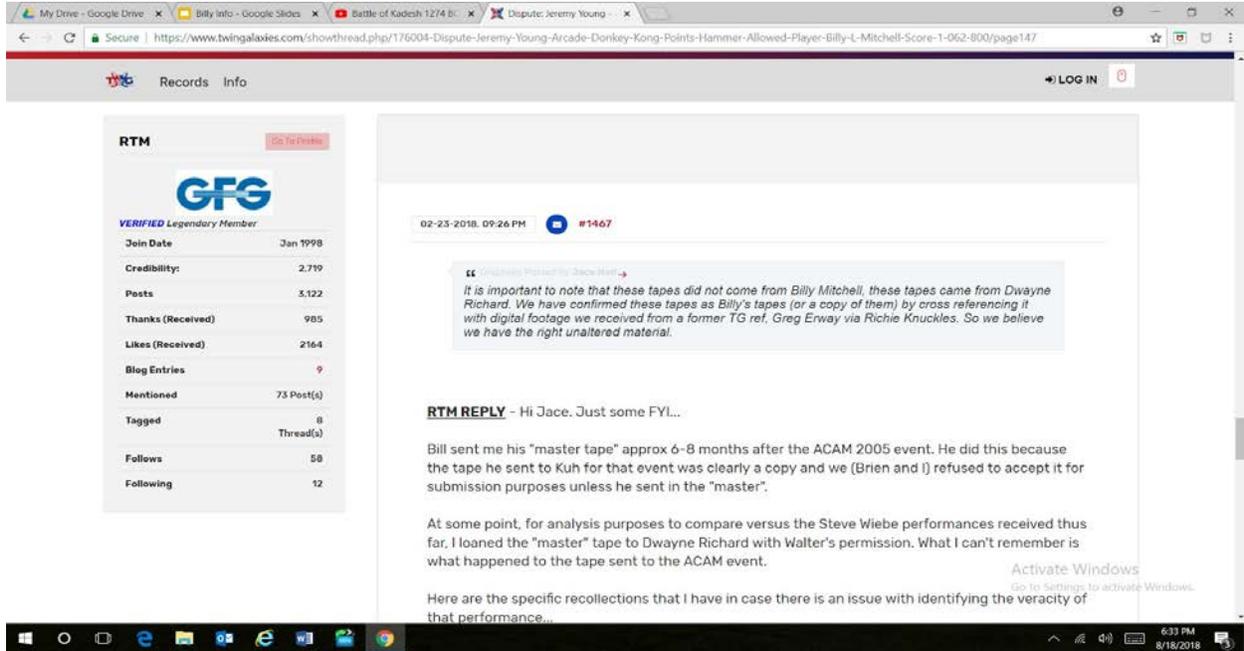


Figure 5: Post #1467



following night, so we watched that in my cabin (cottage 5) with Walter present, Kuh, one of the documentary guys (Josh or Ross Tuttle, I think) and a few others.

5th - Prior to the end of "part two" in the 600K-range it was clear that the copy was problematic in terms of clarity and general quality. At the end of "part two" a lot of people left but a few stayed behind to watch the rest even against Bill's instructions to Brian. It was then that we discovered at the 1M roll-over the major glitch and we speculated that this was not a "master tape". We also told Walter that this could not possibly be accepted by TG, but mind you Billy had never formally submitted it for TG...this was to be shown "for entertainment purposes"

6th - on a side note, Wiebe showed up on that same night and Kuh would not allow him to watch the tape claiming Billy explicitly said Steve could not. Mark Alpiger was there and ended up leaving

Figure 6

William "Billy" Mitchell Statement

I, William Mitchell, aka "Billy Mitchell" attest to the following:

1. In 2004, at my friend Robert Child's arcade, I achieved a Donkey Kong score of 1,047,200 on a legitimate Donkey Kong Arcade machine.
2. In June 2005, I allowed Brian Kuh, who possessed of the tape for a considerable time, to display my performance at the Funspot ACAM event. I provided Kuh explicit instructions that the score was not for submission, and he made that clear.

Any documentation in the King of Kong, such as the scene where I hand Doris Self a VHS tape, is inaccurate. Actually, in the King of Kong movie, the tape I hand Doris Cell is a WWE Wrestling tape, not my 1,047,200 performance.

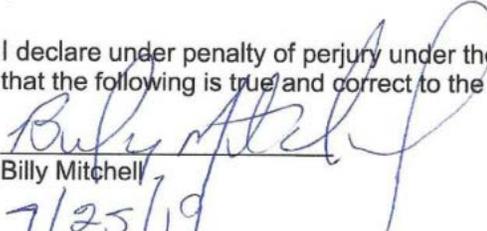
3. The movie's portrayal that I submitted this performance is fictitious. It omits all evidence that I didn't such as the film footage of Brian Kuh stating "this is not a score submission, this is for entertainment purposes only."
4. I have never, under any circumstances submitted a video taped world record. I only submit scores done live, in public venues, under proper adjudication. On numerous occasions, I have not submitted world record scores in order to uphold my own standard, which I hold dear. For example, my 1,014,400 Donkey Kong score, and my 941,000 Ms. Pac-man score, which were both world records at the time.
5. During the Twin Galaxies investigation, in early March, I explained to Jace Hall that I never submitted the 1,047,200 performance. Hall responded by citing the King of Kong movie as proof to the contrary, stating "there were half a dozen referees in the cabin verifying the tape that night."

I responded first by calling out his claim the referees were adjudicating that tape, and I challenged him to ask those referees if they were adjudicating or documenting in any way. They were only watching in passing or for entertainment. Additionally, I explained that I could acquire and provide footage debunking the movie, which shows Brian Kuh stating "this is not a score submission, this is for entertainment purposes only."

6. Hall rejected my offer to provide this evidence, saying "you benefitted from it." In other words, Hall conceded that I was correct, but he didn't care, and that he would attack me regardless. Hall wouldn't even take testimony from Walter Day, the previous Twin Galaxies owner.
7. Afterward, I continued to offer this video evidence, along with the witnesses who accompany it, such as the producers who worked with the King of Kong production team. However, Hall maintained his rejection of this evidence, saying he wouldn't even look at it.

8. I find it very hypocritical that Hall refused my offer of historical video evidence while continuing to cite the King of Kong movie as historical video evidence. Actually, Hall even continued to cite the movie as evidence that I submitted the score even though I offered the counter evidence. I know this, because Eric Tessler exchanged Facebook messages with Hall. In these messages, Hall cites the movie as evidence that the score was submitted. Not only did Hall reject my evidence, but he even moved on as if it didn't exist.
9. This event was another occurrence of Jace Hall selectively choosing what evidence he'll consider admissible, and what evidence will not. He'll accept the evidence the producers chose for the plot, but he won't accept the evidence on the cutting-room floor.

I declare under penalty of perjury under the laws of the states of California and Florida that the following is true and correct to the best of my knowledge.


Billy Mitchell

7/25/19
Date

Section 2: Tape Validity

Description

The following section dissects the information involving the validity of the claims that these tapes are actually Billy Mitchell's authentic gameplay. A tensionous topic, this topic is a

constant dispute, because Twin Galaxies lost custody Billy Mitchell's original performance tapes, and after a decade with no chain of custody, only found alleged copies. Although Hall claims to have independent copies, such statements are false, and all his copies originate from one source. The source was very questionable due to the person's open disdain for Billy Mitchell, and his constant efforts to defame Billy Mitchell. Throughout the investigation, Twin Galaxies owner Jace Hall disregarded any evidence Billy Mitchell provided against the validity of these tapes, making statements as blunt as "it doesn't matter," and "I don't care."

The section consists of two parts. Part 1 explores Twin Galaxies' evidence to support the claim that the tapes are Billy Mitchell's unaltered footage. Part 2 consists of the evidence that Billy Mitchell's tapes have been tampered with by the source.

Part 1: Twin Galaxies Tape Justification

Description

The following part walks through Twin Galaxies justification for claiming that the tapes provided to them were Billy Mitchell's performances despite their questionable source (Figure 1), and the glaring problems with these claims.



Billy Mitchell Jace Hall Completely laughable Jace, I never said my dad never played those games. They were live in front of an audience of people. Since, you're so up to date and want to cite the king of kong, you should know that 1.047m was live also, however people decided to skew history for a movie. You completely dodged the question, HOW do you know those are the same performances, because you don't have any original tapes. Anything you claim to make it the actual game originates from evidence you say you'd like to ignore, word of mouth. If you accept word of mouth from TG refs, I hope you accept all the other sworn statements. The complete incompetence of TG to lose the original tapes is absolutely insane. Whether you want to say it or not, these tapes originate from someone who has proved that he's willing to go to the ends of the Earth to defame my dad. Like I said, you can't find the original tapes, but seem to be absolutely joyful to accept the word of mouth of TG refs.

Like · Reply · 1y



Jace Hall Only one set of tapes originate from DWayne. We have a duplicate in separate digital copy that never touched Dwayne's hands. Both of these copies match each other even though they have had nothing to do with each other. I'm not sure if you understand that.

Lastly it is very easy to watch the 1047 tape and watch the king of Kong and it's DVD extras and match the performances. That's how you can personally know that the 1047 performances we have are exactly your dad's.

We posted the 1047 digital copy to the dispute thread so you can look at it for yourself and compare. There is no question that video is authentic.

Like · Reply · 1y



Jace Hall We also have the internal twin galaxies distribution email to see which referees got valid copies of your dad's performances for adjudication of not only his performance but also Steve Weibes and cross referenced the sources so we know that what we have is correct. Additionally, referees have confirmed that these are the performances that they viewed at the time of adjudication.

Like · Reply · 1y

Figure 1. Jace Hall provides his reasoning for the claim that the tapes are Billy Mitchell's performances.

In summary, Jace Hall's reasoning comes down to four points:

1. Duplicate set of digital copies from former Twin Galaxies associate Greg Erway, says this set is independent of the set provided by Dwayne Richard
2. King of Kong movie side by side comparison
3. Emails
4. Referee testimony

Now that these reasons have been established, I'd like to walk through the problems with each of these points:

Digital Copies:

The digital copies are a very complex piece of evidence that are not what Jace Hall claims. In summary, the digital copies are not independent from the copies Hall received from Dwayne Richard. The digital copies, we assert, stem from Dwayne Richard, because he's the only other person to ever possess Billy Mitchell's performances. Here is the evidence:

Firstly, it's important to note a few things for the digital copies:

1. Jace Hall claims Greg Erway received them from Walter Day (he said this on a Facebook live video). He justifies this claim with an alleged email chain that he has kept private.
2. However, Walter Day testifies that he has never dealt with digital copies of any player's performances. He has only operated through VHS tapes (See Walter Day testimony below). Therefore, Erway's copies could not have sourced from him.
3. Billy Mitchell did not provide the performances to Greg Erway. He has never distributed digital copies of his performances (See Billy Mitchell Testimony below).
4. Greg Erway testifies that he did not receive the performances from Billy Mitchell or Walter Day. However, he cannot confidently say where he received them (See Greg Erway Testimony Below).

Our assertion that Dwayne Richard is the Greg Erway's source of the digital copies stems from one fact: there's no other person that could have provided these performances.

The King of Kong:

Jace Hall's second, and most well known, method of claiming tape legitimacy is a side by side comparison with the *The King of Kong*. However, this method is proposterous, because *The King of Kong* does not show the screen load-up, which Jace Hall bases all his evidence on. One

cannot assert that matching gameplay automatically equates to matching load-up screen, especially considering the evidence to follow in part two. If simply the load-up screens were altered, there would be no way for anyone to know. Actually, just altering the load-screens is no insurmountable task, as stated by expert witness David Race:

“Please also keep in mind that if someone was going to alter or manipulate a recording, the gameplay is not in view here. Some have made the ridiculous claim that a forger would have to reproduce the game in its entirety. This does not logically follow. There are only a few frames between each board that would potentially have to be altered. Let’s be generous and say that 5 frames would need correction per transition with the maximum number of transitions for the 1,047,200 game at 122. That’s 610 frames which would account for less than 21 seconds of a 2.5-hour game, .2% of the entire recording. Someone who suggests this is an insurmountable feat would be greatly mistaken.”

Emails:

Jace Hall’s argument regarding emails proving the validity of the tapes is a difficult topic, because although Hall claims for his evidence to be solely in the public dispute thread, these emails are not present there. These emails will, without doubt, be subpoenaed if this comes to litigation, and the nature of them will be unveiled. More or less, it’s hard to imagine they’re meaningful, when every witness testimony is contrary to their supposed content.

Referees:

Perhaps the most interesting of Hall’s claims is witness testimony from former referees. It is the most interesting, because Hall refused to accept any of Mitchell’s numerous witnesses throughout the entire investigation. Meanwhile, he took this witness testimony against Mitchell, because it was convenient. These actions, among other things, will qualify as constitutional malice in a litigation setting. Moreover, Hall also did this in the Todd Rogers case, where he denied Rogers all witness testimony, and finished the investigation by citing first person testimony from one of Roger’s detractors as “damning information.”

Here’s a link to that article: https://www.twingalaxies.com/feed_details.php/104/twin-galaxies-dragster-dispute-concludes-with-banning-of-todd-rogers/5

The selective evidence standards for witness testimony is a commonality in Twin Galaxies investigations. Once again, such will qualify as constitutional malice.

More or less, I encourage the reader/lawyer to reason with themselves. Nobody prior to this dispute looked at the load-screens, and their testimony that the load-screens equal gameplay is only an assumption.



walter day

to

Thu, Aug 15, 9:25 AM (3 days ago)



I confirm that the statement regarding digitised copies of game play is correct and accurate. I only produced VHS copies and will sign the statement when I return to the USA.

Walter Day's email confirming that he has never distributed digital copies of anything, and has only worked with VHS tapes, disqualifying him as the source of these performances. At the time of this statement, Day was out of the country, and will sign a statement upon his return.

Part 2: Evidence of Tampering

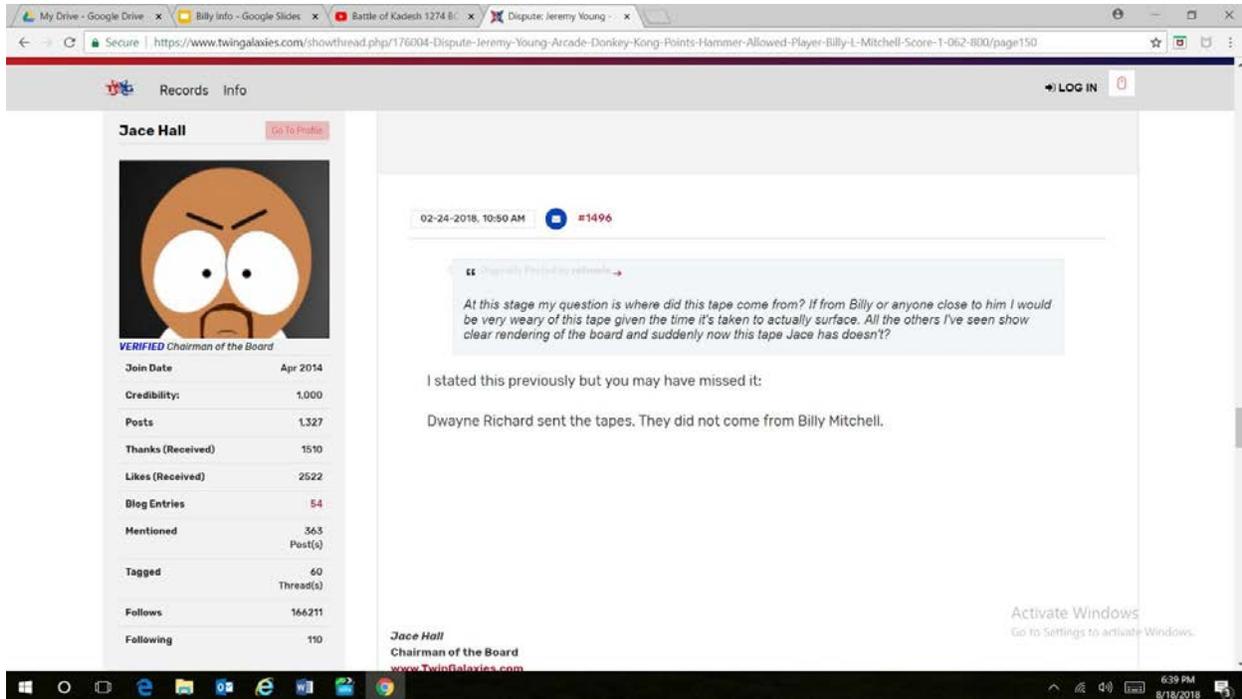
Description

The following part reviews the evidence that Billy Mitchell's tapes have a high probability of being tampered with. The part will begin with confirming Twin Galaxies' source for Billy Mitchell's performances.

Source:

For over a decade, Twin Galaxies lost the chain of custody of all Billy Mitchell's performances, not just Donkey Kong. Moreover, they lost custody to Dwayne Richard, who is the former owner of a website called fuckbillymitchell.com, and has a track record of taking actions to hurt Billy Mitchell. For example, Richard spent hundreds of thousands to make the Youtube movie's "The King of Con," and "The Perfect Fraudman." All these movies create falsified information in an attempt to derail and defame Mitchell's achievements and legacy. The source's open disdain for Billy Mitchell is very concerning, however this was ignored by Twin Galaxies.

In the words of Jace Hall: "I stated this previously but you may have missed it: Dwayne Richard sent the tapes. They did not come from Billy Mitchell" (Dispute Thread Post #1496).



Now let's move into the evidence of tampering:

Emails: The following two emails are from Dwayne Richard to Robert Childs. In the following emails, Richard speaks of a few things:

1. Looking for help from knowledgeable technicians to “make a score on dkong.” (Figure 1)
2. Saying he is learning how to modify boards (arcade hardware). (Figure 1)
3. Saying he has a “master plan” to take Billy Mitchell down, that there is “so so much on him he will be finished you wont believe whats going to happen.” (Figure 2)

Dwayne Richard to Robert Childs on Saturday, May 23, 2009 1:25PM:

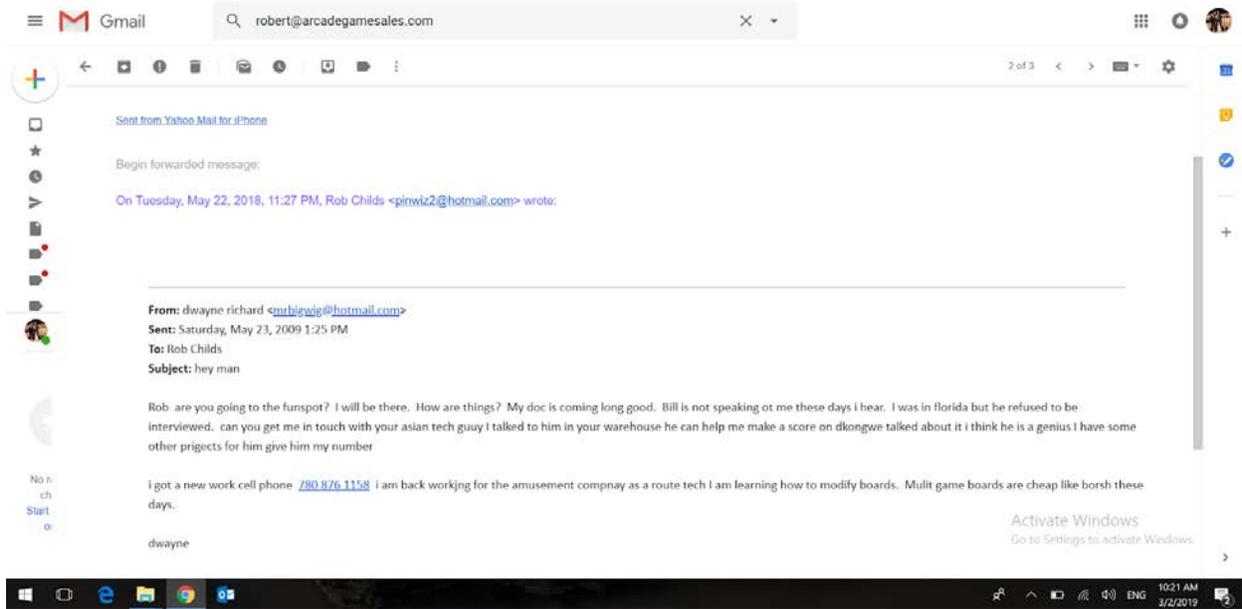


Figure 1. **Transcription:** "Rob are you going to Funspot? I will be there. How are things? My doc is coming long good. Bill is not speaking to me these days I hear. I was in florida but he refused to be interviewed. Can you get me in touch with you asian tech guuy I talked to him in your warehouse he can help me make a score on dkong we talked about it I think he is a genius I have some other projects for him give him my number.

I got a new work cell phone 780 876 1158 I am back to working for the amusement company as a route tech I am learning how to modify boards. Multi game boards are cheap like borsh these days.

dwayne"

Dwayne Richard to Robert Childs on Sunday, November 6, 2011 3:03PM

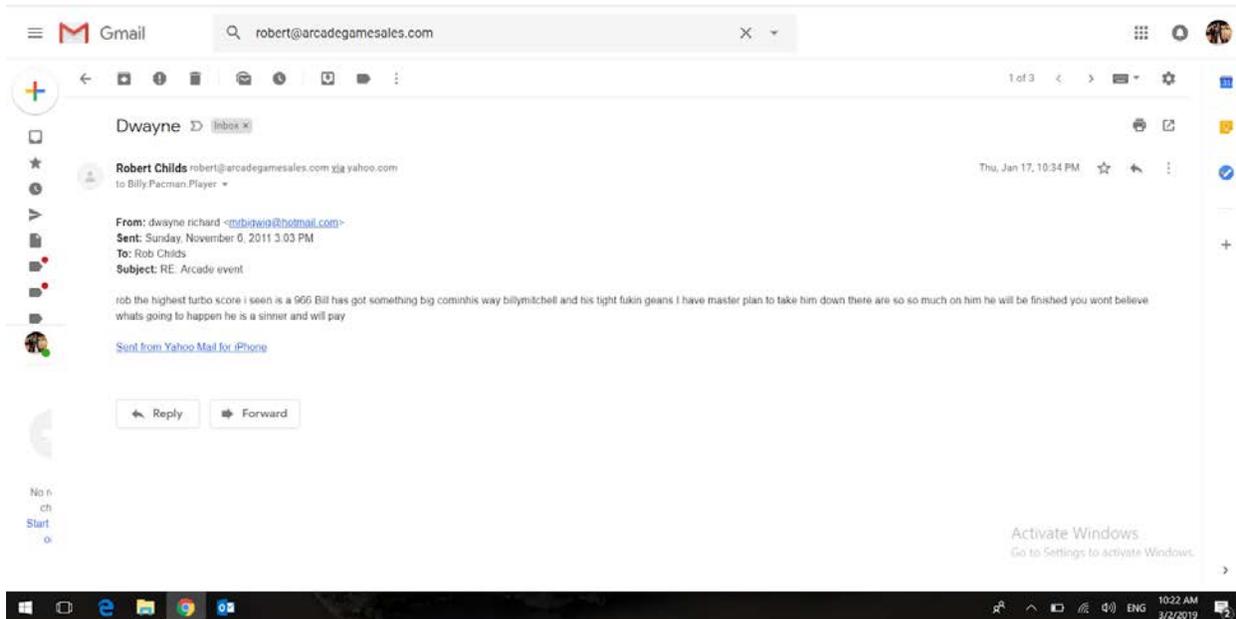


Figure 2. **Transcription:** "Rob the highest turbo score I seen is a 966 Billy has got something big coming his way Billy Mitchell and his tight fukin geans I have a master plan to take him down there are so so much on him he will be finished you won't believe whats going to happen he is a sinner and will pay."

Witness Testimony:

Another piece of evidence is that Dwayne Richard has personally asked two separate witnesses for help in faking a MAME tape. One of these witnesses has provided testimony, while the other, Richard's friend Rick Fothergill, has refused. The witness is Richard Vavarence, also known as Richie Knuckles, here's his testimony:

Richard "Richie Knucklez" Vavence Statement

I, Richard Vavence, aka "Richie Knucklez" attest to the following:

1. In 2009, in Laconia, New Hampshire, at the location of Funspot, Dwayne Richard proposed a plan to "fake a MAME score" technically, so as to "put egg on the face of Twin Galaxies."

That evening the idea was laughed off by the dinner group in attendance, as a funny joke.

2. Shortly after, Dwayne Richard contacted me by phone. He reiterated his request for technical assistance. He expressed the seriousness of his desire to embarrass Twin Galaxies.

I declined to be any part of a fraud as I realized he was serious.

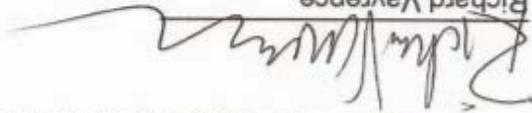
3. I find the current accusation of Mitchell too close to exactly what Richard planned in 2009 to be overlooked. The coincidences are far too close to be a coincidence, and the fact that he expressed his desire twice, once at dinner and once over the phone, showed his high level of desire to make it happen. It may be 8 years later, but the specifics are almost exactly the same.

4. Early in 2018, Jace Hall contacted me to acquire copies of a certain tape, as his only current source was Dwayne Richard. I did acquire another tape from former Twin Galaxies Referee Greg Erway. However, Erway expressed serious doubts over the tapes origins, and noted he could have received these DVD's from Richard. I informed Hall of this in advance. However, this information did not seem to concern him.

I declare under penalty of perjury under the laws of the state of California, Florida, and New Jersey that the foregoing is true and correct to the best of my knowledge.

Date
8 20 2019

Richard Vavence

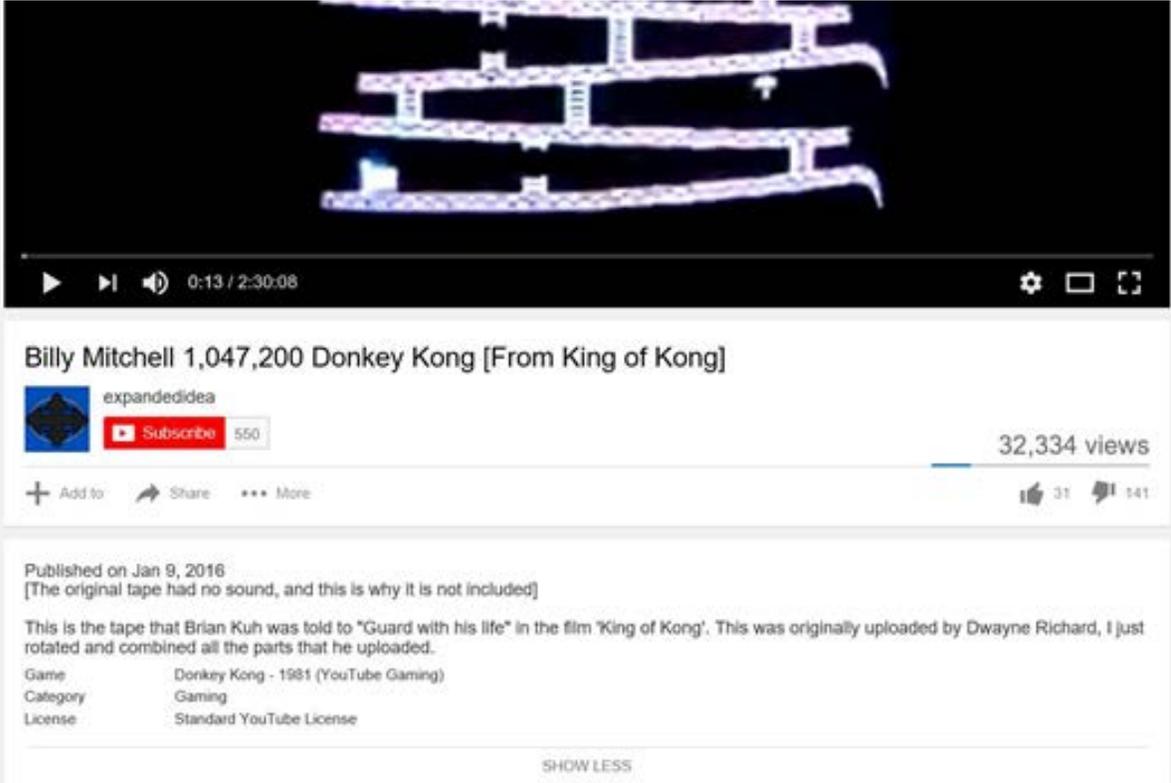


Forensic & Other Evidence:

Beyond the evidence provided, there is forensic evidence that these performances have been tampered with.

Youtube Uploads

These videos are the first known appearance of these tapes since they disappeared into Dwayne Richard's possession in 2009. The video was uploaded on January 9th, 2016. This screenshot shows the video and its description, which clearly states that the video was originally uploaded by Dwayne Richard. It also makes it clear that upon its upload, it was in "parts." In other words, it has been edited.



Billy Mitchell 1,047,200 Donkey Kong [From King of Kong]

expandedidea
Subscribe 550

32,334 views

+ Add to Share More

Published on Jan 9, 2016
[The original tape had no sound, and this is why it is not included]

This is the tape that Brian Kuh was told to "Guard with his life" in the film "King of Kong". This was originally uploaded by Dwayne Richard, I just rotated and combined all the parts that he uploaded.

Game Donkey Kong - 1981 (YouTube Gaming)
Category Gaming
License Standard YouTube License

SHOW LESS

Figure 3. **Transcription:** "This is the tape that Brian Kuh was told to "Guard with his life" in the film "King of Kong." This was originally uploaded by Dwayne Richard, I just rotated and combined all the parts he uploaded.

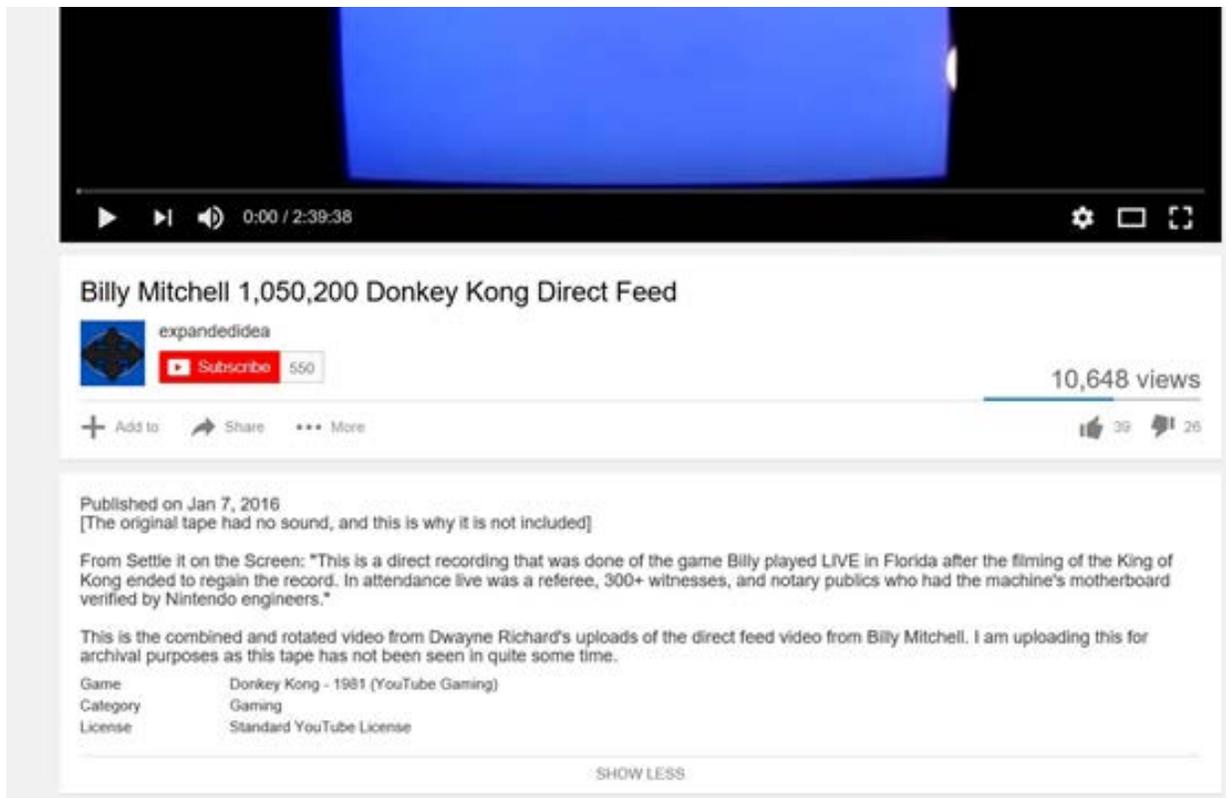


Figure 4. **Transcription:** "This is the combined and rotated video from Dwayne Richard's uploads of the direct feed video from Billy Mitchell. I am uploading this for archival purposes as this tape has not been seen in quite some time."

Moreover, even what Jeremy Young posted to the Twin Galaxies dispute thread was uploaded in parts.

Video in Parts

This picture contains the video footage posted by Jeremy Young to the Twin Galaxies Dispute Thread on October 15th, 2017. This picture shows the video split into parts in his posting, where parts one and two are shown. Part three is not shown in the picture, but is below part two in the post. This is Twin Galaxies Dispute Thread|post #144.

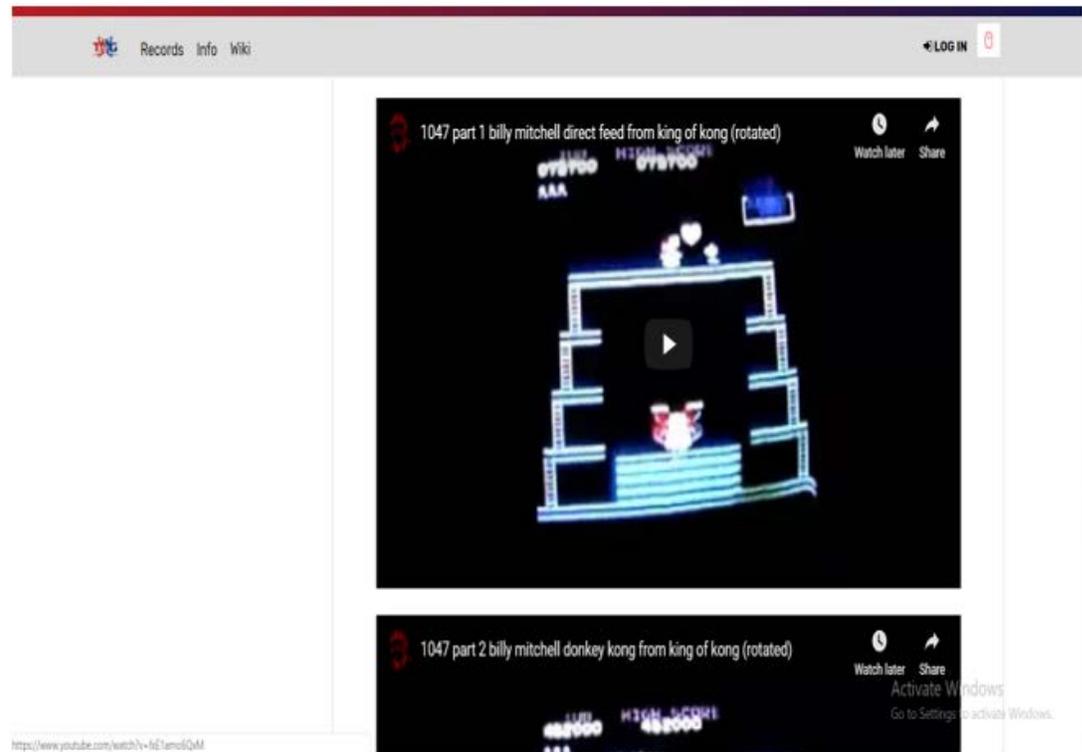


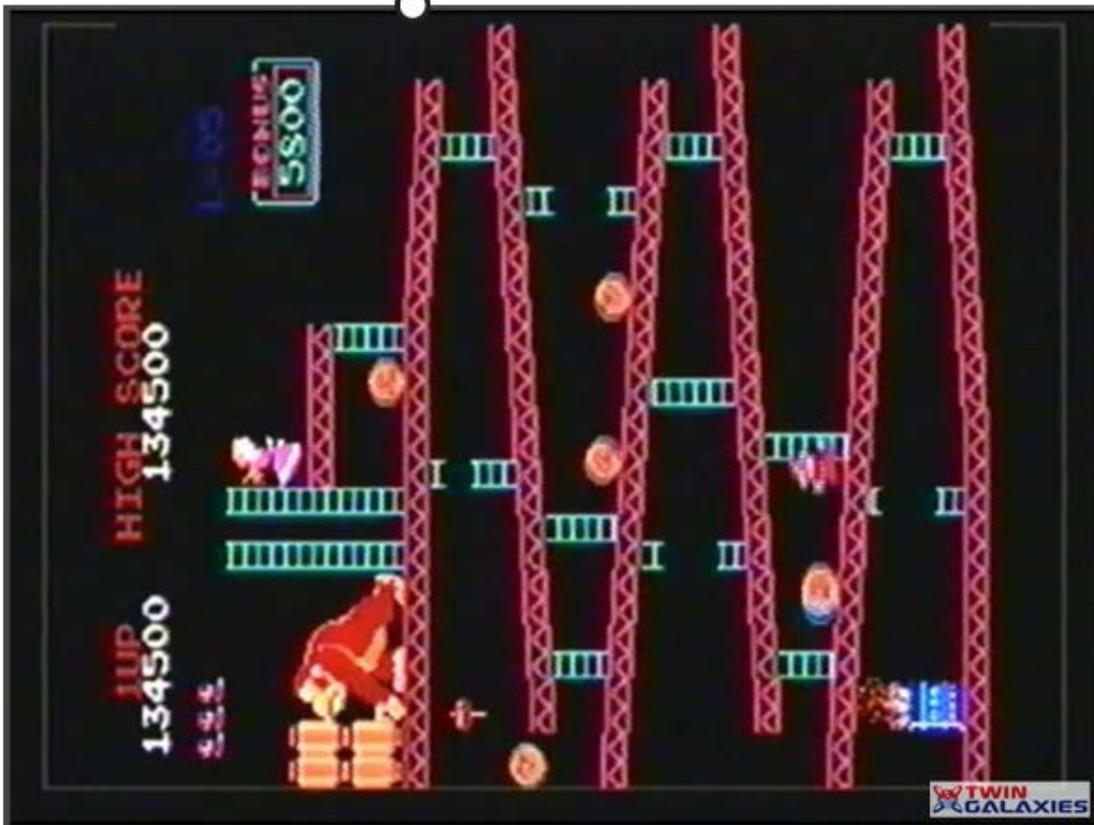
Figure 5. Jeremy Young posting the video in parts.

1,050,200 Borders

The 1,050,200 performance has digital copies that contain borders on the edges of the screen.

There are two only possible solutions for this. First, is if these copies have been through a digital editor. Moreover, there are digital copies of the 1,050,200 performance, and no particular reason that the tapes have been digitized. Second, this could originate from a computer as a part of the recording process.

There may or may not have been a computer involved, because there was a computer present. However, this phenomena is displayed on only one of the two Donkey Kong performances, and both performances used the same capture method. Therefore, the involvement of a computer does not fully explain this evidence.



711,400 Pie Factory: Tampering Error

Sometime in early to mid March 2018, Jace Hall did a Facebook Live stream where he goes through Billy Mitchell's alleged tapes with a live audience. In this performance, Hall stumbles across a frame issue he had not previously encountered.

In this issue, he discovers an excessive number of frames in a specific spot of the 1,050,200 performance. This spot was the load-up of the 711,400 pie factory screen. In this Hall discovers that the 1UP flasher, which is supposed to flash every eight frames, takes 24 whole frames to flash. This anomaly is dismissed by Hall as he says that "something else" is going on here.

Such a preponderance of excessive frames here has no explanation, except that the tape had been tampered with. This anomaly happens at no other points throughout either of the 2.5 hour performances. Moreover, there are other screen load-ups that seem to be abnormal, such as the frames at the 964,000 transition on the 1,050,200 tape.

Here's a link to the cited evidence: https://youtu.be/lirf4_jiX0Y?t=12575

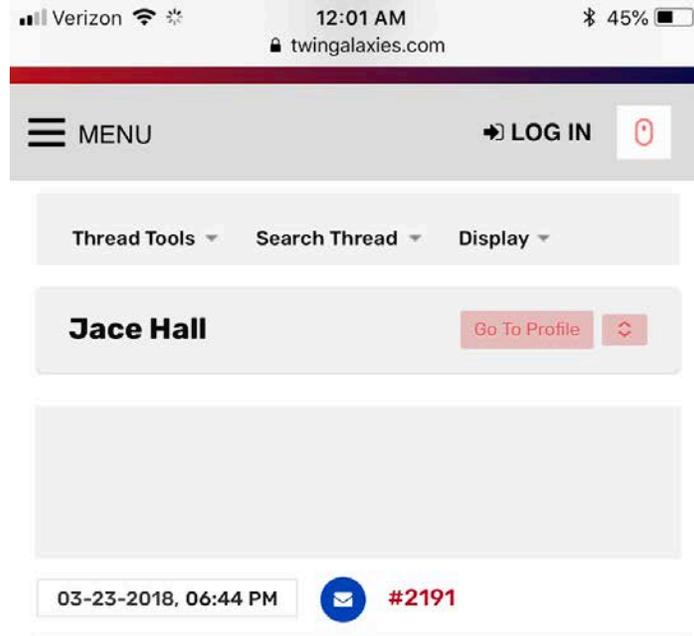
The Girder Finger

Please reference **section 11, part 3** for this evidence. This evidence reveals large issues with the claims that Billy Mitchell's tapes are unaltered, and the explanations for them are insufficient.

Jace Hall's Conflicting Testimony:

Throughout the dispute process, Hall made conflicting statements regarding the veracity of the tapes.

When Jace Hall posted the digital copies of the alleged Billy Mitchell performances, he stated the following in which he called the footage a liability:



“ Originally Posted by FBX →

I was just about to quote this part about "DO NOT DOWNLOAD" and ask what was up with that. ;-)

People should not repost the videos because it may create future liability for them - so it is best that this content stays within the walls of TG.

Jace Hall

Figure 6. Transcription: “People should not repost the videos because it may create future liability for them - so it is best that this content stays within the walls of TG.”

This post by Jace Hall is particularly interesting, because it shows that despite his actions and conflicting claims, he indeed entertained doubts about the tapes.

Furthermore, throughout the dispute, Hall maintained that although he did not have the original tape of Billy Mitchell's performances, he did retain copies of them. However, Hall has also stated the following:

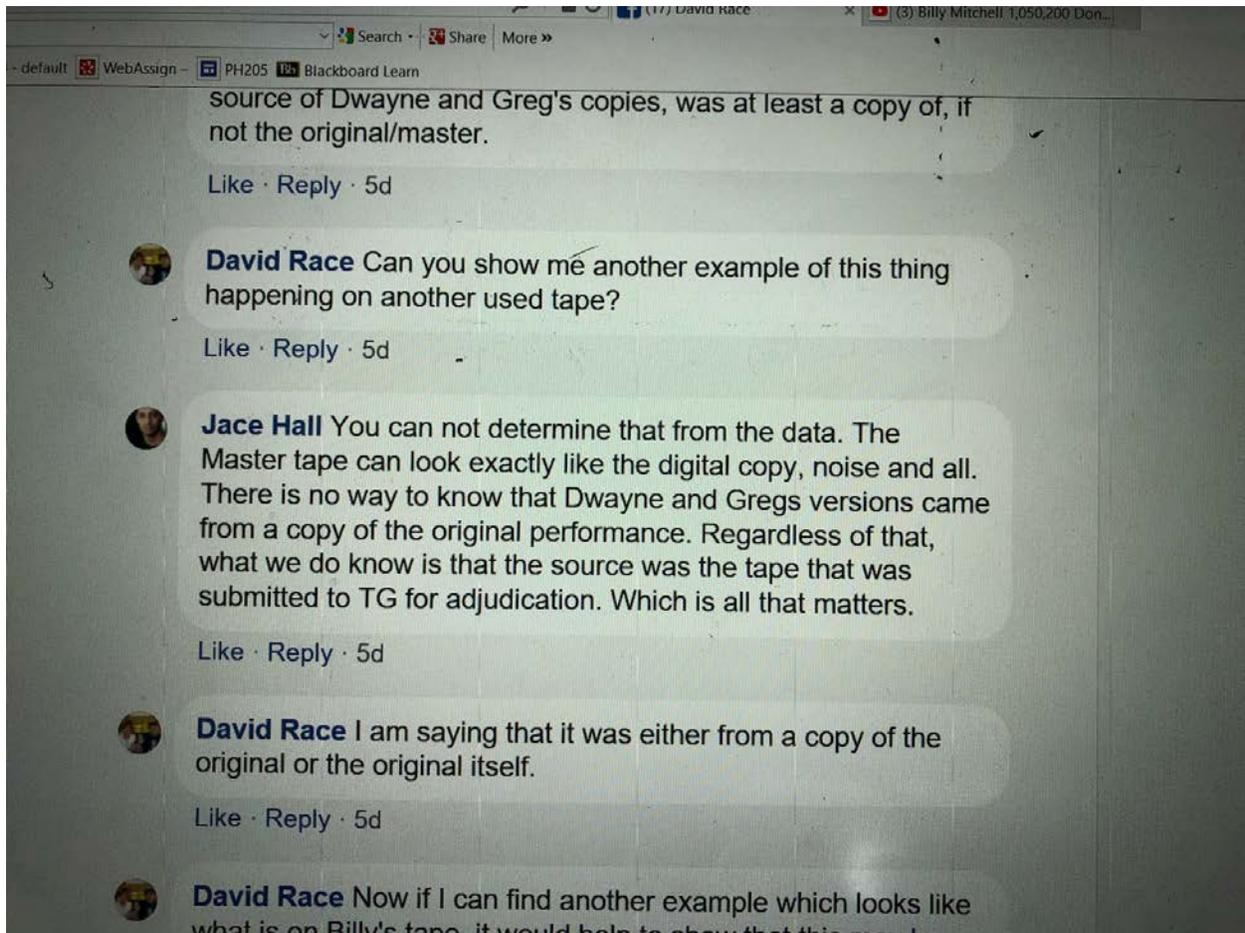


Figure 7. **Transcription:** "You can not determine that from the data. The master tape can look exactly like the digital copy, noise and all. There is no way to know that Dwayne and Greg's versions came from a copy of the original performance. Regardless of that, what we do know is that the source was the tape that was submitted to TG for adjudication. Which is all that matters."

Particularly interesting is "there is no way to know that Dwayne and Greg's versions came from a copy of the original performance." This is a clearly conflicting statement to his entire case. He outright states there's no way to know if this is a copy of Billy's Mitchell's original performance.

Moreover, the claim that "regardless of that, what we do know is that the source was the tape that was submitted to TG for adjudication. Which is all that matters" is a false statement. Billy Mitchell has never submitted a score via tape, this is supported by testimonies from Walter Day, Todd Rogers, and Billy Mitchell. Mitchell's records were done live, and submitted via live adjudication, not video tape, as claimed by Hall.

Refusal to Cooperate

After the Twin Galaxies and Guinness World Records statements, expert witness David Race requested Jace Hall allow him to inspect the questioned VHS tapes. Hall refused the request. Race then requested to Hall that he be sent frame perfect copies of the VHS tapes. Hall even refused this request as well. Hall's refusal to allow someone not biased against Mitchell to inspect the questionable VHS tapes should be viewed with extreme skepticism. Hall deliberately deprives anyone not biased against Mitchell to review these questioned tapes.

Section 3: 1,062,800 Witness Statements

Enzo Celani Statement

I, Enzo Celani, attest to the following:

1. I have been in video game operations and distribution since 1983. I am the local distributor in the South Florida area for Brady Distributing.
2. In July 2010, I was asked to provide a Donkey Kong machine for a high score event at Boomers. The machine I had available was owned by myself, and had been in both my distribution warehouse and in my home for quite some time.
3. I never by law or contract deal with anything other than authentic hardware from games or game manufacturers. I do not deal with anything that's non-licensed, this includes 60 in 1 games, emulators, or anything of that nature. I have first-hand knowledge of the Donkey Kong in question and agreed to loan it for the event at Boomers.
4. Matt Furgal picked up the Donkey Kong machine at the distributorship, and later returned it after the event. The machine returned in the same condition that it was loaned out. I was out of town during that weekend and therefore was not at the event, although I remember the circumstances outlined here very well, and confirm the authenticity of the hardware provided for the event.

I declare under penalty of perjury under the laws of the state of California and Florida that the foregoing is true and correct to the best of my knowledge.


Enzo Celani

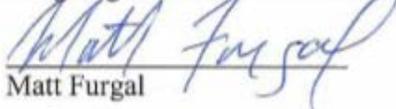
04 05 2019
Date

Matt Furgal Statement

I, Matt Furgal, attest to the following:

1. I have worked in the video game industry for more than 20 years. Much of my work is route operation pick up delivery, minor repairs, and diagnosis of arcade game cabinets.
2. I am extremely familiar with Donkey Kong cabinets, 60 in 1 cabinets, and anniversary cabinets. I am very familiar with the boards that go in them, and the connectors that facilitate those boards. This is relevant because Nintendo hardware has unique connectors to other cabinets including emulation cabinets.
3. In July 2010, Robert Childs asked me to pick up a Donkey Kong cabinet at the local distributorship, and to deliver it to Boomers for a high score event. I picked the game up, delivered to Boomers, met with management, and placed it in the designated area. I proceeded to hook up the machine to see to it that it was working well. I also checked the settings on the game to see to it that they were the correct factory settings Twin Galaxies rules outline. I did this responsibility with the Boomer's technician and management present.
4. Throughout the event, I frequently visited the situation to have reassurance that everything was operating correctly. The game situation, and its authenticity were consistent with what I delivered to Boomers days prior. During those visits, I saw Bill Mitchell, Robert Childs, Jack Becker, Boomer's management and staff, and I was introduced to Twin Galaxies personnel, one of which was an older gentleman introduced as the owner.
5. During a visit, in the late afternoon, I witnessed the final stages of the Donkey Kong high score.
6. Following the conclusion of the world record game, celebrations, handshakes, hugs, and congratulations ensued, which I remember well.
7. After the event, I picked up the machine from Boomers, and the machine was as I delivered it.
8. I am very knowledgeable about video games, coin-op games, authentic hardware, and 60 in 1's. I confirm that the machine delivered and used at the event was an authentic Donkey Kong machine. I also confirm the achievement, as I was present the moment it occurred.

I declare under penalty of perjury under the laws of the state of California and Florida that the foregoing is true and correct to the best of my knowledge.


Matt Furgal

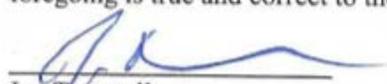
4 3 2019
Date

Joe Tortorella Statement

I, Joe Tortorella, attest to the following:

1. I was the manager at Boomers from 2000 to 2015. Any special and unique events held at Boomers went through me.
2. In July 2010, I was contacted in regards to a Billy Mitchell world record attempt. However, we did not have a Donkey Kong machine, so a machine from a local distributor was brought to Boomers for the event. The machine was delivered by Matt, who brought it from Enzo of Brady Distributing.
3. I, personally, directed placement of the game in Boomers. When placement was made, my staff and I verified the working condition of the machine, its settings, camera, and necessary recording equipment. Throughout my career, I've become very familiar with coin-op games, as I've been a technician for them. I personally trained most of my staff of technicians throughout those years.
4. It was easy to identify this as an authentic Donkey Kong machine based on the physical hardware inside the cabinet. During the performance, the backdoor of the machine was off, and all the internal hardware was viewable for anyone to check.
5. I was present the moment Billy Mitchell achieved the Donkey Kong score, and personally remember the celebrations.
6. Over that weekend, my staff and I regularly checked the integrity of the area during celebratory moments, such as high scores, along with small crowds that would witness the performance.
7. The machine remained at Boomers until Matt returned to retrieve it.
8. This event was witnessed by hundreds of customers, who viewed the event in curiosity.

I declare under penalty of perjury under the laws of the state of California and Florida that the foregoing is true and correct to the best of my knowledge.



Joe Tortorella

4 9 2019

Date

Jack Becker Statement

I, Jack Becker, attest to the following:

1. I have been in the arcade game machine business for more than 30 years. During that 30 year tenure, I've operated arcade game machines on routes and in arcades.
2. In July 2010, at the request of Robert Childs and Billy Mitchell, I contacted Boomers upper management to request cooperation to hold a high score event.
3. The upper management of Boomers was very accommodating as always. During the event, I visited and said hello to everyone I knew, and was introduced to Twin Galaxies ownership and staff.

I declare under penalty of perjury under the laws of the state of California and Florida that the foregoing is true and correct to the best of my knowledge.


Jack Becker

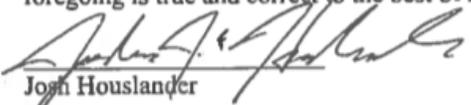

Date

Josh Houslander Statement

I, Josh Houslander, attest to the following:

1. I was a member of the Twin Galaxies staff for years, including 2010.
2. I was one of many Twin Galaxies staffers at the International Video Game Hall of Fame/Big Bang Event in Ottumwa, Iowa in 2010.
3. At that event, Twin Galaxies personnel had in their possession gameplay tapes of an event the week prior showing Billy Mitchell's performances on Donkey Kong and Donkey Kong Jr. It was said those tapes were world record scores achieved at Boomers arcade in Fort Lauderdale, Florida.
4. When I first saw the tapes in Twin Galaxies possessions, we were in our hotel suite and the group of us we're deciding if it was necessary, and/or if we were wanting to review the tapes to document or officiate the game play.
5. The staff present voted and easily decided that it was not necessary to authenticate the gameplay, because Twin Galaxies personnel were present during the actual event and a live referee adjudication does not require any video verification.
6. The many referees and personnel, including Twin Galaxies owner Pete Bouvier, all seemed very comfortable with this decision, and no one expressed any reservations. We were told that we could watch it for our own purposes of entertainment at a future time if desired.
7. I last saw those tapes in the possession of Twin Galaxies staff on Sunday at the Big Bang, and have not seen them since.

I declare under penalty of perjury under the laws of the states of California and Michigan that the foregoing is true and correct to the best of my knowledge.


Josh Houslander

07 04 2019

Date

Robert Childs Statement

I, Robert Childs, attest to the following:

1. I have been in the gaming industry as a seller and technician of arcade games for over 35 years. Billy Mitchell and I met sometime in our teenage years.
2. In 2003, my technicians used technical expertise I did not possess to set-up a direct feed recording to a Donkey Kong Arcade machine.

They created this direct feed set-up to allow Billy Mitchell's gameplay to be easily viewed by an audience at gaming events, such as arcade nights at my own arcade, the Florida Association of Mortgage Brokers Convention, and Home Remodeling Shows. I had no part in creating this initial direct feed set-up, and know very little about it. What I do know is that the machine this recording set-up was connected to was an original Donkey Kong Arcade machine, because this machine was provided by me.

3. In 2004, in my own warehouse/showroom, Billy Mitchell achieved a Donkey Kong score of 1,047,200 points on the same legitimate Donkey Kong Arcade machine with the same recording set-up.
4. In 2007, Billy Mitchell borrowed my same Donkey Kong Arcade machine for a world record attempt at the Florida Association of Mortgage Brokers Convention. I did not attend the event, but I know he achieved a score of 1,050,200 in front of hundreds of witnesses.
5. I did not have a part in the set-up of these performances, because my employees had already done it.
6. In 2010, I helped Billy Mitchell set-up and organize a Donkey Kong world record attempt at Boomers Arcade, because Billy Mitchell would only perform world records in public venues. The machine for this event was provided by Enzo Celani from Brady Distributing. Enzo is only licensed to work with authentic arcade hardware and his reputation has been impeccable for a long time, so I decided he was the best source to provide a machine.

I created the recording set-up for this game, and was directly involved in this event, along with other knowledgeable people in the industry. I do not remember the exact recording set-up used to capture the gameplay of this performance, as it was nine years ago. Nevertheless, Billy Mitchell achieved a world record of 1,062,800 points. At the conclusion of the game, present parties included Joe Tortorella, Matt Furgal, Pete Bouvier, two Twin Galaxies referees, Boomers personnel, and other spectators.

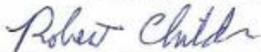
During this event, we also had a camera on a tripod over looking the room as Billy Mitchell played, and this video was also lost by Twin Galaxies.

7. Later on, I wanted to create a video of myself changing the game boards hoping to get publicity for my Youtube channel. I only had the Donkey Kong Jr. board, because I had put the Donkey Kong board in the car earlier in the day. Therefore, I just acted as if I was swapping two different boards when I was really putting the Donkey Kong Jr. board in the game, then taking it out. I didn't get the Donkey Kong board because I simply didn't feel it was necessary, because this video was for promotional purposes. This video was never, at any point, submitted or used as evidence to support Billy Mitchell's achievement. Any claim that it was used for that purpose is false; the video was nearly a satire.

8. At the beginning of the Twin Galaxies dispute, Billy and I were asked technical questions regarding how the anomalies on these alleged tapes could occur. Knowing that Billy and I were innocent of any wrong-doing, I provided the little to no information I retained regarding the equipment used in the 1,047,200 score and 1,050,200 score.

However, I had no idea how malicious this deceptive "investigation" would become. Ultimately, the information I provided was twisted into "Robert Childs set up the recording, he knows 100% what the set-up was, and the exact equipment used." None of those claims were true at all. Any claim like this made by Twin Galaxies, or any other entity, is nothing but an assumption. I was not involved with the scores analyzed by Twin Galaxies. I only had some involvement with the 1,062,800 score. The small knowledge I provided was given in good faith, because we were innocent of wrong-doing, but the malicious people involved made assumptions and twisted my words. If I could have foreseen their actions, I would not have provided this information.

I declare under penalty of perjury under the laws of the state of California and Florida that the foregoing is true and correct to the best of my knowledge.



Robert Childs

7 25 2019
Date

William Mitchell Statement

I, William Mitchell, aka "Billy Mitchell," attest to the following:

1. In July 2010, at Boomers Arcade in Ft. Lauderdale, Florida, I achieved a world record Donkey Kong score of 1,062,800. I chose the location due to its tenure as one of the world's largest arcade. Specifically, I played there in the 1980's, when it was called "Grand Prix," and have very fond memories. These reasons made this location an easy choice.
2. It required many attempts over a period of time to achieve the score. That weekend, many people passed to watch me play. Most notably, I remember Twin Galaxies owner Pete Bouvier, Matt Furgal, Robert Childs, Todd Rogers, Kimberly Mahoney, and Joe Tortorella being present at times throughout the weekend.

I do not remember all the present parties at the moment I achieved the score, however I know Todd R

3. I remember the machine being provided by Brady Distributing, an official distributor in the area that is only licensed to work with original hardware. Furthermore, the machine's legitimacy was confirmed by several technically knowledgeable people, such as Robert Childs, Matt Furgal, and Joe Tortorella. These three people are very well ware of arcade hardware originality and legitimacy.

Furthermore, Todd Rogers and his girlfriend Kimberly Mahoney were present. Both had witnessed me achieve Donkey Kong world records prior to this event and knew what an original Donkey Kong machine looked like.

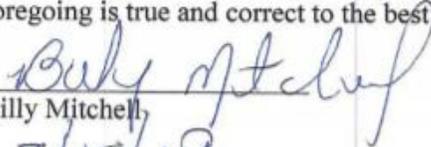
4. Throughout my time playing, the back of the machine was left open for the entire public to view. If at any point there was anything abnormal occurring, the entire world could have seen. Moreover, there was a large tripod recording the room during my performance. The footage of this tripod's room recording was provided to Twin Galaxies, however they lost custody of the footage, and to this day, have not recovered it.
5. I achieved the Donkey Kong score in the afternoon, and at dinner with Todd Rogers, I was convinced to attempt my planned Donkey Kong Jr. world record. I had planned on attempting it the next day, however, Todd's words motivated me to at least attempt that night. Around midnight, I achieved the Donkey Kong Jr. score of 1,270,900 points, and had accomplished my goals of retaking these records.

The moment I achieved the Donkey Kong Jr score, most people had gone home since it was late at night. However, Todd Rogers was present.

6. After the performances, Robert Child's wanted to create a video swapping game boards to get views for his Youtube channel. As his friend, I wanted to help him, and complied with his request. This "Board Swap Video," was his video, and only for his use. I never used this video to support my scores and did not submit it to Twin Galaxies as evidence. I have never

spoken of it to provide support for my scores. The video was not uploaded to Youtube by me. Claims that I used this video to provide support or credibility to my score are objectively false and have no evidence to support them; they are an attempt to divert focus from more important topics. This video occurred long after the end of my performances, and the recording equipment had been packed up.

I declare under penalty of perjury under the laws of the state of California and Florida that the foregoing is true and correct to the best of my knowledge.


Billy Mitchell
8/15/19
Date

Section 4: 1,050,200 Witness Statements

Sheila Kiniry Statement

I, Sheila Kiniry, attest to the following:

1. On or about, October 2006, the Florida Association of Mortgage Brokers began to plan our July 2007 convention. It was an 80's themed convention, and as a result, one of the targeted guests we wanted to feature was Billy Mitchell. Having lived in South Florida my whole life, and being very familiar with Billy Mitchell and his accomplishments, I took the delegation of reaching out to him in effort to secure his participation. At first, Billy did not respond to the offer, after which he eventually declined it. In late January, Billy Mitchell agreed to the offer, and was scheduled to participate in the event in July.
2. From the beginning, Billy Mitchell notified us that he would be making a record attempt at the event. Along with Billy, I was contacted by Walter Day and informed that a game board would be shipped directly to the venue, addressed to me, from Nintendo, and a local Gamestop manager would be meeting me to install the board. The board was received and held by the hotel security. The Gamestop manager arrived, and as per Walter Day's instructions, installed the board in the game cabinet, verified the settings, and recording equipment, pack-locked the machine closed with a master lock, and left with the key. The Gamestop manager did not return with the key until a few days after the event was concluded.
3. During the event, Billy played in a very large convention room, and interacted with and performed in front of thousands of people, myself included.
4. Throughout the event, and certainly during all important moments, I was within a few feet watching the activities. When the score was achieved, there was a lot of congratulations, hand-shakes, and appreciations. Along with myself and other members of the FMBA, there were two Twin Galaxies scoreboard referee's present. After Billy was finished with the gameplay as a whole, the machine was put back into a secured location in the hotel.
5. At the end of the weekend, the Gamestop manager returned, opened the cabinet, removed the game board, and I had the responsibility of shipping the board back to Nintendo, where I was told they would recertify its authenticity. The installation and removal of the board was all videotaped and mailed to Twin Galaxies.
6. I am still a member of the FMBA, and many of the members I worked with are still active members now. All of this information is very available very public, and quite memorable.

I declare under penalty of perjury under the laws of the state of California and Florida that the foregoing is true and correct to the best of my knowledge.


Sheila Kiniry

04 04 2019
Date

Robert Childs Statement

I, Robert Childs, attest to the following:

1. I have been in the gaming industry as a seller and technician of arcade games for over 35 years. Billy Mitchell and I met sometime in our teenage years.
2. In 2003, my technicians used technical expertise I did not possess to set-up a direct feed recording to a Donkey Kong Arcade machine.

They created this direct feed set-up to allow Billy Mitchell's gameplay to be easily viewed by an audience at gaming events, such as arcade nights at my own arcade, the Florida Association of Mortgage Brokers Convention, and Home Remodeling Shows. I had no part in creating this initial direct feed set-up, and know very little about it. What I do know is that the machine this recording set-up was connected to was an original Donkey Kong Arcade machine, because this machine was provided by me.

3. In 2004, in my own warehouse/showroom, Billy Mitchell achieved a Donkey Kong score of 1,047,200 points on the same legitimate Donkey Kong Arcade machine with the same recording set-up.
4. In 2007, Billy Mitchell borrowed my same Donkey Kong Arcade machine for a world record attempt at the Florida Association of Mortgage Brokers Convention. I did not attend the event, but I know he achieved a score of 1,050,200 in front of hundreds of witnesses.
5. I did not have a part in the set-up of these performances, because my employees had already done it.
6. In 2010, I helped Billy Mitchell set-up and organize a Donkey Kong world record attempt at Boomers Arcade, because Billy Mitchell would only perform world records in public venues. The machine for this event was provided by Enzo Celani from Brady Distributing. Enzo is only licensed to work with authentic arcade hardware and his reputation has been impeccable for a long time, so I decided he was the best source to provide a machine.

I created the recording set-up for this game, and was directly involved in this event, along with other knowledgeable people in the industry. I do not remember the exact recording set-up used to capture the gameplay of this performance, as it was nine years ago. Nevertheless, Billy Mitchell achieved a world record of 1,062,800 points. At the conclusion of the game, present parties included Joe Tortorella, Matt Furgal, Pete Bouvier, two Twin Galaxies referees, Boomers personnel, and other spectators.

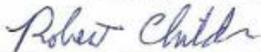
During this event, we also had a camera on a tripod over looking the room as Billy Mitchell played, and this video was also lost by Twin Galaxies.

7. Later on, I wanted to create a video of myself changing the game boards hoping to get publicity for my Youtube channel. I only had the Donkey Kong Jr. board, because I had put the Donkey Kong board in the car earlier in the day. Therefore, I just acted as if I was swapping two different boards when I was really putting the Donkey Kong Jr. board in the game, then taking it out. I didn't get the Donkey Kong board because I simply didn't feel it was necessary, because this video was for promotional purposes. This video was never, at any point, submitted or used as evidence to support Billy Mitchell's achievement. Any claim that it was used for that purpose is false; the video was nearly a satire.

8. At the beginning of the Twin Galaxies dispute, Billy and I were asked technical questions regarding how the anomalies on these alleged tapes could occur. Knowing that Billy and I were innocent of any wrong-doing, I provided the little to no information I retained regarding the equipment used in the 1,047,200 score and 1,050,200 score.

However, I had no idea how malicious this deceptive "investigation" would become. Ultimately, the information I provided was twisted into "Robert Childs set up the recording, he knows 100% what the set-up was, and the exact equipment used." None of those claims were true at all. Any claim like this made by Twin Galaxies, or any other entity, is nothing but an assumption. I was not involved with the scores analyzed by Twin Galaxies. I only had some involvement with the 1,062,800 score. The small knowledge I provided was given in good faith, because we were innocent of wrong-doing, but the malicious people involved made assumptions and twisted my words. If I could have foreseen their actions, I would not have provided this information.

I declare under penalty of perjury under the laws of the state of California and Florida that the foregoing is true and correct to the best of my knowledge.



Robert Childs

7 25 2019
Date

William "Billy" Mitchell Statement

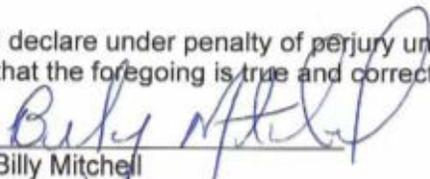
I, William Mitchell, aka "Billy Mitchell" attest to the following:

1. On or about January 2007, I decided to begin practicing Donkey Kong again to prepare for a new world record attempt. I had a paid appearance contract with the Florida Association of Mortgage Brokers in July 2007. Approximately one month prior to the release of "The King Of Kong: A Fistful Of Quarters." This appeared as the perfect time, and opportunity to break the world record again.
2. Sometime in June, I made Walter Day aware of my intention. He and I both expressed concern, and desire, to avoid the negative mob mentality that surrounded many of Steve Wiebe's performance. To avoid that, we agreed to send a Donkey Kong game board to Nintendo to be certified as authentic.
3. After many failed attempts, I was fortunate enough to get an engineer on the phone. This engineer's name was Wayne Shirk, and he was the Senior Engineer at Nintendo. He immediately revealed to me that he was aware of who I was. I explained our desire to protect ourselves from the detractors and he agreed to help us. Shirk explained that he'd been at Nintendo since the 1980's, and was extremely familiar all aspects of the hardware.
4. The game board was sent to him. He received it, and after about a week, he contacted me, saying his work had been complete. He said he went over everything on the board, down to small details. Then, Shirk said he was read to ship it back.
5. I provided Shirk the mailing address of the venue, and he subsequently sent the game board there. The board arrived shortly before the event. The board was received and held by hotel security. Walter Day, along with Shela Kiniry, arranged for a local Gamestop manager to secure the board inside the cabinet. The Gamestop manager arrived, installed the board in the cabinet, verified the settings and recording equipment, pad-locked the machine closed, and left with the key. The entire process was recorded by Kiniry, and provided to Twin Galaxies.
6. At the event, I was in a very large room interacting with guests who numbered in the thousands. During the event, the gameplay was not only visible on the game screen, but was also visible on a TV above the cabinet to give the guests greater viewing capability. When the score was achieved, there were dozens of people within my eyeshot, and standing next to me was a number of Florida Association of Mortgage Brokers staffers, including Shela Kiniry. Furthermore, there were two Twin Galaxies referees present, who documented the game's progression as I played.

After some congratulations and celebration, the cabinet was returned to the security area of the venue, where it awaited the return of the Gamestop manager.

7. I was not present, but it was reported to me by Kiniry, that the Gamestop manager returned, unlocked the cabinet, retrieved the board, and gave it to Kiniry. She shipped the board back to Shirk at Nintendo, who recertified the board as authentic. Shirk then shipped the board back to me. Furthermore, Kiniry filmed the board's retrieval from the cabinet, and this footage was also provided to Twin Galaxies.
8. I never, at any point, had custody of the game board between it being shipped to Shirk, the performance, and the recertification. I went through this incredible effort to ensure my ability to defend myself in the case of false accusations, such as those made by Twin Galaxies, Guinness World Records, and Donkey Kong Forum.
9. Furthermore, this performance was live adjudication by Twin Galaxies referees. All the footage, from the performance to the cabinet certification was provided to Twin Galaxies for additional evidence. It was not necessary to the score's acceptance. All the events were done at the directives of Twin Galaxies owner Walter Day, all I did was go up to the machine and play.
10. During the Twin Galaxies investigation, Jace Hall was made aware of all the events noted in this statement, and the witnesses were made available to him. In Hall's words, he "didn't care" and it "didn't matter. Hall made it clear that he would not even hear what the witnesses had to say. He said he was an engineer, knew more about this than anybody, had better equipment than anybody, and there was nothing anyone could teach him. These opinions, statements, and attitudes grew stronger as time went on. Eventually, it became clear that no evidence would stop him from his goal of removing my scores in a publicly extravagant fashion.

I declare under penalty of perjury under the laws of the state of California and Florida that the foregoing is true and correct to the best of my knowledge.


Billy Mitchell

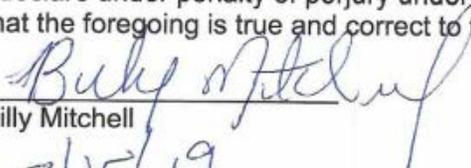
4/1/19
Date

William "Billy" Mitchell Statement

I, William Mitchell, aka "Billy Mitchell" attest to the following:

1. On or about January 2007, I decided to begin practicing Donkey Kong again to prepare for a new world record attempt. I had a paid appearance contract with the Florida Association of Mortgage Brokers in July 2007. Approximately one month prior to the release of "The King of Kong: A Fistful Of Quarters." This appeared as the perfect time, and opportunity to break the world record again.
2. Prior to the game, with the help of Walter Day, Sheila Kiniry of the Florida Mortgage Brokers, I had the game board hardware certified by the Senior Engineer at Nintendo, Wayne Shirk.
3. At Mortgage Brokers convention, in Orlando, Florida, in the Rosen Shingle Creek Hotel & Resort, I played in front of a large crowd in the center of a large convention room.
4. I achieved the score on the second day of the event. The score was 1,050,200. When I achieved the score, Sheila Kiniry, Todd Rogers, and Todd Roger's girlfriend were present.
5. For my own reasons, I decided to end the game early at 1,050,200 points.
6. The score was submitted to Twin Galaxies through live referee adjudication by Todd Rogers and his girlfriend, Kimberly Mahoney. The recording of this score was for entertainment purposes and future use, and at no point was it adjudicated by Twin Galaxies. Notably, Twin Galaxies referees refused to verify it via tape, because there was live referee verification.

I declare under penalty of perjury under the laws of the state of California and Florida that the foregoing is true and correct to the best of my knowledge.


Billy Mitchell

8/15/19
Date

I, Todd Rogers, attest to the following:

1. In June 2007, as Twin Galaxies Chief Referee, I was contacted by Walter Day and asked to referee an event in Orlando, Florida. The event was Billy Mitchell's Donkey Kong world record attempt at the Mortgage Brokers Convention. I decided to handle this routine event, along with companion referee Kimberly Mahone, because it was a little more than hour away from my home.
2. The convention was inside the Rosen Shingle Creek Hotel and Resort in Orlando and the game setup was in the center of a very large convention room. The TV and recording equipment were visible on top of the machine, and there was constantly a large presence of attendees and FMBA staff throughout the entire event. There were other games and activities going on as well. However, Billy was the featured guest, so area was certainly the most popular section.
3. As the game progressed, I logged each score or death at the end of each board to record the progress in detail. For reasons of his own, Billy purposely ended his game several boards before the kill screen. When the score was achieved, 1,050,200 FAMB staff and attendees were present in large numbers. Billy was given congratulations, and phone calls were made to Walter Day confirming the situation.
4. This was an original Nintendo Donkey Kong machine as I have known since 1981. The gameplay was recorded via direct feed in an effort to create a high quality viewing experience. The machine was padlocked throughout the entire performance, and remained so after we left the venue. After the event, I was told that the manager of the local GameStop would be stopping by to unlock the back of the game, and retrieve the game board for further inspection by Nintendo.
5. Verification of this gameplay was one of probably hundreds that I have done or been apart of. I continued in my position with Twin Galaxies until approximately 2012, when the company changed hands.

I declare under penalty of perjury under the laws of the state of California and Florida that the foregoing is true and correct to the best of my knowledge.



Todd Rogers

03 .27.2019

Date

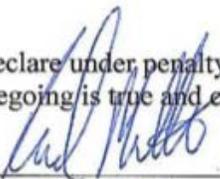


Richard Mallion Statement

I, Richard Mallion, attest to the following:

1. In July of 2007 I attended the Florida Association of Mortgage Brokers Convention in Orlando, Florida.
2. The convention was a 1980's-themed event, and Billy Mitchell was invited to play video games. I found this of great interest, having grown up during the age of arcade video games.
3. During the event, Billy played in a very large convention room, and interacted with and performed for the entire convention. I did not watch the entire performance, but rather circulated around the convention and would pass by Billy's booth at various points to ask the referees about his progress.
4. At different points, as I passed by the game, Billy garnered more and more attention as it was said he was approaching his target score. As his score increased, I, along with many other attendees, watched Billy's score reach beyond one million points. Moments later, I saw him achieve his targeted score, although I do not recall the exact number. Everyone was excited, and the atmosphere was celebratory.
5. I remember shaking his hand and congratulating him as many other people did, as well.

I declare under penalty of perjury under the laws of the state of California and Florida that the foregoing is true and correct to the best of my knowledge.


Richard Mallion

Date

7/12/19

Section 5: 1,047,200 Witness Statements

William "Billy" Mitchell Statement

I, William Mitchell, aka "Billy Mitchell" attest to the following:

1. In 2004, at my friend Robert Child's arcade, I achieved a Donkey Kong score of 1,047,200 on a legitimate Donkey Kong Arcade machine.
2. In June 2005, I allowed Brian Kuh, who possessed of the tape for a considerable time, to display my performance at the Funspot ACAM event. I provided Kuh explicit instructions that the score was not for submission, and he made that clear.

Any documentation in the King of Kong, such as the scene where I hand Doris Self a VHS tape, is inaccurate. Actually, in the King of Kong movie, the tape I hand Doris Cell is a WWE Wrestling tape, not my 1,047,200 performance.

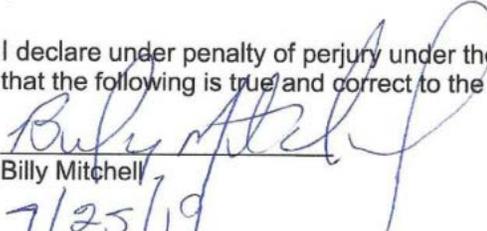
3. The movie's portrayal that I submitted this performance is fictitious. It omits all evidence that I didn't such as the film footage of Brian Kuh stating "this is not a score submission, this is for entertainment purposes only."
4. I have never, under any circumstances submitted a video taped world record. I only submit scores done live, in public venues, under proper adjudication. On numerous occasions, I have not submitted world record scores in order to uphold my own standard, which I hold dear. For example, my 1,014,400 Donkey Kong score, and my 941,000 Ms. Pac-man score, which were both world records at the time.
5. During the Twin Galaxies investigation, in early March, I explained to Jace Hall that I never submitted the 1,047,200 performance. Hall responded by citing the King of Kong movie as proof to the contrary, stating "there were half a dozen referees in the cabin verifying the tape that night."

I responded first by calling out his claim the referees were adjudicating that tape, and I challenged him to ask those referees if they were adjudicating or documenting in any way. They were only watching in passing or for entertainment. Additionally, I explained that I could acquire and provide footage debunking the movie, which shows Brian Kuh stating "this is not a score submission, this is for entertainment purposes only."

6. Hall rejected my offer to provide this evidence, saying "you benefitted from it." In other words, Hall conceded that I was correct, but he didn't care, and that he would attack me regardless. Hall wouldn't even take testimony from Walter Day, the previous Twin Galaxies owner.
7. Afterward, I continued to offer this video evidence, along with the witnesses who accompany it, such as the producers who worked with the King of Kong production team. However, Hall maintained his rejection of this evidence, saying he wouldn't even look at it.

8. I find it very hypocritical that Hall refused my offer of historical video evidence while continuing to cite the King of Kong movie as historical video evidence. Actually, Hall even continued to cite the movie as evidence that I submitted the score even though I offered the counter evidence. I know this, because Eric Tessler exchanged Facebook messages with Hall. In these messages, Hall cites the movie as evidence that the score was submitted. Not only did Hall reject my evidence, but he even moved on as if it didn't exist.
9. This event was another occurrence of Jace Hall selectively choosing what evidence he'll consider admissible, and what evidence will not. He'll accept the evidence the producers chose for the plot, but he won't accept the evidence on the cutting-room floor.

I declare under penalty of perjury under the laws of the states of California and Florida that the following is true and correct to the best of my knowledge.


Billy Mitchell

7/25/19
Date

Robert Childs Statement

I, Robert Childs, attest to the following:

1. I have been in the gaming industry as a seller and technician of arcade games for over 35 years. Billy Mitchell and I met sometime in our teenage years.
2. In 2003, my technicians used technical expertise I did not possess to set-up a direct feed recording to a Donkey Kong Arcade machine.

They created this direct feed set-up to allow Billy Mitchell's gameplay to be easily viewed by an audience at gaming events, such as arcade nights at my own arcade, the Florida Association of Mortgage Brokers Convention, and Home Remodeling Shows. I had no part in creating this initial direct feed set-up, and know very little about it. What I do know is that the machine this recording set-up was connected to was an original Donkey Kong Arcade machine, because this machine was provided by me.

3. In 2004, in my own warehouse/showroom, Billy Mitchell achieved a Donkey Kong score of 1,047,200 points on the same legitimate Donkey Kong Arcade machine with the same recording set-up.
4. In 2007, Billy Mitchell borrowed my same Donkey Kong Arcade machine for a world record attempt at the Florida Association of Mortgage Brokers Convention. I did not attend the event, but I know he achieved a score of 1,050,200 in front of hundreds of witnesses.
5. I did not have a part in the set-up of these performances, because my employees had already done it.
6. In 2010, I helped Billy Mitchell set-up and organize a Donkey Kong world record attempt at Boomers Arcade, because Billy Mitchell would only perform world records in public venues. The machine for this event was provided by Enzo Celani from Brady Distributing. Enzo is only licensed to work with authentic arcade hardware and his reputation has been impeccable for a long time, so I decided he was the best source to provide a machine.

I created the recording set-up for this game, and was directly involved in this event, along with other knowledgeable people in the industry. I do not remember the exact recording set-up used to capture the gameplay of this performance, as it was nine years ago. Nevertheless, Billy Mitchell achieved a world record of 1,062,800 points. At the conclusion of the game, present parties included Joe Tortorella, Matt Furgal, Pete Bouvier, two Twin Galaxies referees, Boomers personnel, and other spectators.

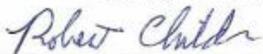
During this event, we also had a camera on a tripod over looking the room as Billy Mitchell played, and this video was also lost by Twin Galaxies.

7. Later on, I wanted to create a video of myself changing the game boards hoping to get publicity for my Youtube channel. I only had the Donkey Kong Jr. board, because I had put the Donkey Kong board in the car earlier in the day. Therefore, I just acted as if I was swapping two different boards when I was really putting the Donkey Kong Jr. board in the game, then taking it out. I didn't get the Donkey Kong board because I simply didn't feel it was necessary, because this video was for promotional purposes. This video was never, at any point, submitted or used as evidence to support Billy Mitchell's achievement. Any claim that it was used for that purpose is false; the video was nearly a satire.

8. At the beginning of the Twin Galaxies dispute, Billy and I were asked technical questions regarding how the anomalies on these alleged tapes could occur. Knowing that Billy and I were innocent of any wrong-doing, I provided the little to no information I retained regarding the equipment used in the 1,047,200 score and 1,050,200 score.

However, I had no idea how malicious this deceptive "investigation" would become. Ultimately, the information I provided was twisted into "Robert Childs set up the recording, he knows 100% what the set-up was, and the exact equipment used." None of those claims were true at all. Any claim like this made by Twin Galaxies, or any other entity, is nothing but an assumption. I was not involved with the scores analyzed by Twin Galaxies. I only had some involvement with the 1,062,800 score. The small knowledge I provided was given in good faith, because we were innocent of wrong-doing, but the malicious people involved made assumptions and twisted my words. If I could have foreseen their actions, I would not have provided this information.

I declare under penalty of perjury under the laws of the state of California and Florida that the foregoing is true and correct to the best of my knowledge.



Robert Childs

7 25 2019

Date

Section 6: Perfect Pac-man Evidence

Description

The following section contains the evidence regarding Billy Mitchell's Perfect Pac-man score. This section is divided into two parts. Part one begins with the evidence in defense of the score, which includes witness statements and media articles. One article is Funspot's own article, written after the completion of Billy Mitchell's achievement in 1999. Another, written in 2008, provides information about the score, and has Bally Midway's own spokesperson saying Mitchell was the first person to achieve it.

Part two contains the defamation Guinness World Record's and Twin Galaxies has caused to Billy Mitchell. This includes their spokesperson's words to media outlets, like Variety Magazine, and their quarter-page publication in their 2019 Gamers Edition Book. This quarter-page publication is most likely one of the most, if not the most, defamatory print ever produced about Billy Mitchell.

I would like to remind the reader, Twin Galaxies, nor Guinness World Records, has any evidence to support the claims made against this score.

Part 1: Defending The Score

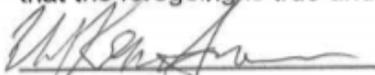
Ken Sweet Statement

I, Ken Sweet, attest to the following:

1. I worked in the game industry from the early 1990s, and until the mid-2000s. Throughout most of those years, my responsibilities included maintaining arcade games, promoting contests and competitive gaming at many different events and venues. I also performed journalistic activities such as press releases and interviews. I was also a Twin Galaxies employee. The majority of my time was spent at Funspot in Laconia, New Hampshire, as a manager.
2. During my management time at Funspot, I came to know Billy Mitchell, Walter Day, and Twin Galaxies very well.
3. Funspot quickly became the primary travel location in the nation for players to play and compete for high scores, including world records, as all of our games were put on tournament settings in preparation for world record attempts.
4. I personally set up a lot of the games and ensured they were on the correct settings.
5. In the summer of 1999, a number of players traveled to Funspot to play on tournament settings in an effort to achieve a perfect score on Pacman. An announcement came that Billy Mitchell would be traveling to Funspot on the 4th of July weekend and that he would achieve a perfect score on Pac-man. Billy contacted us at Fun Spot, asking us to check the quality of the controls on Pacman. We did exactly that, and once again verified the Pac-Man cabinet had original hardware, and was on tournament settings.
6. Other players had attempted this before, and after Billy, none were so cautious and particular, as Funspot was well known for being meticulous with these details. The game was in a secured area to protect Billy from the crowd, and was videotaped on a tripod over Billy's shoulder, along with present referees, media, and hundreds of witnesses, as this was the busiest weekend of the year in the world's largest arcade.
7. Myself, Tina Gephart, and the floorwalkers were overwhelmed by the challenge of controlling the crowd. I was not there the exact moment the perfect score was achieved, however I was there before and after.
8. Although this may have been the biggest event at Funspot regarding world records, there have been dozens, perhaps hundreds of records, and record attempts that have taken place at Fun Spot. All games were always checked for proper settings and proper hardware to ensure all the rules were followed, and this Perfect Pac-man was no exception; this event was scrutinized to an even greater degree because of Billy's directives. I've known Billy for years, I have observed in, and refereed events, and many of those included Billy.

9. As I stated before, following the fourth of July weekend, players continued to travel to Funspot after Billy's performance, continuing their own quest for a perfect score as well. Those players achieved their perfect scores on the exact same machine, with the exact same settings, and with the exact same observation and verification. Nothing that happened on that Pacman machine could ever be brought into question, and none of the world record attempts, as we are speaking of thousands, could ever be questioned either. All these scores, all these games, face the same integrity, and the same scrutiny. I would be insulted if Billy was held or questioned in a manner that hundreds were not, because I participated in mostly all of them, and this is a false attack on my character as well.

I declare under penalty of perjury under the laws of the state of California and Florida that the foregoing is true and correct to the best of my knowledge.


Ken Sweet

04 12 2019
Date

April 22, 2019

I, Thomas Fisher, was employed by Funspot from 1994 to 2002 as the Assistant Operations Manager. On July 3rd, 1999 I was acting as Floor Manager (responsible for the whole property).

When I came on shift I was told the game had been moved to a corner and roped off. Billy was on the game and playing. During my shift, my patrol of the building was such that I would pass by Billy every twenty to thirty minutes. I was radioed by a floor attendant, that Billy was almost up to the first "split-screen," I went to the game and watched him finish. I and other patrons congratulated him, and I took pictures with his camera.

I hereby certify that his Perfect Game on PacMan was fair and honest. Funspot certified that it was an original PacMan arcade game with the original chip.

I have held my current position for 14 years, in 2016 I was selected as Innkeeper of the Year for the whole state of New Hampshire. Prior, I was at one time a Navigator on nuclear powered subs, and held a permanent Top Secret clearance.

I declare under penalty of perjury under the laws of New Hampshire that the foregoing is true and correct to the best of my knowledge.

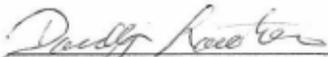
A handwritten signature in cursive script that reads "Thomas L Fisher".

Thomas Fisher
Cardigan Lodge
Alexandria, NH

I, Randy Lawton, attest to the following:

1. I am the game and service technician at Funspot and have been employed in this capacity for decades, including July of 1999.
2. I am extremely familiar with video games at Funspot including the Pac Man machine. The Pac Man machine here at Fun Spot has always been an original, authentic machine. At no time has any machine, including Pac Man, been anything but original hardware.
3. We have never permitted the use of MAME for Pac Man or any other machine at Funspot. I was well aware and prepared for Billy's perfect score attempt, and although I was not there at the moment the score was achieved, I became aware of it immediately after, along with the rest of the staff.
4. I remember the weekend Billy was here and the Pac Man machine was the same machine and hardware used on prior and subsequent attempts at a perfect score. The operation of the machines was uneventful and usual that particular weekend.
5. I am extremely confident in my testimony regarding Pac Man. The machine is, to this day, still operating with original hardware.

I declare under penalty of perjury under the laws of the state of California and New Hampshire that the foregoing is true and correct to the best of my knowledge.



Randy Lawton



Date

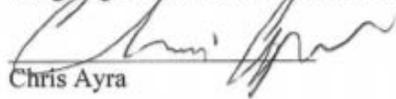
Chris Ayra Ayra Statement

I, Chris Ayra, attest to the following:

1. In the spring of 1983, I first met Bill at Grand Prix in Fort Lauderdale, Florida. Our friendship began and our main focus in the gaming world was Ms Pac-Man, Pacman, Donkey Kong, and Burgertime, normally in that order. Shortly after, in front of me and/or Walter Day, Bill achieved world record scores that were never challenged in any way except by my scores or continuing scores of his own. In December 1983, Billy and myself had gained the knowledge, expertise, and execution for a perfect score in Pac-Man. We shared this knowledge with only Walter Day, and it remained in confidence for many years. Throughout those years, myself and many regular gaming customers watched as Billy achieved higher and higher scores on every game he was a championship level player on. I personally, have seen Billy Mitchell play, and score higher than world records, and some of these scores were never submitted to a score keeping authority. In the earlier years, record scores submitted to Guinness were only valid if they were done "live at an event location under referee observation."
2. These scores were always performed in a public venue with anyone welcome to watch. They were achieved not only at Grand Prix, but at locations throughout Florida, the United States, and even internationally. All of us we're continually stringent on a religious level for authentic gameplay, on authentic tournament settings, and never was anything else ever acceptable or played on. The character, authenticity, effort, and integrity that were collectively put into our efforts is nothing that could ever be questioned as all levels and standards were impeccable and plainly displayed for all to observe.
3. In 1999, we realized another group of players, we called the Canadians, had achieved the knowledge to execute a perfect score on Pac-Man. Upon learning this, we, and particularly Billy, began an all out push to achieve the perfect score, and it was very important to us that it be done live in a public venue; a Historic spectacle display of gameplay on the 20th anniversary of Pacman.
4. A public announcement was made that Billy would be at Funspot attempting a Perfect Pacman on the 4th of July weekend. The location was an obvious choice, Funspot, also known as the world's largest arcade.
5. Upon Billy reaching and beginning the split screen, I received a phone call speaking to various people. Billy, the referee present, and several other people witnessing including customers, they were reporting what they were watching, and as they were reading scores that were on the machine, I realized no one else would have the knowledge of what the gameplay and scores should be at that level, so I confidently begin typing and reporting this over the internet. As it came to a close, I quickly had Billy, myself, and a rival player on the phone, as we relished the moment. In addition to all of this, I watched the game play, the testimony, the reports, and subsequent reports as he was invited to many future venues, including Japan.

6. All of this is extremely clear in my mind, including eyewitnesses and media reports because it was so important in the culture we grew up in and helped shape. I find the recent accusations to be totally absurd, and the greatest level of absurdity is the fact that a few of the people making these accusations, and trying to rewrite history were present to witness so much of what I witnessed throughout our gaming career. All of the goodwill that we collectively experienced together, some have chosen to forget, or ignore for their own reasons, and that is very sad. That said, attitude and willful ignorance of the past that they were a part of has been ignored for at least a decade now, and has been expressed to me by them through angry phone calls and angry emails, which I want no part of. In a nutshell, this is the history and the experiences that I had throughout the ages of video games. I have more details, and more notes for a future time if needed.

I declare under penalty of perjury under the laws of the state of California and Florida that the foregoing is true and correct to the best of my knowledge.


Chris Ayra

4-25-2019
Date

Funspot's Press Release from 1999
<https://www.funspotnh.com/-Articles/pc-billymitchell.htm>



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- AREA ATTRACTIONS
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Billy Mitchell Achieves Perfect Pac-Man Score At Funspot



WEIRS BEACH, NH -- For the first time in video game playing history, a perfect score was achieved on the legendary arcade game, Pac-Man.

On July 3, 1999 at 4:45 P.M., taking nearly six hours to accomplish the feat -- on one quarter -- Billy Mitchell, 33, a Fort Lauderdale hot sauce manufacturer visiting the famous Funspot Family Fun Center in Weirs Beach, NH, scored 3,333,360 points -- the maximum possible points allowed by the game. The results will go into next year's edition of the Twin Galaxies' Official Video Game & Pinball Book of World Records -- which is the official record book for the world of video game and pinball playing.

Though the Funspot is a world famous vacation spot, Billy Mitchell was not there to enjoy the holiday festivities. Mitchell was there for the sole purpose of beating the Canadians to the Holy Grail of video game playing: history's first perfect game on Pac-Man.

To get a perfect game on Pac-Man, the player has to eat every dot, every energizer, every blue

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As Seen On History Channel's

Wired.com's Article (July 2008)

<https://www.wired.com/2008/07/july-3-1999-gobbling-up-a-record/>

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EMAIL

LEANDER KAHNEY SCIENCE 07.02.08 09:00 PM

JULY 3, 1999: GOBBLING UP A RECORD



See Important Safety Information Below.

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Prescription NuvaRing® (etonogestrel/ethinyl estradiol vaginal ring) is a flexible birth control vaginal ring used to prevent pregnancy.

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The Weirs Times Press Release (July 15, 1999)

On the following page is a picture of the Weirs Times press release following the achievement of Billy Mitchell's Perfect Pac-man score. The photo of Billy Mitchell, next to the Pac-man machine, is the photo taken by Tom Fisher, who has provided his witness testimony. Note, the magazine says in the bottom left "TOM FISHER PHOTO." We are still in custody of the newspaper to this day.



Perfect at Pac-Man. An exhausted but exultant Billy Mitchell gives the thumbs up after recording the first-ever perfect score on Pac-Man. Mitchell's feat was accomplished at Funspot on July 3, 20 years and 10 billion games after Pac-Man was first released. TOM FISHER PHOTO

Billy Mitchell Achieves Pac-Man "Perfect Score"

WEIRS BEACH—For the first time in video game playing history, a perfect score was achieved on the legendary arcade game, Pac-Man. Taking nearly six hours to accomplish the feat - on one quarter - Billy Mitchell, 33, a Fort Lauderdale hot sauce manufacturer visiting the famous Funspot Family Fun Center in Weirs Beach, NH, scored 3,333,360 points - the maximum possible points allowed by the game. The results will go into next year's edition of the Twin Galaxies' Official Video Game & Pinball Book of World Records - which is the official record book for the world of video game and pinball playing. Though Funspot is a world famous vacation spot, Billy Mitchell was not there to enjoy the holiday festivities. Mitchell was there for the sole purpose of beating the Canadians to the Holy Grail of video game playing: history's first perfect game on Pac-Man. To get a perfect game on Pac-Man, the player has to See **BILLY MITCHELL** on 62

GILFORD COMMUNITY BAND CONCERTS

The Gilford Community Band opened this year's series of summer evening concerts on Wednesdays, at 7:30pm, at the "Weeks Bandstand" on the Gilford Village Field. Concerts will continue every other week throughout the summer: July 20, Aug 4 & 18 and Sep 1 (Note that the July 20 concert is a Tuesday evening). There is ample space for lounging on the grass or bring your own seating, plus a limited number of parking spaces adjacent to the bandstand for those who prefer to listen from their cars. (In the event of rain, the concerts will be moved into the Gilford Middle-High School Auditorium.) The concerts are free to the general public. Organized in 1978, the Gilford Community Band is a concert band sponsored by the town Recreation Commission to provide both entertainment and education. See **BAND CONCERTS** on 49

26,000
 Copies of The Weirs Times are distributed weekly across the state

Official Pac-man Museum

In 2018, after the Twin Galaxies and Guinness World Records statements, BANDI-NAMCO, the successor to NAMCO (creators of Pac-man), posted the following plaque in the official Pac-man museum (Chicago, IL). It very much worth noting that NAMCO, the creators of the game, and original adjudicators of Billy Mitchell's Perfect Pac-man, recognize Billy Mitchell as the "appropriate" (Guinness' word to Variety) holder of the Perfect Pac-man record.



In 1999, Billy Mitchell was the first person to achieve a perfect score in PAC-MAN.

To win the game's maximum score of 3,333,360 points, Mitchell navigated all 256 screens, and ate every single dot, blinking energizer blob, flashing blue ghost, and point-loaded fruit, without losing a single life.

Bravo, Mr. Mitchell.

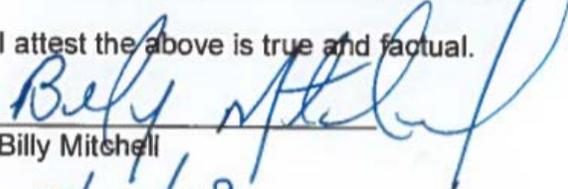
William "Billy" Mitchell Statement

I, William Mitchell, aka "Billy Mitchell" attest to the following:

1. I first gained the knowledge and ability to execute a Perfect Pac-man game in 1983. I shared this knowledge with my best friend Chris Ayra and Walter Day only.
2. I first achieved the Pac-man world record at a Twin Galaxies/Walter Day tournament in 1984.
3. In 1999, my friend Chris and I became aware of two Canadians who'd gained the knowledge to perform a Perfect Pac-man. At that moment, the race for the Perfect Pac-man began.
4. In May of 1999, having not played for years, and facing new competition, I traveled to a tournament hosted by Funspot and Walter Day in Laconia, New Hampshire. At this gathering, I failed in my attempt to score a Perfect Pac-man. However, Rick Fothergill achieved a new world record, which was only 90 points short of the perfect score.
5. I practiced approximately 6 weeks, and made a public announcement that I'd be traveling back to Funspot on the 4th of July weekend. In this announcement, I promised a perfect score.
6. Funspot was very accommodating, securing me a hotel room, as well checking the Pac-man machine quality and settings. They also placed the machine in a secured area, which was visible to Funspot staff and cameras.
7. I arrived on July 1st, and had my first day of gameplay on July 2nd, where I failed in my attempt to secure a perfect score.
8. On the morning of July 3rd, I entered Funspot, and began playing on that same Pac-man machine. Sometime after 4pm, with Funspot staff and management present, a tripod over my shoulder, media outlets present, and hundreds of Funspot patrons, I achieved the Perfect Pac-man score of 3,333,360.
9. There was a lot of fun, fanfare, and congratulations. I spent the remainder of the weekend with Funspot staff and friends before returning home.
10. Shortly after, Rick Fothergill, my main competitor, achieved his own Perfect Pac-man on that exact same machine. He was also assisted by the exact same staff and management.
11. Since that time, nearly all Perfect Pac-man players have played on that machine at some point.

12. Within days of my achievement, the news went across the world. I was contacted by hundreds of outlets from around the world. Eventually, I received a phone call from NAMCO USA. In this phone call, NAMCO USA, on behalf of NAMCO Japan, I spoke to an employee named Maurice, who asked for all video proof and documentation of my score.
13. Within a couple weeks of this phone call, I received a follow up call, where they invited me to the Tokyo Game Show as a personal guest to the founder and CEO of NAMCO, Masaya Nakamura.
14. In September, I flew to Tokyo, and in offices of NAMCO, I met their marketing team, and had a prearranged scheduled showing at the Pac-man arcade in Tokyo. At that arcade, on about September 15th, in front of a Japanese crowd and media, I once again completed a perfect score of Pac-man.
15. On September 17th, at the Tokyo Game Show, I was brought on stage, where I was crowned Video Game Player of the Century for my accomplishments on Pac-man and many other signature games. I was given the award by the NAMCO founder and CEO, Masaya Nakamura, on behalf of JAMMA.

I attest the above is true and factual.


Billy Mitchell

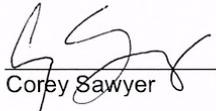
3/12/19
Date

Corey Sawyer Statement

I, Corey Sawyer, attest to the following:

1. In July, 1999, in Laconia, New Hampshire, at the location of Funspot, I witnessed Billy Mitchell achieve a Perfect Pac-man score of 3,333,360.
2. This score was performed on Funspot's own legitimate arcade machine, and was witnessed by others as well.
3. I was present for the majority of the run, only briefly stepping away to get food and come back. I was also present at the beginning of the run, through the first few failed attempts, and well into what became his final, successful run. At no time was the machine swapped out or altered in any way while I was present at the machine.
4. I remember that he taught me patterns while working on his first attempt that led to me being able to achieve my first 50k score that I had not previously been able to even come close to accomplishing

I declare under penalty of perjury under the laws of the states of New Hampshire and California that the foregoing is true and correct to the best of my knowledge.


Corey Sawyer

08/25/2019
Date

Part 2: Recklessness and Its Effects

Reckless Lack of Care for the Truth

Guinness World Records reckless acts regarding the dissemination of information in Billy Mitchell's controversy has libeled his entire career. The worst cases are their spokesperson's words to Variety Magazine, and their fictitious quarter-page assertion in their official 2019 Gamers Edition Book. Both items are located on the following two pages. First, I'll break down the Variety Magazine article. Then, I'll break down their quarter-page falsification. Before I begin, I'd like to remind the read that Guinness World Record made these statements, and printed these words, without any type of investigation. Furthermore, their statements assert them as facts, not opinions. They assert this as the truth, and they own it.

Firstly, I recommend reading the article. The important information sits in the final paragraph of the article. The main point is that the spokesperson for Guinness World's Record's makes it very clear that Guinness World Records claims that Billy Mitchell is not the rightful holder of the Pac-man world record, and that Billy Mitchell is not the first player to achieve a perfect score. However, a specific piece to quote is the last quoted sentence of the Guinness' spokesperson, who states that "Guinness World Records will look to update and find the **appropriate** holder of these records in the next few days." The Guinness spokesperson clearly states that Billy Mitchell is not the appropriate, or rightful holder of that record.

Guinness World Record's quarter-page publication in their 2019 Gamers Edition Book is by far the most libelous and defaming print put on paper regarding Billy Mitchell. Titled "THE RECORDS THAT NEVER WERE...", the publication explains Twin Galaxies' actions against Billy Mitchell, and states that Billy Mitchell had been stripped of both his Pac-man titles. Guinness then goes on to state that "TG Member Jeremy Young was able to prove that Mitchell's submitted scores we're obtained while using MAME, something that's forbidden according to TG's rules. In other words, Guinness world records states that Billy Mitchell's Pac-man scores "NEVER WERE" legitimate, and were obtained using MAME.

Moreover, it should be noted that the publication gives no context to the Donkey Kong controversy, and says "Mitchell's submitted scores were obtained while using MAME," essentially stating that ALL Mitchell's scores we're obtained on MAME. However, I'd like to enlighten Guinness World Records. The majority of Billy Mitchell's scores were achieved before MAME was even created, as the majority of his scores were performed in the 1980s. MAME was not created until 1997. Allow me to provide every Billy Mitchell score submission that can be traced. The games Billy Mitchell has submitted scores on include: Pac-man [Points], ~~BurgerTime~~, Donkey Kong Junior, Centipede, Ms. Pac-man, and Donkey Kong.

Note: Not all scores are exact, however, that is unimportant. The important part is the year submitted.

Game	Score	Year Submitted
Centipede	10,774,191	1985
Donkey Kong	874,300	1982
Donkey Kong Jr.	957,300	1983
Ms. Pac-man	703,560	1983
Pac-man	2,700,000	1984
BurgerTime	4,900,000	1984
BurgerTime	7,881,050	1985
Pac-man [First Perfect Score]	3,333,360	1999
Pac-man [Fastest Completion]	5 Hours 30 Minutes	Never Submitted
Donkey Kong	933,900	2004
Donkey Kong	1,050,200	2007
Donkey Kong	1,062,800	2010
Donkey Kong Jr.	1,270,900	2010
Zaxxon	76,650	Never Submitted
Billy Mitchell	1,047,200	Never Submitted

Billy Mitchell never submitted the ~~Zaxxon~~ score of 76,650, the Pac-man Fastest Completion score, or the Donkey Kong score of 1,047,200. These scores were put into the Twin Galaxies database without Billy Mitchell's permission. Moreover, even if these scores are counted, at least half Billy Mitchell's scores we're still submitted before MAME was even created.

Lastly, I'll summarize the points this document covered:

- Guinness World Record's spokesperson clearly expresses to Variety Magazine that Guinness' asserts Billy Mitchell is not the "appropriate" holder of the Pac-man world record for points or fastest completion.
- Guinness quarter-page publication is titled "THE SCORES THAT NEVER WERE..." and goes on to specifically explain the stripping of Billy Mitchell's Pac-man score, asserting that it is a fact that the score was not achieved legitimately.
- Guinness World Records provides no context behind the controversy, and essentially states all Mitchell's submitted scores we're done on MAME, which includes his scores from the 1980's, before MAME was even created.
- Guinness World Record's dissemination of information is extremely careless and reckless. Guinness provides no accurate information of recent events, and has been libelous and defamatory as a result



Figure 1. Guinness World Records Quarter-Page Statement in the 2019 Gamers Edition Book.

Twin Galaxies: 5 Impressive and Legitimate Gaming Feats Article

https://www.twingalaxies.com/feed_details.php/1053/setting-records-five-impressive-feats-from-the-world-of-video-games

Guinness World Records' Statements to Variety:

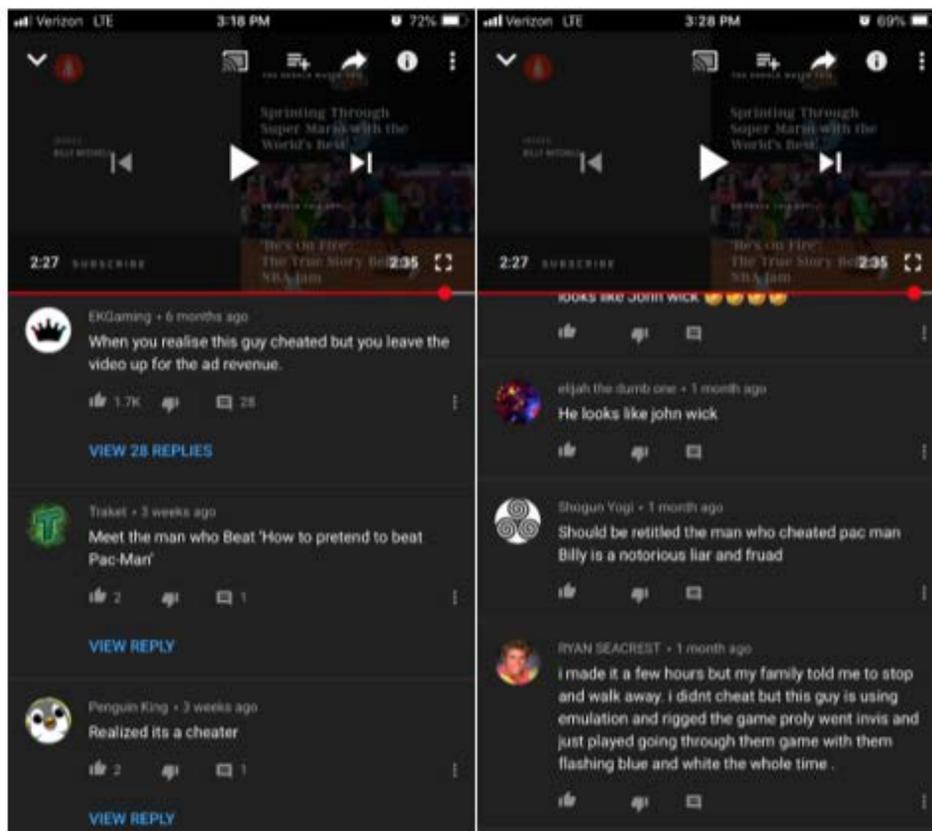
<https://variety.com/2018/gaming/news/billy-mitchell-pac-man-world-record-1202752594/>

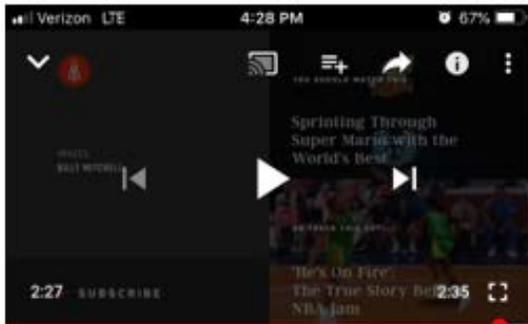
Great Big Story Youtube Video

The reckless wording in the Guinness 2019 Gamers Edition Book, the words of Guinness World Record's spokespeople to the media, specifically Variety Magazine, and Twin Galaxies' deceptive articles have libeled Billy Mitchell's entire gaming career, not just his Donkey Kong scores. The purpose of this section is to provide proof that the reckless dissemination of information regarding Billy Mitchell's controversy has caused people to think and say he cheated on **all** of his world records, including his signature achievement, the Perfect Pac-man.

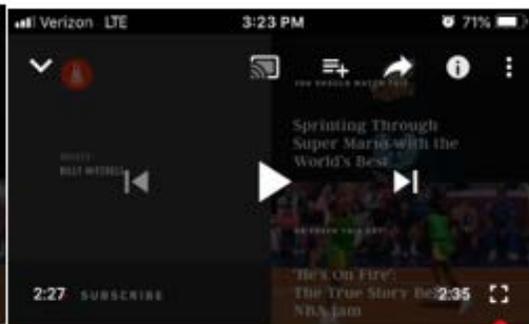
The following screenshots are from the Youtube video, "Meet the Man Who Beat 'Pac-man.'" by the Youtube channel "Great Big Story." This video is a historical feature Billy Mitchell did with the producers of this Youtube channel. The video contains nothing but content related to Billy Mitchell's Perfect Pac-man achievement, yet it's filled with people commenting that Billy Mitchell cheated to achieve his Perfect Pac-man score. These screenshots demonstrate proof that Guinness World Record's recklessness, especially the libel in their 2019 Gamers Edition Book, has defamed millions of people into Billy Mitchell's controversy extends across all his achievements.

Here is a link to the video: <https://www.youtube.com/watch?v=IoVvgSwPDYk>

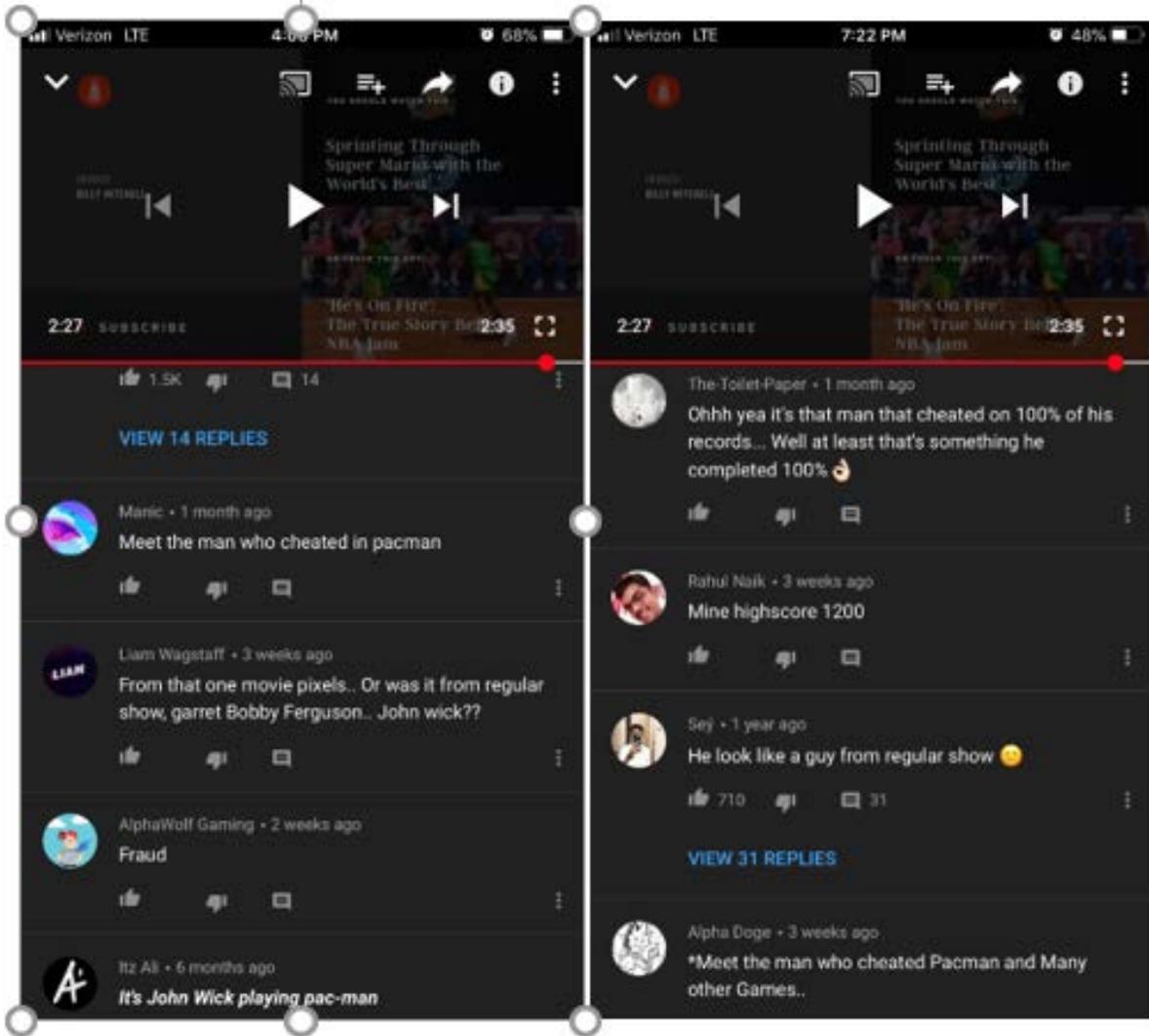




- Jason Stegry • 1 month ago
He cheated on everything
- New Black Entertainment • 1 month ago
John Wick
- NothingCuber • 1 month ago
He cheated.
- | gazda • 1 year ago
this man looks like a regular sized peter dinklage



- Anton Dereke • 1 month ago
sad fact he's a cheater
 - Lol its opinder not civi1op • 1 month ago
*** Keanu Reeves***
 - Shuv TheGroove • 1 month ago
It was proven that he cheated
 - shottysteve • 10 months ago
cheater
- [VIEW 13 REPLIES](#)



Verizon LTE 3:19 PM 72%

Sprinting Through Super Mario with the World's Best

2:27 SUBSCRIBE

1.4K 45

[VIEW 45 REPLIES](#)

Yummie Blue • 1 month ago (edited)
"When you get to the end there's nothing to do but die. There was nothing saying congratulations, nothing saying the end, game over, nothing."

Pedro Alvarez • 2 days ago
He cheat

Special Snowflakes • 2 weeks ago
You know it's sad he was so respected but then it was revealed that he cheated so that sucks

Verizon LTE 3:26 PM 70%

Sprinting Through Super Mario with the World's Best

2:27 SUBSCRIBE

[VIEW 45 REPLIES](#)

Stacy Pare • 1 month ago
CHEATER.

roman kirwan • 1 month ago
Discredited cheat

Bobby Dockery • 1 month ago
I beat my meat more time's than that.....
where's my trophy???

Bishop Magic Don Juan • 1 month ago
Heard dude cheated

Verizon LTE 3:26 PM 70%

Sprinting Through Super Mario with the World's Best!

Be's On Fire: The True Story Behind NBA Jam

2:27 SUBSCRIBE 2:35

games that Mordecai and Rigby played.

Ronan Maher • 1 month ago
Cheater

bruceowusu • 1 year ago
only this guy can use the saying "git gud"

VIEW 9 REPLIES

Asuna Gumdrops • 1 week ago
But... he cheated

Seth Bryant • 4 days ago
1:57 He pushed the cheat

Verizon LTE 4:28 PM 67%

Sprinting Through Super Mario with the World's Best!

Be's On Fire: The True Story Behind NBA Jam

2:27 SUBSCRIBE 2:35

shejuti bhuyan • 5 days ago (edited)
He looks like johnny wick

TheLizardhead • 2 weeks ago
This video did not age well.

Rafted • 1 year ago
What a faker

VIEW 6 REPLIES

Bud Light • 1 month ago
When I play back then I used to get keys clear acrossed I couldn't get no higher I would have loved

Verizon LTE 4:28 PM 67%

Sprinting Through Super Mario with the World's Best

2:27 SUBSCRIBE

He's On Fire! The True Story Behind NBA Jam

Peaks · 1 week ago
When John wick dies first he plays pacman

Garner Blox · 3 weeks ago
He cheated because he used an emulator to do this. He gets to nervous to do it in front of an audience and dies.

Ethan Evers · 6 months ago
Too bad he was exposed as a cheater

468 9

VIEW 9 REPLIES

asraf lokman · 4 weeks ago

Verizon LTE 4:30 PM 66%

Sprinting Through Super Mario with the World's Best

2:27 SUBSCRIBE

He's On Fire! The True Story Behind NBA Jam

フランク · 1 month ago
Why are you spreading misinformation that this guy is legit and not a total scam artist? Unsubbed.

Kameron Harrington · 1 month ago
PROGRAM AND CONTROL

Megan Vilella · 3 weeks ago
He kinda looks like John wick

weatherman115 · 9 months ago
everyone in 2016; wow everyone now; hmm

114 2

YOU SHOULD WATCH THIS...

Sprinting Through Super Mario with the World's Best

IMAGES: BILLY MITCHELL

OR CHECK THIS OUT:

'He's On Fire': The True Story Behind NBA Jam

2:27 SUBSCRIBE 2:35



D Pinoy • 1 month ago

He does have a point you die once in a pac man round your worse for the 3 other lives



the ultimate potato! • 3 weeks ago

meet the man who cheated Pac-man



Lazy_Jose • 3 weeks ago

Doesn't he look like John Wick in fortnite like if he does.



Yes Indeed • 1 year ago

Shame he's a cheater



[VIEW 7 REPLIES](#)

Section 7: 1980's Score Evidence

From: Steve Sanders
Sent: Monday, May 13, 2019 3:58 PM
To: 'Evelyn Mitchell
Subject: Affidavit

Sworn statement:

1. On or about Nov. 15, 1982, I traveled to Twin Galaxies arcade in Ottumwa, Iowa.
2. The primary purpose of the trip was at the invitation of Walter Day, the proprietor of Twin Galaxies. Mr. Day had invited me to take part in a photograph commissioned by Life Magazine for the upcoming "1982 - The Year in Pictures" edition.
3. Approximately two dozen of the world's best video gamers were invited to be a part of the photograph.
4. While staying in Ottumwa, most, if not all, of the video gamers - including myself - relaxed and had fun by playing video games in the Twin Galaxies arcade.
5. Five of the best Donkey Kong players in the world (at that time) attended the event: Billy Mitchell of Florida, Sam Blackburn of North Carolina, Todd Walker of California, Chris Steele (f/k/a/ Darren Olsen) of Alberta, Canada, and myself, from Missouri.
6. Most of the time, we played games individually, but a few of us played head-to-head in competitive matches.
7. Billy Mitchell was also at the event, also at the invitation of Walter Day.
8. Billy Mitchell challenged me to a head-to-head game of Donkey Kong.
9. I accepted the challenge, anticipating that he would shellac me. He did so. He more than quadrupled my score.
10. I scored just shy of 200,000 points - using all 4 of my men.
11. Billy scored approximately 875,000 points - with most of those points (over 800,000) coming on his first man alone.
12. Billy got to the Kill Screen during that same game - Level 22, 25 meters (the 117th round of the game).

13. Nearly every one of the video gamers at the photo shoot were present in the arcade during this head-to-head matchup with Mr. Mitchell and me. We were all interested in seeing each other perform their skills on the various video games. Billy's split screen understandably attracted much attention. In hindsight, I believe, as do many others, that this was the first Donkey Kong kill screen ever achieved in a public "tournament-style" setting, with competitive live-action play - and especially in front of several other top-level video game players from all over the United States and Canada.

14. Nearly every one of the video gamers present during this Donkey Kong matchup were eyewitnesses to at least some portion of the matchup, as many would walk by, watch for a bit, then move on to watch another game, or to play some other game.

15. At the end of the Donkey Kong matchup, several video gamers present commented on Billy's achievement and congratulated him on beating me.

Regards,
Steve

Steve
[www.Sanders.law<http://www.attorneystevesanders.com/>](http://www.attorneystevesanders.com/)

From: Steve Sanders
Sent: Monday, May 13, 2019 3:58 PM
To: 'Evelyn Mitchell (<rickeyshotsauce@aol.com>)' <rickeyshotsauce@aol.com>
Subject: Affidavit

Sworn statement

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2. The primary purpose of the trip was at the invitation of Walter Day, the proprietor of Twin Galaxies. Mr. Day had invited me to take part in a photograph commissioned by Life Magazine for the upcoming "1982 - The Year in Pictures" edition.
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12. Billy got to the Kill Screen during that same game - Level 22, 25 meters (the 117th round of the game).
13. Nearly every one of the video gamers at the photo shoot were present in the arcade during this head-to-head matchup with Mr. Mitchell and me. We were all interested in seeing each other perform their skills on the various video games. Billy's split screen understandably attracted much attention. In hindsight, I believe, as do many others, that this was the first Donkey Kong kill screen ever achieved in a public "tournament-style" setting, with competitive live-action play - and especially in front of several other top-level video game players from all over the United States and Canada.
14. Nearly every one of the video gamers present during this Donkey Kong matchup were eyewitnesses to at least some portion of the matchup, as many would walk by, watch for a bit, then move on to watch another game, or to play some other game.
15. At the end of the Donkey Kong matchup, several video gamers present commented on Billy's achievement and congratulated him on beating me.

Regards,

Steve

The email could not be transferred to google docs in high quality, however its contents are exactly accurate

I, Walter Day, attest to the following:

1. I met Billy Mitchell in 1982. The first Twin Galaxies event Billy participated in was in November of 1982. Billy subsequently achieved many world records at Twin Galaxies sanctioned, live events. These events were officiated by me or by members of my staff who executed their duties under my direction.

2. In the early days, world records that were forwarded to Guinness were required to be done live at Twin Galaxies events. Throughout the years, Twin Galaxies staff and I have observed Billy achieve a tremendous amount of world record caliber performances on games such as Donkey Kong, Donkey Kong Jr., Ms. Pacman, Pacman Burgertime, and Centipede, to name a few.

3. These performances were done at the Twin Galaxies' arcade in Ottumwa, Iowa, and at various trade shows and tournament locations throughout North America.

4. During Billy's performances, which were supervised by me or Twin Galaxies' staff, Billy only played on original arcade hardware.

5. All of the performances recognized and accredited to Billy were always achieved at live events in front of fellow competitors, Twin Galaxies associates, and quite often, the media.

6. Billy's eyewitness testimony of competitive game performances were always regarded by everyone in the industry as among the most reputable in eSports.

I declare under penalty of perjury under the laws of the state of California and Iowa that the foregoing is true and correct to the best of my knowledge. Walter Day, attest to the following:

I declare under penalty of perjury under the laws of the states of California and Iowa that the foregoing is true and correct to the best of my knowledge.



Walter Day

July 24, 2019

Date

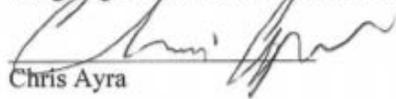
Chris Ayra Ayra Statement

I, Chris Ayra, attest to the following:

1. In the spring of 1983, I first met Bill at Grand Prix in Fort Lauderdale, Florida. Our friendship began and our main focus in the gaming world was Ms Pac-Man, Pacman, Donkey Kong, and Burgertime, normally in that order. Shortly after, in front of me and/or Walter Day, Bill achieved world record scores that were never challenged in any way except by my scores or continuing scores of his own. In December 1983, Billy and myself had gained the knowledge, expertise, and execution for a perfect score in Pac-Man. We shared this knowledge with only Walter Day, and it remained in confidence for many years. Throughout those years, myself and many regular gaming customers watched as Billy achieved higher and higher scores on every game he was a championship level player on. I personally, have seen Billy Mitchell play, and score higher than world records, and some of these scores were never submitted to a score keeping authority. In the earlier years, record scores submitted to Guinness were only valid if they were done "live at an event location under referee observation."
2. These scores were always performed in a public venue with anyone welcome to watch. They were achieved not only at Grand Prix, but at locations throughout Florida, the United States, and even internationally. All of us we're continually stringent on a religious level for authentic gameplay, on authentic tournament settings, and never was anything else ever acceptable or played on. The character, authenticity, effort, and integrity that were collectively put into our efforts is nothing that could ever be questioned as all levels and standards were impeccable and plainly displayed for all to observe.
3. In 1999, we realized another group of players, we called the Canadians, had achieved the knowledge to execute a perfect score on Pac-Man. Upon learning this, we, and particularly Billy, began an all out push to achieve the perfect score, and it was very important to us that it be done live in a public venue; a Historic spectacle display of gameplay on the 20th anniversary of Pacman.
4. A public announcement was made that Billy would be at Funspot attempting a Perfect Pacman on the 4th of July weekend. The location was an obvious choice, Funspot, also known as the world's largest arcade.
5. Upon Billy reaching and beginning the split screen, I received a phone call speaking to various people. Billy, the referee present, and several other people witnessing including customers, they were reporting what they were watching, and as they were reading scores that were on the machine, I realized no one else would have the knowledge of what the gameplay and scores should be at that level, so I confidently begin typing and reporting this over the internet. As it came to a close, I quickly had Billy, myself, and a rival player on the phone, as we relished the moment. In addition to all of this, I watched the game play, the testimony, the reports, and subsequent reports as he was invited to many future venues, including Japan.

6. All of this is extremely clear in my mind, including eyewitnesses and media reports because it was so important in the culture we grew up in and helped shape. I find the recent accusations to be totally absurd, and the greatest level of absurdity is the fact that a few of the people making these accusations, and trying to rewrite history were present to witness so much of what I witnessed throughout our gaming career. All of the goodwill that we collectively experienced together, some have chosen to forget, or ignore for their own reasons, and that is very sad. That said, attitude and willful ignorance of the past that they were a part of has been ignored for at least a decade now, and has been expressed to me by them through angry phone calls and angry emails, which I want no part of. In a nutshell, this is the history and the experiences that I had throughout the ages of video games. I have more details, and more notes for a future time if needed.

I declare under penalty of perjury under the laws of the state of California and Florida that the foregoing is true and correct to the best of my knowledge.


Chris Ayra

4-25-2019
Date

Section 8: 1,050,200 & 1,047,200 Gameplay Analysis

Description

The following section can be found on this google document:

https://docs.google.com/document/d/1LnkeBDg2nlqm6_GUeBrx_ousWVhbP-6X-E2Umm9PPMo/edit

In summary, the 82 page gameplay analysis dives into the gameplay of Billy Mitchell's Donkey Kong performances in an attempt to substantiate the claims that Billy Mitchell used save-states, or "spliced" a tape to cheat. **Ultimately, the analysis proved, after exhausting all measurable angles, that the gameplay on Billy Mitchell alleged tapes is parallel to authentic Donkey Kong gameplay. The conclusions of this analysis, and that of expert witness Robbie Lakeman prove that there's no motive for Billy Mitchell to have done what Twin Galaxies and Guinness World Records claim.**

Furthermore, the analysis surfaces serious issues with the honesty, and/or recklessness shown by Twin Galaxies in the acceptance of this evidence. The explanations to the original accusations were very clear, and the lack of a full investigation seems like a deliberate attempt to avoid the truth.

Lastly, we brought in expert witness Robbie Lakeman, eight time world record holder and two time winner of the Donkey Kong World Championships, who in his own independent investigation, came to equivalent conclusions.

Expert Analysis:

In addition to own analysis, we hired expert witness Robbie Lakeman to perform and independent analysis of Mitchell's performances. In this, Lakeman concluded the following:

"After reviewing Billy's gameplay, and reproducing similar games myself, I can honestly say that this is legitimate gameplay. I base this off of what I was able to create myself in such a short amount of time, and watching Billy play live at The Donkey Kong World Championships. I can attest that these tapes are of Billy playing, and that I do not see a reason why Billy would need to even use MAME, or save states to film both games with this style of play"

Lakeman's Full report is below:

Robbie Lakeman Expert Gameplay Analysis

My name is Robert Alan Lakeman II, and I was brought in as a Donkey Kong expert to analyze the arguments against Billy Mitchell's allegedly "suspicious gameplay", and "excessive luck" in his 1,047,200, and 1,050,200 world record games.

I have been playing the game Donkey Kong since early 2012, and continue to play the game for high scores, and at live events. I have attended the Donkey Kong World Championships every year, with the exception of the first. I am also the winner of the 5th and 6th Donkey Kong World Championships. Between September 2014 to March 2019, I have held the Donkey Kong arcade world record a total of eight times, and once took it back six hours after losing the title.

In the threads, and in daily conversation from players on Donkey Kong Forum, they stated that Billy Mitchell's gameplay was too "reckless" to finish a full game. They attributed those statements to strategies Billy was using during that time. They also made claims that the luck required to use those strategies in a full game would be too high, and save states would be needed to achieve these scores. I decided to study both of Billy's tapes for several hours one day, and get a feel for how he was using these strategies in his games. I even went as far as counting how many times each strategy was used, and played in an attempt to replicate the strategies, to see if it could be done.

The "Billy Strat"

During Billy's 1,047,200 and 1,050,200 games, he would climb up to the third girder on barrel boards to jump barrels, before climbing back down to grab the bottom hammer. This strategy has been named "The Billy Strat", since Billy was the only one who used that strategy in full games. That was the most reckless of the strategies Billy was using, and some said it was too risky to be used consistently. On April 21st, 2019, I decided to attempt a full game using the "Billy Strat," along with a couple other strategies used in the 1,047,200 game. At Funspot Arcade, I played on their Donkey Kong arcade machine, while Billy, and a few others

watched. At the start of level 5, I attempted to use that strategy on every barrel board; here is what I found.

In a full game, I successfully used "The Billy Strat" a total of 43 times throughout the entire game, and did not have a single death as a result. I successfully jumped 74 total barrels on the 3rd girder, before climbing back down to grab the bottom hammer. The 43 times I used that strategy was actually more than both the 1,047,200 and 1,050,200 games combined, and the 74 barrels I jumped was close to the 77 barrels Billy jumped in his 1,047,200 game. Even though I died on level 4, where a restart of the game would usually be done, I still played out a full game with this strategy, and even had a spare man going into the last stage. I even added the strategy of grabbing the purse on rivet boards at the start of the stage, and didn't have a death as a result of that either. This game was successfully completed on my third attempt of that day. I can easily conclude that a full game using those strategies can be successfully finished within a short time frame.

"Excessive Luck"

The next argument I analyzed was the "astronomical luck" the Donkey Kong Forum community pointed out in Billy's 1,050,200 game. They analyzed how many points from blue smashes Billy totaled compared to the rest of his score. They also counted how many blue smashes on each screen, and his total average per blue smash. Since Billy was specifically going for blue smashes in his 1,050,200 game, I decided to see if I could once again replicate his gameplay at Funspot. This is what I found within a few hours.

On April 26th, on my second attempt, I was able to score 1,095,600 specifically going for blue smashes, and even sacrificed a spare man on level 21-5, just like Billy did on level 21-1 in his game. Billy's pace in his game was roughly 11,000 points higher than mine, which was mainly attributed to Billy having a higher score after level 4. The pace for levels and averages for each screen were relatively the same. To make the scores as close to accurate as I could within a couple credits, I took my level 21-5 sacrifice, and applied it to the beginning score of level 21-1, as if I sacrificed the spare man, and killed the game off on level 21-1. My score was

less than 10,000 points lower than Billy's at that point, which was mainly from being behind at the end of level 4. I tallied up all the blue smashes, and compared to the numbers that were on Donkey Kong Forum in the dispute thread.

I had a total of 356 blue smashes after the level 21-1 sacrifice, and Billy had 380 according to Donkey Kong Forum. Our smashes on the pie boards were almost identical, but I still had two less smashes than Billy. On the barrel boards, I had close to no fireball smashes with the top hammer, which explains why I had fewer blue smashes on barrel boards. The rivet board is the only real big difference between our games, but Billy was more aggressive with his smashes on the left side. Since this was only my 2nd credit, I am positive I would be able to match these smashes with more attempts.

The main argument I really tried to research was the percentage to actual score that the Donkey Kong forum was using against Billy. They claimed that the amount of points from blue smashes was too high compared to his actual score. My total score for the game after the level 21-1 sac was 1,041,600, and 174,700 points of that was from blue smashes. My percentage of blue smashes to total score was 16.93%, which is very comparable to Billy's 17.7% in his 1,050,200 game.

Conclusion

Based on my findings, within five total credits of gameplay, I have found that Billy's "excessive luck" was not excessive at all. Two of those five credits were near reproductions of both Billy's 1,047,200, and 1,050,200 games. Billy's "suspicious gameplay", and "reckless strategies" did not seem to go against me in such a small timeframe. That is based on the fact that Billy understood how to use these strategies with his knowledge of fireball behavior. All I had to do was closely study his gameplay, and use my knowledge to reproduce his strategies based on what the fireballs were doing. Billy had been playing the game for twenty years during these games, and I have just started figuring out some of this knowledge after playing for seven years.

The blue smash to total score is not a valid argument when it comes to analyzing Billy's "astronomical luck" in his 1,050,200 game, since I was practically able to recreate it within 1% in very few credits. On another note, Billy did not use the "Billy strat" as much in the 1,050,200 game. He would only use it if the sequence of barrels, and fireball behavior lined up for it to be used efficiently. Also, he bailed on the purse grab for rivet boards. The 1,050,200 game had a significant improvement in strategies and gameplay, as opposed to the 1,047,200 game.

The argument for Billy risking "The danger zone" with Donkey Kong throwing wild barrels is also invalid. He actually noticed, and avoided it on level 13-5 in his 1,047,200 game. It shows that he does look for that possibility during his games. It is also something I constantly risk in my previous, and current world record runs, when I am pressing for points. I am aware of these risks when I take them, and sometimes I go a full game without losing a life, and sometimes I lose multiple lives from it. That risk is just a part of past and current world record gameplay, and multiple players risk that kind of death. I wouldn't single out Billy's games for that reason.

After reviewing Billy's gameplay, and reproducing similar games myself, I can honestly say that this is legitimate gameplay. I base this off of what I was able to create myself in such a short amount of time, and watching Billy play live at The Donkey Kong World Championships. I can attest that these tapes are of Billy playing, and that I do not see a reason why Billy would need to even use MAME, or save states to film both games with this style of play.

I declare under penalty of perjury under the laws of the states of California and New Hampshire that the foregoing is true and correct to the best of my knowledge



ROBERT ALAN LAKEMAN II
5/11/2019

William "Billy" Mitchell Statement

I, William Mitchell, aka "Billy Mitchell" attest to the following:

1. Early in the Twin Galaxies investigation, Twin Galaxies employee Wes Copeland released a data chart that compared 14 other Donkey Kong performances to the alleged footage of my 1,050,200 performance.

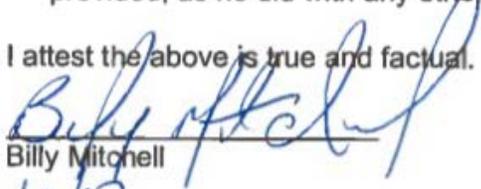
This chart compared the amount of hammer smashes received in my 1,050,200 performance to 14 other Donkey Kong performances. Using this chart, Copeland asserted that the random number generation (RNG) in all of my Donkey Kong performances was far too fortunate to be authentic gameplay, claiming it was a save-stated MAME game.

2. Over a phone call, Jace Hall asked me for an explanation to the phenomena shown in Copeland's data chart. It was very clear that Hall believed there was no explanation, and that the probability of the numbers shown occurring naturally was far too small.

I specifically remembering Hall stating that an explanation would "go a long way in appeasing these people." From his question and demeanor, it sounded as though he was convinced of this as if he'd done an investigation of his own.

3. As I, nor anyone close to me, had done any research on this accusation, I refused to provide comment to avoid giving Hall the opportunity to weaponize my words against me later on. Hall continued to bring this subject up throughout the dispute, and attempted to coerce me for an answer so he could work against whatever position I provided, as he did with any other information he was given.

I attest the above is true and factual.


Billy Mitchell

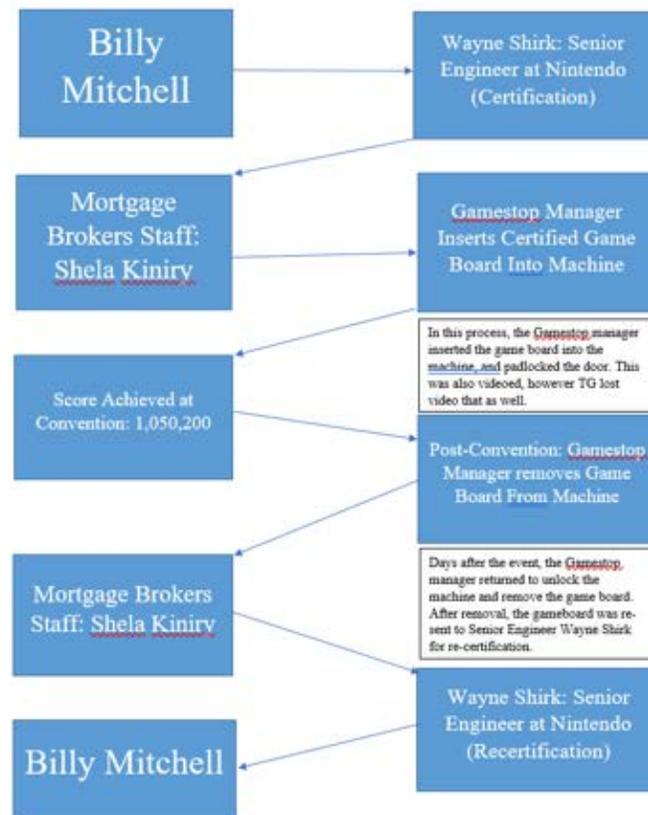
3/12/19
Date

Section 9: Nintendo Hardware Certification

The Nintendo Certification

The following document reviews the process of Billy Mitchell's Donkey Kong hardware board (PCB), and Jace Hall response to the offering of this evidence.

In January 2007, Billy Mitchell accepted a paid appearance opportunity with the Florida Association with Mortgage Brokers. At this appearance, Billy Mitchell planned to perform a Donkey Kong world record attempt. Sometime after, Billy Mitchell informed Walter Day of his intention to perform a world record attempt. Both Mitchell and Day expressed a desire to avoid the negativity surrounding Steve Wiebe Donkey Kong submissions. As a result, Billy Mitchell, under Walter Day's supervision and directive, had Senior Engineer at Nintendo Wayne Shirk certify the authenticity of his game board PCB. This occurred before and after the performance to ensure the PCB's authenticity prior to the performance, as well as after the performance. In the process, Billy Mitchell had no access to the game board, as it was handled by third party Shela Kiniry of the Florida Association of Mortgage Brokers. Here is the process:



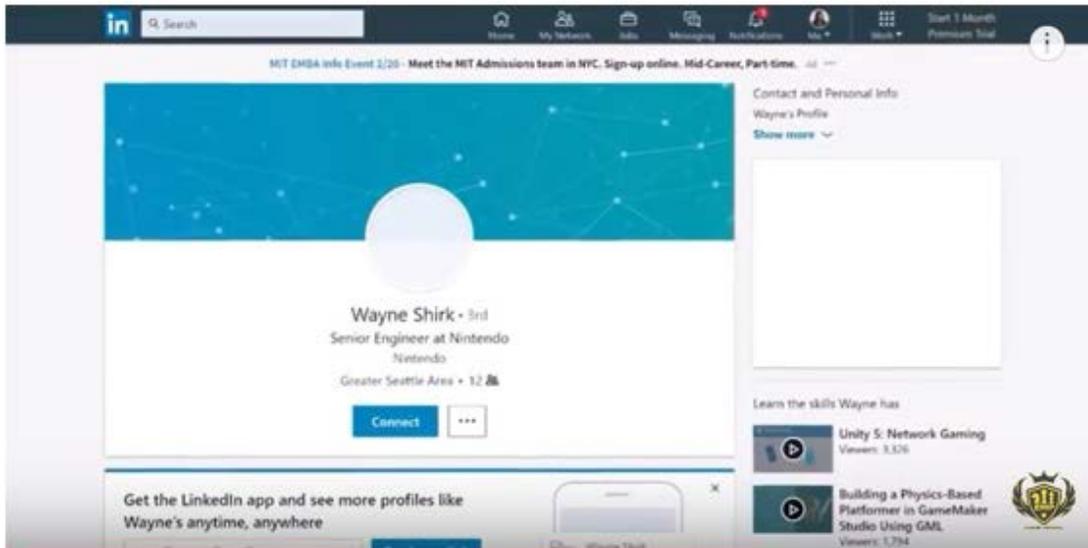
As seen in the flowchart, the hardware PCB was never in Billy Mitchell's possession at any point, and was handled by third parties at every point from the beginning to the end. This

flowchart is congruent with all witness testimony, including that of the Florida Association of Mortgage Brokers.

In addition to the witness testimonies of Walter Day, ~~Shela Kiniry~~, and Billy Mitchell, there is more evidence of the hardware PCB's certification by Senior Engineer at Nintendo Wayne Shirk. For example, at the end of the process, Senior Engineer Wayne Shirk re-certified the PCB's authenticity after the performance. Following that process, he shipped the PCB back to Billy Mitchell, who still retains the box to this day. Here are pictures of the shipping label:



Moreover, Wayne Shirk's ~~public~~ LinkedIn account remains active, showing he was a real person, and was the Senior Engineer at Nintendo.

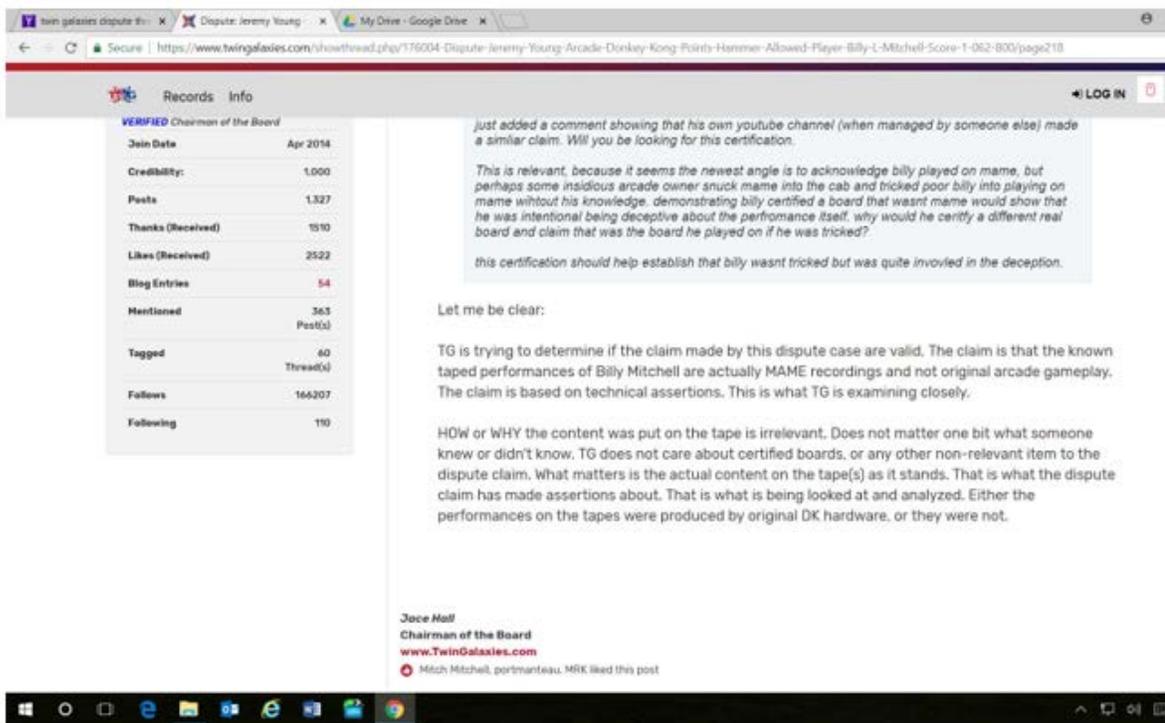


Jace Hall's Response:

Hall's responded to this evidence in a few different ways, however they all amount to the three phrases **"it doesn't matter," "I don't care,"** and **"non-relevant."**

Cited in the Billy Mitchell's affidavit, Jace Hall is quoted specifically saying **"it doesn't matter"** and that he **"didn't care."** In Walter Days testimony, Jace Hall was presented with this evidence, where he said **"None of that matters, I have better equipment and know more about this than anybody"** (Billy Mitchell and Walter Day Affidavits).

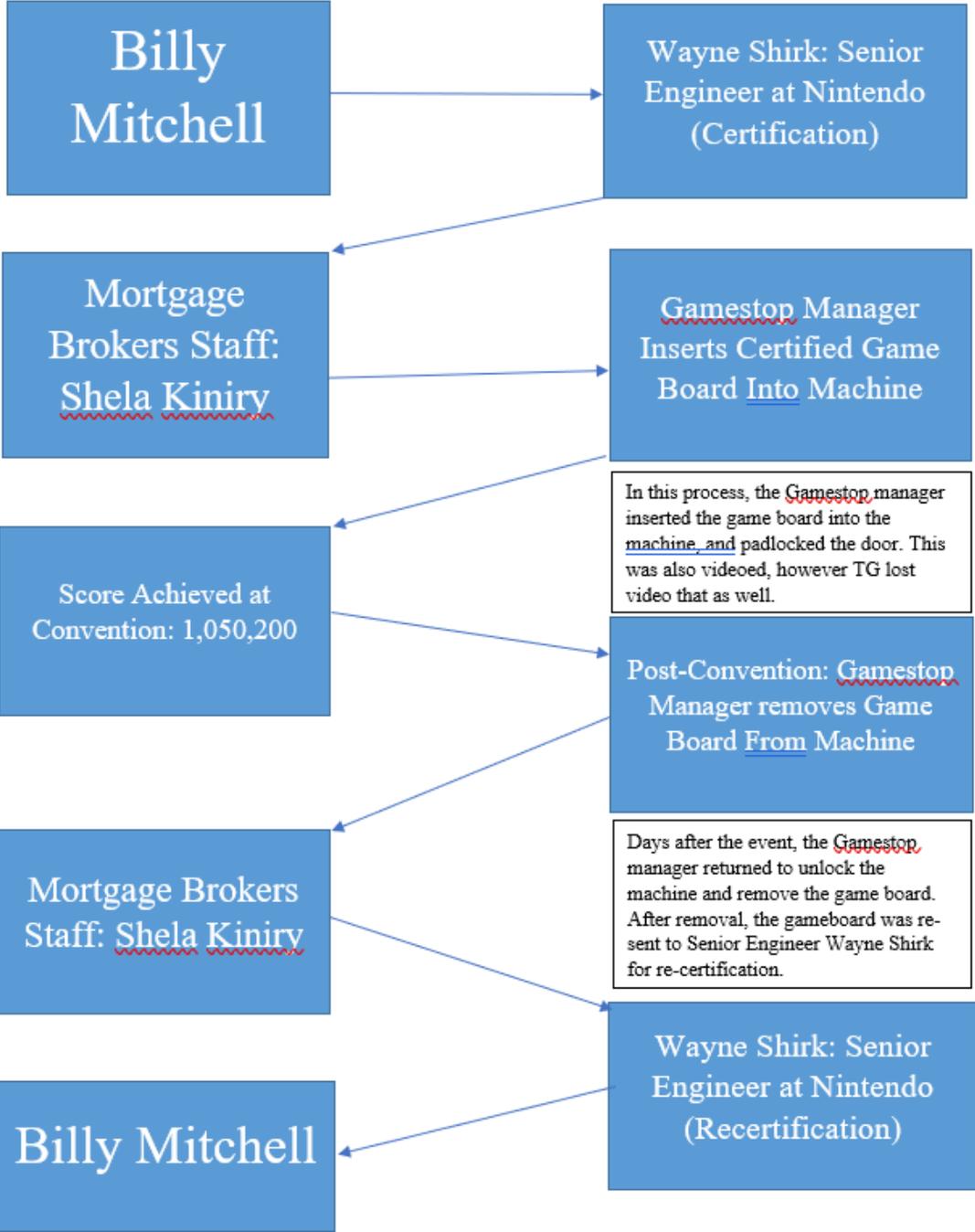
Most notably of Hall's responses is his post to the official dispute forum, where **Hall** states **"TG does not care about certified boards, or any other non-relevant item to the dispute claim."** In other words, the certification of the Senior Engineer at Nintendo is somehow "non-relevant" to the legitimacy of Billy Mitchell's performances.



Regardless of being offered this testimony, Jace Hall, like other evidence in Billy Mitchell's favor, maliciously ignored it. Jace Hall's deliberate disregard of evidence in support of Billy Mitchell's scores is highlighted in this situation, where the founder and former owner of Twin Galaxies, an unlinked third party (Shela Kiniry), and the Senior Engineer at Nintendo (Wayne Shirk) were maliciously ignored to minimize Billy Mitchell's case.

The Screenshots In This Document Are Provided On the Following Pages for Closer Examination

Document Images:



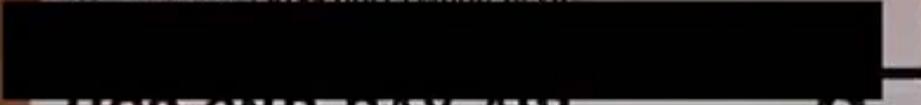
FROM

NDA

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TO BILLY MITCHELL
RICKEYS

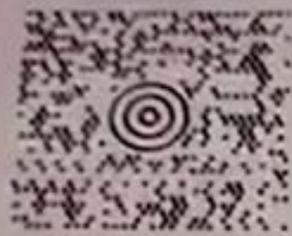
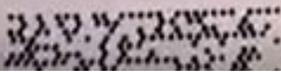
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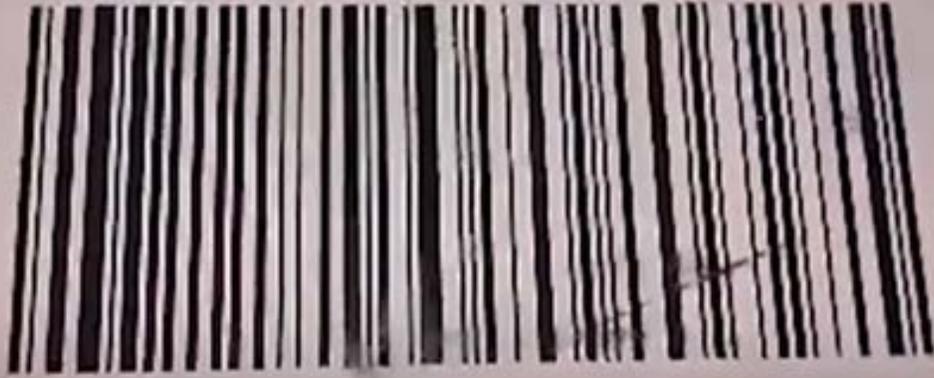


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Wayne Shirk • 3rd
Senior Engineer at Nintendo
Nintendo
Greater Seattle Area • 12

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- Unity 5: Network Gaming
Viewers: 3,826
- Building a Physics-Based Platformer in GameMaker Studio Using GML
Viewers: 1,794



Records Info

LOG IN 0

VERIFIED Chairman of the Board	
Join Date	Apr 2014
Credibility:	1,000
Posts	1,327
Thanks (Received)	1510
Likes (Received)	2522
Blog Entries	54
Mentioned	363 Post(s)
Tagged	60 Thread(s)
Follows	166207
Following	110

just added a comment showing that his own youtube channel (when managed by someone else) made a similar claim. Will you be looking for this certification.

This is relevant, because it seems the newest angle is to acknowledge billy played on mame, but perhaps some insidious arcade owner snuck mame into the cab and tricked poor billy into playing on mame without his knowledge, demonstrating billy certified a board that wasn't mame would show that he was intentional being deceptive about the performance itself. why would he certify a different real board and claim that was the board he played on if he was tricked?

this certification should help establish that billy wasn't tricked but was quite involved in the deception.

Let me be clear:

TG is trying to determine if the claim made by this dispute case are valid. The claim is that the known taped performances of Billy Mitchell are actually MAME recordings and not original arcade gameplay. The claim is based on technical assertions. This is what TG is examining closely.

HOW or WHY the content was put on the tape is irrelevant. Does not matter one bit what someone knew or didn't know. TG does not care about certified boards, or any other non-relevant item to the dispute claim. What matters is the actual content on the tape(s) as it stands. That is what the dispute claim has made assertions about. That is what is being looked at and analyzed. Either the performances on the tapes were produced by original DK hardware, or they were not.

Jace Hall
Chairman of the Board
www.TwinGalaxies.com
Mitch Mitchell, portmanteau, MRK liked this post.

3:03 PM 8/18/2018

Transcription: “Let me be clear:

TG is trying to determine if the claims made by the dispute case is valid. The claim is that the known taped performances of Billy Mitchell are actually MAME recordings and not original arcade gameplay. The claim is based on technical assertions. This is what TG is examining closely.

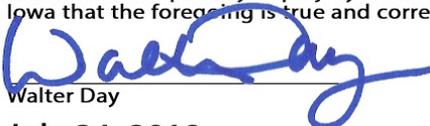
HOW or WHY the content was put on the tape is irrelevant. Does not matter one bit what someone knew or didn't know. TG does not care about certified boards, or any other non-relevant item to the dispute claim. What matters is the actual content on the tape(s) as it stands. That is what is being looked at and analyzed. Either the performances on the tapes were produced by original DK hardware, or they were not.”

Jace Hall- when asked about Billy's board certification by Nintendo

I, Walter Day, attest to the following:

1. Shortly after the release of The King of Kong at the Slamdance Film Festival in January 2007, Billy informed me that he would begin preparations to immediately reclaim the Donkey Kong world record at a paid appearance scheduled for July 2007.
2. Weeks before the Florida Mortgage Brokers' Convention, a 1980's-themed event, Billy expressed his intent to go above and beyond in establishing the authenticity of his world record, in view of doubts and concerns raised in the gaming community with respect to world record performances by Steve Wiebe.
3. In order to establish the authenticity of the world record attempt, the Donkey Kong PCB (hardware game board) was sent to Wayne Shirk, Senior Engineer at Nintendo, for certification. Mr. Shirk was contacted and agreed to analyze and authenticate the board as original Nintendo hardware.
4. Billy and I both participated in these phone communications with Mr. Shirk.
5. After receiving and analyzing the board and authenticating it as Nintendo hardware, Wayne shipped the board directly to the convention venue, to the attention of Shela Kiniry, of the Florida Mortgage Brokers.
6. I then contacted a local Gamestop manager and requested his assistance installing and securing the board inside the Donkey Kong cabinet.
7. After receiving instructions from me, he arrived at the venue on Thursday. With Shela and hotel security present, he installed the Donkey Kong board into the cabinet, along with the recording apparatus, and padlocked the cabinet and retained the only key.
8. All of these actions were recorded on video for Twin Galaxies archives.
9. I was assured by the third party, the Florida Mortgage Brokers, that no person had access to the inside of the cabinet throughout the weekend.
10. After a full day of gaming attempts by Billy, I received a call, around midday Saturday from senior referee Todd Rogers, who along with Kimberly Mahoney, was at the event witnessing the attempts and executing Twin Galaxies protocol.
11. From Todd Rogers, Kim Mahoney, and Billy I learned of the success of that Saturday and was confident that all of my directives were followed.
12. Sometime after the event had ended, on Monday, the Gamestop Manager returned to the venue and unlocked the back of the cabinet and retrieved the Donkey Kong board, in the presence of Shela Kiniry and hotel security.
13. As per my instructions, the gameboard was shipped off to Wayne Shirk at Nintendo to once again be recertified as the same Nintendo hardware he previously certified.
14. After authenticating the board for a final time, Wayne shipped the board back to Billy.
15. At no point, throughout the entire process of the board's certification, did Billy Mitchell have access to the hardware. Every person involved in this process was an unaffiliated third party, such as Shela Kiniry, Wayne Shirk, and the local Gamestop manager. The idea that anything other than legitimate Donkey Kong hardware could have gotten inside the cabinet is fallacious.

I declare under penalty of perjury under the laws of the states of California and Iowa that the foregoing is true and correct to the best of my knowledge.


Walter Day

July 24, 2019

Date

Sheila Kiniry Statement

I, Sheila Kiniry, attest to the following:

1. On or about, October 2006, the Florida Association of Mortgage Brokers began to plan our July 2007 convention. It was an 80's themed convention, and as a result, one of the targeted guests we wanted to feature was Billy Mitchell. Having lived in South Florida my whole life, and being very familiar with Billy Mitchell and his accomplishments, I took the delegation of reaching out to him in effort to secure his participation. At first, Billy did not respond to the offer, after which he eventually declined it. In late January, Billy Mitchell agreed to the offer, and was scheduled to participate in the event in July.
2. From the beginning, Billy Mitchell notified us that he would be making a record attempt at the event. Along with Billy, I was contacted by Walter Day and informed that a game board would be shipped directly to the venue, addressed to me, from Nintendo, and a local Gamestop manager would be meeting me to install the board. The board was received and held by the hotel security. The Gamestop manager arrived, and as per Walter Day's instructions, installed the board in the game cabinet, verified the settings, and recording equipment, pack-locked the machine closed with a master lock, and left with the key. The Gamestop manager did not return with the key until a few days after the event was concluded.
3. During the event, Billy played in a very large convention room, and interacted with and performed in front of thousands of people, myself included.
4. Throughout the event, and certainly during all important moments, I was within a few feet watching the activities. When the score was achieved, there was a lot of congratulations, hand-shakes, and appreciations. Along with myself and other members of the FMBA, there were two Twin Galaxies scoreboard referee's present. After Billy was finished with the gameplay as a whole, the machine was put back into a secured location in the hotel.
5. At the end of the weekend, the Gamestop manager returned, opened the cabinet, removed the game board, and I had the responsibility of shipping the board back to Nintendo, where I was told they would recertify its authenticity. The installation and removal of the board was all videotaped and mailed to Twin Galaxies.
6. I am still a member of the FMBA, and many of the members I worked with are still active members now. All of this information is very available very public, and quite memorable.

I declare under penalty of perjury under the laws of the state of California and Florida that the foregoing is true and correct to the best of my knowledge.


Sheila Kiniry

04 04 2019
Date

William "Billy" Mitchell Statement

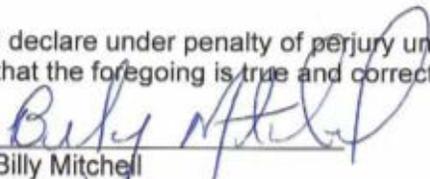
I, William Mitchell, aka "Billy Mitchell" attest to the following:

1. On or about January 2007, I decided to begin practicing Donkey Kong again to prepare for a new world record attempt. I had a paid appearance contract with the Florida Association of Mortgage Brokers in July 2007. Approximately one month prior to the release of "The King Of Kong: A Fistful Of Quarters." This appeared as the perfect time, and opportunity to break the world record again.
2. Sometime in June, I made Walter Day aware of my intention. He and I both expressed concern, and desire, to avoid the negative mob mentality that surrounded many of Steve Wiebe's performance. To avoid that, we agreed to send a Donkey Kong game board to Nintendo to be certified as authentic.
3. After many failed attempts, I was fortunate enough to get an engineer on the phone. This engineer's name was Wayne Shirk, and he was the Senior Engineer at Nintendo. He immediately revealed to me that he was aware of who I was. I explained our desire to protect ourselves from the detractors and he agreed to help us. Shirk explained that he'd been at Nintendo since the 1980's, and was extremely familiar all aspects of the hardware.
4. The game board was sent to him. He received it, and after about a week, he contacted me, saying his work had been complete. He said he went over everything on the board, down to small details. Then, Shirk said he was read to ship it back.
5. I provided Shirk the mailing address of the venue, and he subsequently sent the game board there. The board arrived shortly before the event. The board was received and held by hotel security. Walter Day, along with Shela Kiniry, arranged for a local Gamestop manager to secure the board inside the cabinet. The Gamestop manager arrived, installed the board in the cabinet, verified the settings and recording equipment, pad-locked the machine closed, and left with the key. The entire process was recorded by Kiniry, and provided to Twin Galaxies.
6. At the event, I was in a very large room interacting with guests who numbered in the thousands. During the event, the gameplay was not only visible on the game screen, but was also visible on a TV above the cabinet to give the guests greater viewing capability. When the score was achieved, there were dozens of people within my eyeshot, and standing next to me was a number of Florida Association of Mortgage Brokers staffers, including Shela Kiniry. Furthermore, there were two Twin Galaxies referees present, who documented the game's progression as I played.

After some congratulations and celebration, the cabinet was returned to the security area of the venue, where it awaited the return of the Gamestop manager.

7. I was not present, but it was reported to me by Kiniry, that the Gamestop manager returned, unlocked the cabinet, retrieved the board, and gave it to Kiniry. She shipped the board back to Shirk at Nintendo, who recertified the board as authentic. Shirk then shipped the board back to me. Furthermore, Kiniry filmed the board's retrieval from the cabinet, and this footage was also provided to Twin Galaxies.
8. I never, at any point, had custody of the game board between it being shipped to Shirk, the performance, and the recertification. I went through this incredible effort to ensure my ability to defend myself in the case of false accusations, such as those made by Twin Galaxies, Guinness World Records, and Donkey Kong Forum.
9. Furthermore, this performance was live adjudication by Twin Galaxies referees. All the footage, from the performance to the cabinet certification was provided to Twin Galaxies for additional evidence. It was not necessary to the score's acceptance. All the events were done at the directives of Twin Galaxies owner Walter Day, all I did was go up to the machine and play.
10. During the Twin Galaxies investigation, Jace Hall was made aware of all the events noted in this statement, and the witnesses were made available to him. In Hall's words, he "didn't care" and it "didn't matter. Hall made it clear that he would not even hear what the witnesses had to say. He said he was an engineer, knew more about this than anybody, had better equipment than anybody, and there was nothing anyone could teach him. These opinions, statements, and attitudes grew stronger as time went on. Eventually, it became clear that no evidence would stop him from his goal of removing my scores in a publicly extravagant fashion.

I declare under penalty of perjury under the laws of the state of California and Florida that the foregoing is true and correct to the best of my knowledge.


Billy Mitchell

4/1/19
Date

I, Todd Rogers, attest to the following:

1. In June 2007, as Twin Galaxies Chief Referee, I was contacted by Walter Day and asked to referee an event in Orlando, Florida. The event was Billy Mitchell's Donkey Kong world record attempt at the Mortgage Brokers Convention. I decided to handle this routine event, along with companion referee Kimberly Mahone, because it was a little more than hour away from my home.
2. The convention was inside the Rosen Shingle Creek Hotel and Resort in Orlando and the game setup was in the center of a very large convention room. The TV and recording equipment were visible on top of the machine, and there was constantly a large presence of attendees and FMBA staff throughout the entire event. There were other games and activities going on as well. However, Billy was the featured guest, so area was certainly the most popular section.
3. As the game progressed, I logged each score or death at the end of each board to record the progress in detail. For reasons of his own, Billy purposely ended his game several boards before the kill screen. When the score was achieved, 1,050,200 FAMB staff and attendees were present in large numbers. Billy was given congratulations, and phone calls were made to Walter Day confirming the situation.
4. This was an original Nintendo Donkey Kong machine as I have known since 1981. The gameplay was recorded via direct feed in an effort to create a high quality viewing experience. The machine was padlocked throughout the entire performance, and remained so after we left the venue. After the event, I was told that the manager of the local GameStop would be stopping by to unlock the back of the game, and retrieve the game board for further inspection by Nintendo.
5. Verification of this gameplay was one of probably hundreds that I have done or been apart of. I continued in my position with Twin Galaxies until approximately 2012, when the company changed hands.

I declare under penalty of perjury under the laws of the state of California and Florida that the foregoing is true and correct to the best of my knowledge.



Todd Rogers

03 .27.2019

Date



Section 10: Technical Evidence

Part 1: Scientific Expert Opinion

Description

The following sections are the assessments and opinions from expert witness David Race. The first document is his report to the International Video Game Hall of Fame (IVGHOF). The second are his answers to a written interview with Electronic Gamers Magazine journalist Josh Harmon. Lastly, is his responses to questions from Billy Mitchell's son regarding his opinions on specific issues.

In summary, David Race's analysis concludes that the technical analysis can not be considered anything more than inconclusive due to too many assumptions about the nature of the recording set-ups. "Nothing I have tested conclusively proves whether arcade was used or not."

Initial Assessment

Submitted to Jerry Byrum, president of the
International Video Game Hall of Fame (IVGHOF)
September 2, 2018

My purpose is not to craft a narrative that will accommodate a particular position. I am simply making observations about what I have found in testing the boardset said to have been used to play the 1,047,200 and 1,050,200 games. The only ones who can answer how the games were originally recorded are the ones claiming responsibility for their production.

Digital copies of the two aforementioned games can be found on the TG dispute thread. Portions of a VHS copy of the 1,047,200 game were played in a livestream by Jace Hall. Both games also appear on Youtube. In these videos VHS taped copies are played on a VCR while being recorded by a camcorder. The only other footage I can think of is from the *King of Kong* where excerpts of the 1,047,200 game are shown at Funspot and in the side by side comparison found in the DVD extras.

Whether we are talking about the originals or copies we need to have full disclosure on how they were made.

This means we need a detailed explanation of the process used to record the 1,047,200 and 1,050,200 games. Were the original recordings subsequently copied or edited*, and if so, when and by who and what was the process involved in making them?

We also need the same with respect to the VHS copies found on Youtube and those responsible for uploading them.

Where did the VHS tapes come from? Were they copied or edited*, and if so, when and by who and what was the process involved in making them?

What is the source of the digital copies now in possession of Twin Galaxies? We need to know who made them and how they were made. This means we need to have a detailed description of the process. Simply stating that a VHS tape was copied to a computer does not tell us how it was copied. What hardware or peripheral(s) were used and what kind of driver(s) and editing software were associated with the process?

Now on to my observations I have made after testing Billy Mitchell's boardset.

The first thing of note is the orientation of the screen. The orientation is 90° clockwise if looking at a standard TV/CRT. This means to view the image right side up, you would have to turn the TV on its side 90° counterclockwise. All the available footage of either the 1,047,200 or 1,050,200 games shows an orientation 90° counterclockwise, which means the TV would have to be rotated 90° clockwise.

* Editing can simply mean a change in format (i.e., from analog to digital), color adjustment, size or aspect ratio. It does not necessarily imply a purposeful or intentional alteration or manipulation of content (i.e., adding or subtracting elements of particular frames - e.g., photoshopping). The possibility of frame modification from sources used to make the VHS tapes shown on Youtube or the digital copies that are now found online is something different.

The image produced from the boardset is 180° opposite of what is found in the *King of Kong* and the other available copies. The appeal for full disclosure at the opening of this piece is to allow those involved to provide as much evidence and detail about the processes involved in setting up and recording the games and any subsequent copies. Making assumptions about what must have happened when recording the games is fruitless. There needs to be something definitive from whoever helped set up the games and recorded them.

I was the one who pointed out the orientation of the board could be changed by moving one of the yellow booted jumpers in the upper right corner of the CPU board. The farthest one to the right would be moved one space to the left. I found this information on the Braze Technologies website (<http://www.brasington.org/arcade/tech/flip/>). I was told that nothing was done to the boardset after it was received back from Nintendo. This would have been in 2007 when the 1,050,200 game was played. The orientation was the same as that of the first game played in 2004. I had communication with Carlos Pineiro who told me he briefly tested the board used for the 1,050,200 game*. He told me the jumpers did not appear to have been switched or de-soldered when he received it. He described it as "Mint original solder." He told me that after receiving the board he switched the jumper to run a quick test and then switched it back to the original setting before repackaging and returning it to Rob Childs, in whose shop he did his testing. The original setting did not match what is seen in the *King of Kong*. When I received the boardset I noticed the jumper was in the factory position with evidence of re-soldering. This matches what Carlos told me. If what I have been told is correct this is the only time anything was changed.

If one did not have access to the boardset said to be used for the games in question, then one could legitimately suggest the possibility the board may have been set by the manufacturer to assume a different orientation or the jumper may have been switched. However, both Carlos and I have had access to this boardset. It was stated to me by both Billy and Rob that nothing had been done to the board, which would eliminate the aforementioned suggestions as viable options.

I tested the output from the edge connector through the Two-Bit Converter as well as from the inverter through a different type of converter (CGA/EGA/RGB/YUV to VGA). After running preliminary tests, the edge connector and the aforementioned converter display the same orientation. The only change with orientation I have found is when I quickly reboot the machine. The screen briefly flips before returning to the set orientation.

The story from the beginning was that the Two-Bit converter was used to convert the RGB signal to a compatible NTSC signal which was then run DIRECTLY to a VCR where a game would be recorded on VHS tape. Color adjustment can be made using this converter, but it does not permit orientation or position adjustment. Other converters used with arcade games may allow such modifications, but such is not the case with the Two-Bit Converter.

*He said that he was told the boards used for the 1,047,200 game were different from those used for the 1,050,200 game. This was also my initial impression. Later I asked for clarification and was told that the same boardset was used for both games. See my comments from "Dispute-My Thoughts" --"The original machines used for these early games would need to be tested, yet the odds of finding them, in addition to confirming that all the hardware remained intact and in the same condition, would be prohibitively low." The hardware would include the power supply and circuit boards. I didn't notice any difference in output when adjusting the power supply on the machine I used. I hooked up the Two-Bit Converter to a separate switching power supply in order to check if adjusting the voltage would affect output. Once again I didn't notice a difference.

What I find a little disheartening is that from the beginning everyone was led to believe all of Billy's games (1.047, 1.050, 1.062) were recorded directly to a VCR from the Two-Bit Converter. The analysis provided by Rob Childs on February 11th only spoke of the arcade output being recorded to a VCR. No mention was made of a laptop or any other process involved with recording these games. It wasn't until Carlos Pineiro uploaded his explanation of the direct feed set up to Youtube on March 12th (<https://youtu.be/2-8EXAVcbI0>) that I first heard one of the games (i.e., 1,062,800) had been recorded from the Two-Bit Converter to a laptop using a specific A/V capture device. That recording was then subsequently sent out from the laptop and recorded on a VHS tape. I have yet to receive any information on why this was done or how it was accomplished.

I do recall that another technician by the name of Jim Anthony was said to have been involved with the early games. This was mentioned by Billy in early February. The impression that I and others got, however, was that Rob Childs was the tech responsible for setting everything up. Subsequently, I was told by Rob that the only game he was directly involved with was the 1,062,800 game that was played at Boomers on July 31, 2010. I have inquired as to how the early games were set up and how they were recorded and the answer I received is that they can't say for sure because Jim Anthony was the one responsible and no one has been able to get in touch with him. I find this troubling since the impression everyone received was that this was a simple and certain method. I was looking for details and specifics regarding the procedure, but now it seems no one really knows how everything transpired. This seems to contradict what was portrayed in Rob's technical breakdown. My questions arose after noticing output disparity from the Two-Bit Converters I tested, one from Rob and the other from Jace Hall. I have been told there was a video of the boardset being put into the machine, which they are currently trying to locate. This, however, does nothing to address how the game was set up and recorded. Based on everything I have been told and what I have been able to test, there had to be some other process involved in making the tapes for the 1,047,200 and 1,050,200 games. This however, does not automatically mean arcade was not used. One of the reasons why all available copies (VHS and digital) need to be examined is so they can be compared with control recordings. The signal output and quality of Two-Bit direct feed recordings may have trouble transferring from VHS to digital, depending on how the transfer is accomplished. The VHS playback may also differ from one VCR to another. That is why details related to the copies need to be disclosed.

I have also been trying to find out the exact process involved with the making of the 1,062,800 tape. This is the only game that Rob Childs is said to have been directly involved. He is the only one who knows how everything was set up and recorded. I have run the Two-Bit Converter directly into my laptop using at least three different USB capture devices. Two of them will not produce a stable image at all, and although the image records in color to VHS, it shows up in black and white on the laptop with the vertical and horizontal skewed. The last capture device does record a relatively stable picture during gameplay, but the sync can be very glitchy between boards and during the credit/score and copyright screens. The color is a little problematic but does appear similar to the footage available online. This device is the same one that Carlos showed during his Two-Bit set up video (i.e., Gigaware VHS to DVD Video Converter # 25-1141). I have not been able to produce anything that would match the footage shown at the Big Bang in August of 2010. If I can't produce a stable video, it may be there is something else I should be doing to remedy this. If this is the case then Rob should be able to explain what to do or be willing to set up the process himself. There is no excuse, regardless of how inconvenient this may happen to be, not to address valid concerns and details surrounding this recording.

My assessment is that the two early games did NOT simply use a Two-Bit Converter that ran from the inverter board directly to a VCR. Some other process or processes would have to be involved in order to produce an orientation that is 180° opposite of what the actual boardset normally produces. The Two-Bit Converter with this boardset does not produce what we see. The color and stability of my recordings do not match the copies as closely as one should expect if their signals were directly run through a Two-Bit Converter to a VCR. Nothing I have

tested conclusively proves whether arcade was used or not. At best, the results indicate the recordings were not made in the way that was claimed for them.

Now with respect to the issue of the rendering of the transitions, there is nothing in all of the footage I have recorded which matches the unique frames which were a part of the TG dispute. Since there have been questions raised about editing, splicing or manipulation of any kind, all available tapes should be submitted for examination including the ones which were played by Dwayne Richard and recorded to a camcorder for later upload to Youtube. I have found evidence that would suggest the VHS tapes in possession of TG may have a digital source. This does not necessarily mean the original source of the game was produced digitally (i.e., on a computer or using MAME), but that the tapes in TG's possession may have, at the very least, been copied from a digital source. It is possible digital signatures picked up in analysis of a VHS tape during a digital livestream could be produced by the stream itself, or may have been part of the original tape. To either verify or eliminate this as a possibility, there needs to be a first-hand examination of the tapes.

The original Youtube tapes and the digital copies show potential evidence of editing or frame manipulation (i.e., 1,050,200 –frames during the 964,300 transition). To eliminate this as a possibility, there needs to be a first-hand examination of the tapes with frame comparison to the digital copies. All attempts I have made to acquire the tapes for analysis have been dismissed or rebuffed.

Rob Childs has stated both he and Billy would be willing to take a lie detector test. There may be doubt as to the efficaciousness of such an endeavor, but since it appears they are willing to participate, I strongly suggest that a polygraph examination be scheduled for each individual at different times and at different locations. A third party should choose the examiner, the questions from a pool of submissions and the proper format in which to present the questions. At no time should the test subjects have access to any material related to the exam. If possible, video and audio recordings should be made of each session. The recordings, results and the interpretation from a qualified examiner should be given only to the third party and the one in charge of the independent investigation. The results should not be disclosed to the test subjects before they are made public.

If Dwayne Richard, Tanner Fokkens, Jeremy Young, Jace Hall, Greg Erway or anyone else is willing to take a polygraph test, the same procedure set forth above would be followed.

The following is a link to an unlisted playlist on Youtube with test recordings totaling 9hrs 50min 44 sec.

https://www.Youtube.com/playlist?list=PL9phvGHENRhZiY6zteeuOCCihEt69ZJ_2

I have not provided detailed explanations for the videos, just quick descriptions of the process. I would be glad to answer any questions you may have.

Thank you,

David Race

Questions Provided to Electronic Gamers Magazine

Note: JH is Josh Harmon, DR is David Race

Here are my responses to your questions.



JH: When did you first meet Billy Mitchell? What was your impression of him at the time, both as a game player and more generally as a person?

DR: I first met Billy Mitchell in Ottumwa, Iowa during the Big Bang in 2010.

My impression was that he was one of the top classic arcade game players, noting his past accomplishments and his current scores that were being presented for titles like Donkey Kong and Donkey Kong Jr. I found him to be friendly, accommodating and charitable.

JH: When did you first become aware that Billy's scores were under any kind of suspicion? Would this predate the official dispute thread on Twin Galaxies?

DR: I believe I first heard about the "dispute" on or around February 3, 2018. I believe the official Dispute on the TG forums was posted in September 2017, so no, this would not predate that thread.

JH: When and under what circumstances did you become involved into the efforts to investigate Billy's scores?

DR: I became involved in my own right because what I was seeing and the claims being made seemed to be only that –claims. I believed and still do, that there has to be far greater evidence to support the assertions that Billy Mitchell cheated, used MAME, or relied upon save-states in order to splice footage to produce a high score. None of these have been shown to have occurred.

JH: What particular expertise or background did you feel would make you an asset to the investigation?

DR: I am not an arcade tech. I have continued to learn as this whole affair has progressed, from just over two months since I first heard of it (Feb 3) to a binding decision to remove Billy Mitchell and all of his scores on April 12 in what I feel was far from impartial and in less than an adequate manner. Since that time I have attempted to understand more and seek to do some testing of my own. As I pointed out before TG made its decision, "Perhaps you have heard the saying, 'Correlation does not imply

causation'. It seems most people are ignorant of or don't really care about what this means. If they perceive two things as being correlated in some way they will often assume one must have caused the other. This, however, is fallacious. The cause could be something common to one or both, or be completely independent." I am someone concerned with truth and despite how some have presented this whole affair; I do not believe the burden of proof has been met with respect to the various assertions leveled against Billy Mitchell.

JH: Could you describe in general terms the nature of your assistance in the investigation: what tests you ran, the scope of your analysis in terms of hours of gameplay analyzed, who you collaborated with, etc.?

DR: I have tested two 2-bit converters and also used two separate DK boardsets and was able to produce stable color analog and digital recordings. I have also recorded footage using a different type of converter. The scope of my testing wasn't so much to prove that certain screen elements which have been claimed to be a part of Billy Mitchell's original tapes (i.e. girder fingers and distinctive transitions) could be replicated with arcade hardware. I felt that would only be fruitful if it could be shown that all the digital footage presented, including the uploaded footage from Dwayne Richard, was, in fact, reproduced from a verifiable original. Despite what has been claimed, no one has presented any original VHS recordings of either the 1,047,200 or 1,050,200 games. I have requested to review the tapes that TG and Dwayne Richard may have in their possession and have either been rebuffed or ignored. One DK boardset was tested with the standard orientation and the other with the orientation flipped. The gameplay was unaffected. I did notice that some things would appear slightly different depending on which orientation was used. In the end, despite further questions raised by the testing, the results were inconclusive. I could not say the games were not played on arcade.

JH: Why did you choose not to provide your findings to Twin Galaxies, if that was indeed a decision made by you? Why did you instead decide to provide these findings to the IVGHOF?

DR: I decided the "Dispute Thread" was anything from impartial and it was one long exercise in poisoning the well in order to come to only one conclusion. I posted a few things, but that was usually by request of close friends. I felt no need to participate in such a sham, and make no mistake, that is exactly what it was. It would be like a Christian who was asked to present his case in an atheist forum and then was endlessly lambasted and attacked because he wouldn't spend endless hours responding to the myriad criticisms and responses to his initial post. There is nothing fair and balanced about it.

JH: What are the most salient conclusions of your investigation into Billy's tapes and the non-arcade transition rendering patterns (three girder vs. five girder, girder finger, screen rotation) that are held up as evidence of MAME play? Were you able to replicate any of these non-arcade patterns off an arcade PCB? Are you familiar with anyone who was able to do so?

DR: The whole transition and girder issue is assumed to be what is found on the original tapes. That has yet to be demonstrated. Until one can present video footage from the Fun Spot unveiling or during the private cabin screening, this will remain an open question. Make no mistake, there are no transitions shown during the main body of the "King of Kong" film and I could only find one in the extras, and that was at the beginning of the elevator board comparison. As I said above, I do not think this approach (trying to replicate something which has not been shown to exist on the original tapes) is fruitful. It involves basing an entire case on an, as of yet, unproven assumption.

JH: What is your current best guess as to why the direct feed footage of Billy's gameplay displays non-arcade transition rendering patterns? Does it seem more likely to you that there would be a technical explanation yet to be discovered or that the tapes themselves are forgeries of some kind from a malicious third party? Why?

DR: The question assumes that the original footage, which no one seems to possess, does not display arcade transitions. This dogmatic assertion comes from assuming that the uploaded youtube videos from Dwayne Richard are the original tapes. It should be kept in mind that Richard had previously sought help from at least two individuals in order to fake a Donkey Kong score to submit to TG. This is a serious problem that many dismiss or discount, but Richard has been shown to be an untrustworthy source in the past and that, coupled with his utter disdain for Billy Mitchell, should warrant far greater scrutiny and skepticism with regards to any claims he has made with respect to his videos. There are more problems and differences with these recordings in comparison to the VHS playback conducted by Jace Hall, as well as the two digital copies which were uploaded to the dispute thread. All materials, including physical copies of the tapes in possession of TG and Dwayne, need to be surrendered so an independent and thorough examination can be made. As of this moment, this has not been done. There may be technical explanations or further testing which may eliminate or establish a particular theory as true, but as of right now it is up in the air.

Please also keep in mind that if someone was going to alter or manipulate a recording, the gameplay is not in view here. Some have made the ridiculous claim that a forger would have to reproduce the game in its entirety. This does not logically follow. There are only a few frames between each board that would potentially have to be altered. Let's be generous and say that 5 frames would need correction per transition with the maximum number of transitions for the 1,047,200 game at 122. That's 610 frames which would account for less than 21 seconds of a 2.5-hour game, .2% of the entire recording.

Someone who suggests this is an insurmountable feat would be greatly mistaken. Perhaps a forensic expert should be hired to conduct a digital frame analysis.

Consider these altered frames from one of my recordings:

JH: Is there any other relevant information not covered by the above questions that you feel is vital to my understanding of the situation? Is there anyone you feel it is important I speak with to better understand?

DR: There is much more to this. I assure you that others, more knowledgeable than myself on the aspects of DK gameplay and what would have been possible for Billy Mitchell to accomplish, have been analyzing and testing the assertions made by the opposition. I would suggest speaking with Billy directly.

The following were some of my thoughts I posted prior to TG's decision of April 12, 2018:

"The games which Billy played were done in public and this fact is attested by witnesses and the organizers of the events at which he played. The historical record cannot be so easily dismissed or erased. The fact someone tries to impugn another's character in order to justify rejection of historical testimony is contemptible. History isn't only relevant and appropriate to consider when it involves events and people you deem worthy of assent.

This brings me to the conclusion of the matter. What is this dispute really about? I thought it was supposed to be about the 1,062,800 Donkey Kong score of Billy Mitchell, however, it has turned out to be a vehicle by which to accuse and vilify him and those who believe the evidence for rejecting this score is seriously wanting. All of the things discussed prior to this really have little to no bearing on the actual claim. There is no tape of the 1,062,800 point game even though witnesses have stated that Twin Galaxies was the last to have possession of it. Some footage was captured by myself and others at the Big Bang in 2010, but it appears most of this dispute's focus was centered on the two earlier scores in an attempt to paint Billy as a cheater. I honestly think this whole thing is a ruse in order to get all of Billy's scores removed from the scoreboard, which would include his perfect Pac-Man. This suggestion and

possible implementation has been floating around for some time, so don't try to tell me that it's all in my head.

The continuous claims being made and accusations against Billy are without merit. There is no substance to them. The claim that Billy used MAME has not been proven. The claim that Billy used MAME and deceptively enabled cheats in order to match the arcade has not been proven. The claim that Billy spliced together his game from MAME save states has not been proven. Simply making a claim or comparison isn't the same as proof. Showing that frames resemble MAME in certain respects doesn't prove that MAME was used. Those who believe Billy cheated will look at the evidence and conclude that he cheated. Not because he was shown to have cheated, but because that is how they wish to interpret the evidence. The burden of proof rests on the ones making the claims and accusations against Billy. I don't think that burden has been met. At best, the results would be inconclusive. Given this, if a decision is to be made, it should be to retain the score which TG had already validated based on the historical record from 2010."

Thank you

Questions Provided to Billy Jr.

Note: BJR is Billy Jr, DR is David Race

From: **David Race** <[REDACTED]>
Date: Thu, Jul 25, 2019 at 12:08 AM
Subject: Re: Questions
To: Billy Mitchell <billy.pacman.player@gmail.com>

Here are my questions:

BJR: Throughout the dispute, Jace Hall refused to accept any information you posted to your Facebook page, as opposed to the public dispute [thread](#). He would even acknowledge it, but then proceed to make disrespect remarks (example below) Do you believe this was justified? Or do you believe TG was obligated to examine all evidence, in or out of the dispute forum? Should they have moved your analyses into the forum themselves?

DR: I don't think it was justified. This dispute thread used Billy's last submitted score (1,062,800) as a pretext to call into question his 1,047,200 and his 1,050,200 games, and subsequently every score which had been accepted by TG in the past, including his perfect Pac-Man. Such a forum is not the place for an impartial investigation into allegations and assertions made against someone, in this case, Billy Mitchell. I think Jace Hall and staff should have gathered evidence and considered input from all parties, in a setting not subject to undue influence and overt negative bias as was constantly on display in the dispute thread.

BJR: In the past, you've mentioned your feelings about the public dispute forum, can you explain it again? Do you believe the conduct tolerated affected the ability for a fair investigation to occur?

DR: As I recently stated in a response I gave to Josh Harmon of Electronic Gaming Monthly(EGM), "I decided the 'Dispute Thread' was anything from impartial and it was one long exercise in poisoning the well in order to come to only one conclusion. I posted a few things, but that was usually by request of close friends. I felt no need to participate in such a sham, and make no mistake, that is exactly what it was. It would be like a Christian who was asked to present his case in an atheist forum and then was endlessly lambasted and attacked because he wouldn't spend endless hours responding to the myriad criticisms and responses to his initial post. There is nothing fair and balanced about it."

BJR: You've spoken about Jace Hall's refusal to allow any other party to examine the provided VHS tapes. Do you find this questionable?

DR: Of course. It only makes sense both sides should have access to the same evidence. On April 13, 2018, I asked Jace [if I](#) could examine the tapes myself, but he wasn't willing to share them. I then asked if he could send copies with perfect frame

duplication of the transitions, but this he also refused. I also [contacted Dwayne Richard](#). I sent the following to him on July 10, 2018:

"Dwayne,
I was hoping you would be willing to consider the following request and answer these questions.

Do you still have the original tapes that you played for the [Youtube](#) recordings of Billy Mitchell's 1,047,200 and 1,050,200 games?

If so, would you be willing to send them to me so I can look at them in their entirety?

The original videos you uploaded, are they still available for viewing somewhere?

My understanding is that they were uploaded in sections, is that correct? I know [Youtube](#) used to limit how much could be uploaded at once.

Do you remember the date these videos were originally uploaded?

In one of the videos, you said that Todd Rogers had given you the VHS tape (1,050,200) you were about to play. Is it your understanding that this was the original tape Billy made, or simply a copy?

When did you come in possession of the 1,050,200 tape?

When did you come in possession of the 1,047,200 tape?

Thank you,
David"

I resent the request and questions 3 weeks later and the only response I received was the following, "Dave [your](#) not my friend stop bothering me"

BJR: Jace Hall used Chris [Gleed](#), known as [YesAffinity](#) on the dispute forum, as a third party. Did this [third party](#) investigator ever reach out for your research, knowledge, or opinion?

DR: Not to my knowledge.

BJR: Do you believe that the technical evidence warranted Jace Hall's disregard to even examine any witness testimony in defense of Billy Mitchell's scores? as well as the evidence that the board was certified by Nintendo?

DR: Certainly not. All evidence needs to be looked at. It appears Jace was willing to accept testimony from certain [witnesses](#), [but](#) refuse to consider testimony from others. His actions were anything but thorough or impartial.

BJR: Looking back, how do you feel regarding Jace Hall's/Twin Galaxies' attitude toward evidence in support of Billy Mitchell? Do you feel the standard for something to be considered evidence, for or against Billy, was equal?

DR: No. Despite what Jace may say, it appears that he and others, when presented with contrary evidence, sought any way to call it into question or to outright dismiss it. This is the mentality of someone who says, "Don't confuse me with the facts. My mind is made up."

Part 2: The Color Issue

The Color Issue

Background

Although we do not know the exact capture set-up used in Billy Mitchell's Donkey Kong performances, we do know some of the equipment involved. The most unique piece, and hence easy to remember, was the two-bit converter. The two-bit converter is a device that allowed for the creation of Donkey Kong direct feed. Billy Mitchell, and others, bought this device in 2003 in order to upgrade the viewing experience of people watching Billy's gameplay. In late February 2018, Jace Hall was made aware that this device was used in Billy's Mitchell's capture set-up. As a result, Hall ordered two of these devices, keeping one, and sending the other to Twin Galaxies' investigator Chris Gleed. Before I continue, I'd like to make it very clear that no one told Jace Hall the exact capture set-up, because nobody knows what it was. In the following article, Twin Galaxies claims to be using the recording set-up Billy Mitchell supposedly used. These claims are false, and have no evidence, because nobody of importance ever reported a capture set-up to Twin Galaxies.

Evidence

On March 30th, 2018, Twin Galaxies released an article updating their findings regarding the Billy Mitchell score dispute. In short, the article titled "Twin Galaxies Explores Capturing Equipment used in Billy Mitchell Score" updates TG's findings for roughly the entire month of March. Although other things are briefly mentioned, the main assertion made in this article claims that using a two-bit convertor, none of TG testing has been able to record a Donkey Kong game in color. In other words, TG claimed that a two-bit converter could not capture color, which it supposedly did in Billy Mitchell's performances. This was compounded by a phone call from Jace Hall, who said that they'd been testing for "over a month," and that they couldn't get it to produce in color. Moreover, Twin Galaxies investigator Chris Gleed echoed these findings to Twin Galaxies. Here's Jace Hall's quote from TG's article:

https://www.twingalaxies.com/feed_details.php/875/twin-galaxies-explores-capturing-equipment-used-in-billy-mitchell-score

"Hall goes on to explain their findings with that hardware. Our testing of the TWO-BIT converter has indicated that it does not output a standard NTSC signal. In fact, the signal is so non-standard, that many devices will not recognize it fully and only output a BLACK AND WHITE or SEMI-MONOCHROMATIC display when they receive it. Only extremely forgiving devices seem to have any chance of interpreting the full signal. We have confirmed this behavior with @YesAffinity (Chris Gleed) who has been performing 3rd party confirmation work with the other TWO-BIT converter we purchased and sent to him. We have yet to find any VHS recorder that will recognize the signal properly and record it in full and proper color. Every VHS recorder records it in black and white. The only thing we have found that can correct the signal are some (not all) analog-to-digital conversion technologies, but using them to signal stabilize would then break the specific analog chain required to produce a VHS recording according

the claimed recording method. All testing is currently showing that it may not be possible to create a recording that looks like Billy Mitchell's using an original arcade machine, a TWO-BIT converter and a VHS recorder only."

Here is an example of the color Jace Hall is referring to:

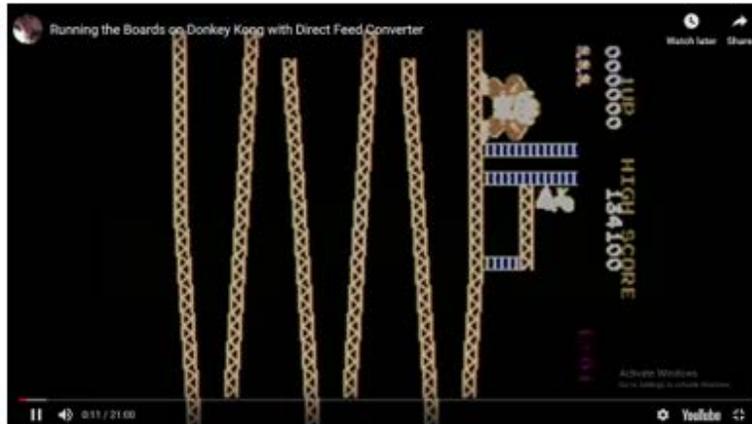


Figure 1. Screenshot of the Carlos Pineiro Video referenced on the Twin Galaxies article, "Twin Galaxies Explores Capturing Equipment used in Billy Mitchell Score."

Here is an example of the color a Donkey Kong Arcade machine produces:

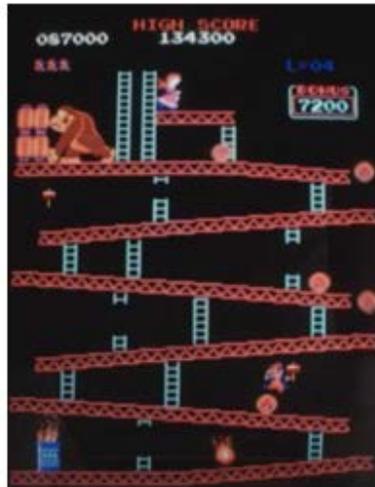


Figure 2. Correct Donkey Kong Arcade Color.

From here, it became obvious where Twin Galaxies planned to take this evidence. They we're going to claim that the equipment used in Billy Mitchell's performance can't produce color, therefore, Billy Mitchell's performance couldn't have been produced by an original Donkey Kong machine. However, these claims would be debunked in less than 24 hours.

After receiving the phone call from Jace Hall, Carlos Pineiro and Neil Hernandez began attempts to produce color through a two-bit converter. Almost immediately, Hernandez suggested that the issue lied within the dry resistors and capacitors on the game board. Hernandez and Pineiro decided to put new resistors and capacitors onto the Donkey Kong game board, and it resulted in the two-bit converter producing color to a 95% match of Mitchell's alleged tapes. What Hall and his technicians failed to do for over a month had been easily done in a few hours. Moreover, a few months later, David Race spent time looking further into the color issue. Ultimately, He found that certain kinds of VCR's produce color, and some do not, which further debunked the claims made by Jace Hall and Twin Galaxies. Here is a video of David Race producing color through a two-bit converter to a VCR:

https://www.youtube.com/watch?v=oUNnR6C6Joo&list=PL9phvGHENRhZiY6zteeuOcCihEt69ZJ_2&index=28&t=0s

Here is a two-bit converter producing color:

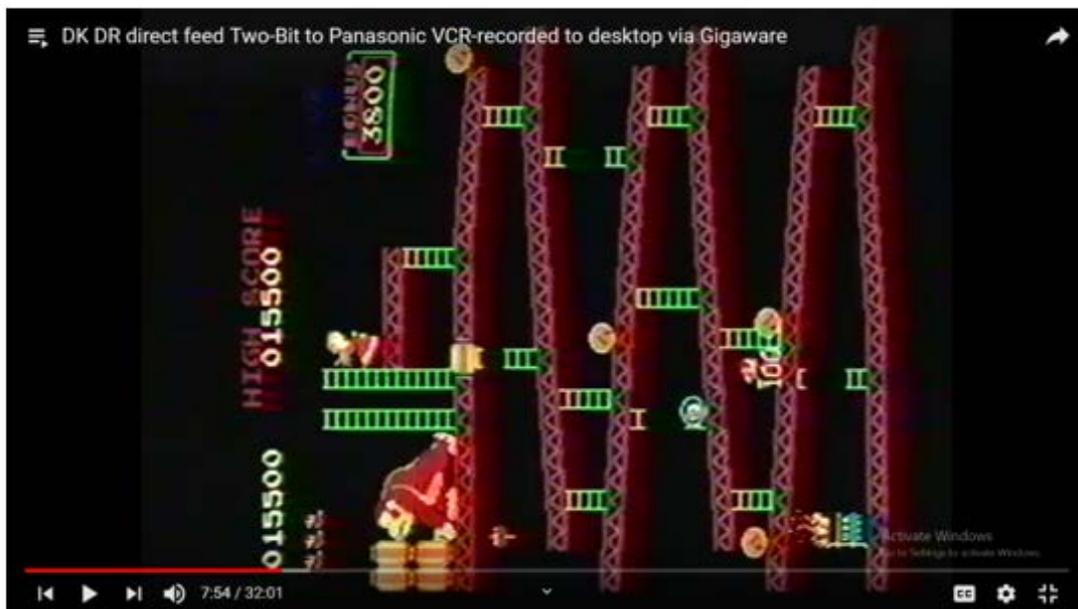


Figure 3. Two Bit converter producing color to a 90% match of Billy Mitchell's alleged tapes.

Final Comments

The events recorded in this document are only one of Jace Hall and TG's many disproven claims. However, this debunked claim is probably the most significant, because it highlights Jace Hall's and his technicians' incompetence better than anything in the entire dispute. Hall and his technicians had spent "over a month" researching this, and were so confident that this converter could not produce color that they published an entire article on it. This event highlights Jace Hall's inexperience with arcade equipment better than anything else. Jace Hall is not a technician, does not have the educational background of a technician, and should not be considered a technical expert of any kind. As a matter of fact, we do not believe Jace Hall has received any level of college education.

I would like to ask the reader to consider something, imagine an alternate universe, where the answer to the color issue was never found. Jace Hall, on the back of his own incompetence, would have ended this dispute on the spot, saying that the converter can't even produce the color shown in Billy Mitchell performances. Meanwhile, the truth would have been that it was possible, and simply wasn't found, and Billy Mitchell would have been convicted on false evidence. It's very possible, that the answer to the MAME-like transitions is something as simple as this, but because it hasn't been found, Jace Hall feels the liberty to say it doesn't exist. This scenario applies for every other point made by Jace Hall and his assistants, simply not being able to find the answer does not prove it doesn't exist. The entire evidence body, and basis behind his assertions, lies in the fact that he, nor anyone else, was able to produce the transition screens shown in Billy Mitchell's alleged tapes. Therefore, it must not be possible. This is a logical fallacy where someone claims that simply because something is not known, it must not exist or be possible. Hall's claims are supported by simply trial and error, where Hall tried different recording methods to produce the same output as those seen on Billy Mitchell's alleged tapes. These tests do not prove something isn't possible, which is Hall's claim.

Let me provide an example to explain why trial and error does not prove anything for Jace Hall. Thomas Edison, the developer of the light bulb, achieved electrocution through tests of trial and error. Edison reportedly made 1,000 unsuccessful attempts at creating the light bulb. However, no matter how many attempts failed, Edison continued, and eventually succeeded, because no amount of failures in trial and error tests proved that electrocution wasn't possible. The equivalent in this scenario, would be Jace Hall's (not to compare him to Thomas Edison, he isn't that smart) trial and error attempts to produce these MAME-like transitions. However, unlike Edison, Hall simply gave up after a few attempts, and claimed it was impossible The obvious logical fallacy here is that trial and error doesn't prove something isn't possible, it simply proves he didn't achieve it. |

Update: 3/1/2019

Background

Emulators, like MAME, are more recent technologies that comes from computers or newer hardware. Because MAME comes from a computer, a direct feed recording of MAME would always produce color, and it would do so in a crisp manner. Moreover, other emulators would also always produce color. Also, emulators like MAME or bootlegs would not require a two-bit converter for direct feed.

Evidence

In the color argument, a notable piece of evidence was overlooked regarding Billy Mitchell's 1,062,800 performance. In the Twin Galaxies article "Twin Galaxies Explores Capturing Equipment used in Billy Mitchell Score," Jace Hall explains the color anomalies found in their testing, specifically citing that the "TWO-BIT converter has indicated that it does not output a standard NTSC signal. In fact, the signal is so non-standard, that many devices will not recognize it fully and only output a BLACK AND WHITE or SEMI-MONOCHROMATIC display when they receive it." In other words, Jace Hall asserts that a two-bit converter fails to produce the proper color of a Donkey Kong arcade machine, and later on provides an example of the failure with Carlos [Pineiro's](#) video (Figure 4).



Figure 4. Screenshot of the Carlos [Pineiro](#) video referenced in the Twin Galaxies article to show the two-bit converters failure to produce proper color.

Referencing the findings from earlier, the color produced in the image above occurs due to dry resistors and capacitors on the arcade machine's game board. I like to refer to the color produced as "peach-like." Now that the color of a Donkey Kong machine with dry resistors and capacitors through a two-bit convertor is understood, I'd like to cross-reference this color example, provided by Jace Hall himself, with all the available footage of Billy Mitchell's 1,062,800 performance (Figures 5-8). Here's a link to the footage:

<https://www.youtube.com/watch?v=1-LRptUQwFE&t=482s>



Figure 5 and 6. External Camera recording of Billy Mitchell's 1,062,800 performance from the International Video Game Hall of Fame announcement in 2010. The performance exhibits the same peach-like color exhibited in Carlos Pineiro's testing of a two-bit converter and Donkey Kong Arcade Machine.

As seen in figures 5 and 6, cross-referencing the color of Billy Mitchell's 1,062,800 performance and the color produced by the arcade machine testing of Carlos Pineiro is an exact match. This is the same "Semi-Monochromatic" color that Jace Hall refers to in his article before referencing Carlos Pineiro's video for an example. This peach-like color could not have been produced by MAME, because MAME originates from a computer, and hence would have perfect color. The color comparison shows evidence in Billy Mitchell's 1,062,800 performance that only an arcade machine through a two-bit converter would output. As a matter of fact, I believe no emulator, without any intensive tampering, would produce this peach-like color. It originates from an arcade machine with dry resistors and capacitors, as found by Jace Hall himself, and Carlos Pineiro.

Part 3: The Girder Finger

The Girder Finger Issue

During the Twin Galaxies investigation, a specific artifact of Donkey Kong transition screens was noticed, and nicknamed the “Girder Finger.” Billy Mitchell’s opposition claimed that this girder finger could only be produced by MAME, and under no circumstances can an arcade machine produce the artifact. Furthermore, Mitchell’s opposition used this as a means of deciding what specific version of MAME they claimed Billy Mitchell used.

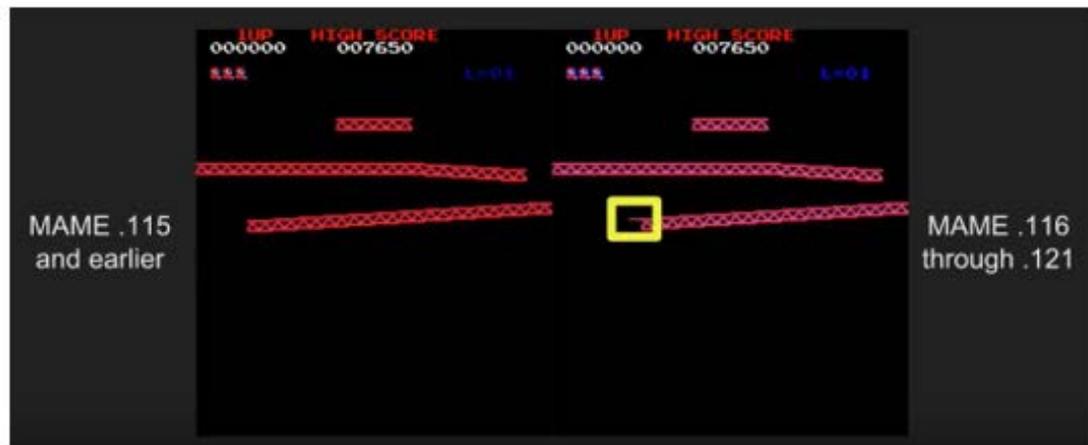


Figure 1. Picture showing the girder finger in a yellow box. The girder finger is produced in MAME versions .116 to .121, and does not appear on MAME’s default setting for versions prior to .116 or after .121

After spending several weeks claiming that Billy Mitchell played on MAME, and specifically saying a version of MAME from .116 to .121, it was discovered that the versions of MAME from .116 to .121 had not been created yet at the time of Billy Mitchell’s 1,047,200 performance, which occurred in 2004, and was created less than 4 weeks before Billy Mitchell’s 1,050,200 performance, which occurred in July 2007 (Figure 2, Figure 3). In other words, these tapes could not possibly been Billy Mitchell’s unaltered with performances, because it was literally impossible for Billy Mitchell to have played on this version of MAME (Figure 2, Figure 3).

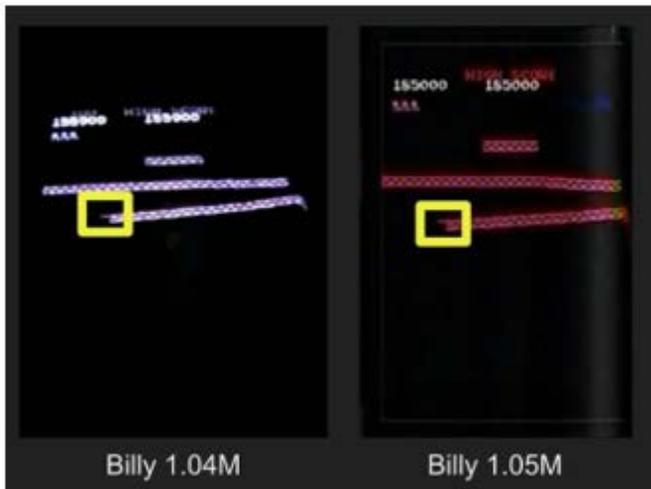


Figure 2. Picture showing the “Girder Finger” in both of Billy Mitchell’s alleged tapes.

Version	Date	Source	Binary (Windows)	Whatsnew
0.122	18 Dec 2007	mame0122s.zip	mame0122s.exe mame0122s_64bit.exe	whatsnew_0122.txt
0.121	18 Nov 2007	mame0121s.zip	mame0121s.exe mame0121s_64bit.exe	whatsnew_0121.txt
0.120	15 Oct 2007	mame0120s.zip	mame0120s.exe mame0120s_64bit.exe	whatsnew_0120.txt
0.119	13 Sep 2007	mame0119s.zip	mame0119s.exe	whatsnew_0119.txt
0.118	5 Aug 2007	mame0118s.zip	mame0118s.exe	whatsnew_0118.txt
0.117	10 Jul 2007	mame0117s.zip	mame0117s.exe	whatsnew_0117.txt
0.116	10 Jun 2007	mame0116s.zip	mame0116s.exe	whatsnew_0116.txt
0.115	08 May 2007	mame0115s.zip	mame0115s.exe	whatsnew_0115.txt
0.114	02 Apr 2007	mame0114s.zip	mame0114s.exe	whatsnew_0114.txt
0.113	05 Mar 2007	mame0113s.zip	mame0113s.exe	whatsnew_0113.txt

Figure 3. Screenshot from the official MAME website showing that MAME version .116 was not created until June 10, 2007.

Knowing that Billy Mitchell's 1,047,200 performance occurred in 2004, and that the possible versions of MAME these tapes showed was not invented until 2007, it became irrefutable that these tapes had been tampered with, because it would be impossible for Billy Mitchell to have played on these versions of MAME.

Opposing Side's Counter-Arguments:

This seemed to be irrefutable evidence that these tapes had been tampered with. To follow, Jace Hall asked the participants of the dispute thread to attempt to produce the girder finger in versions of MAME that existed at the time of the performance (Figure 4).

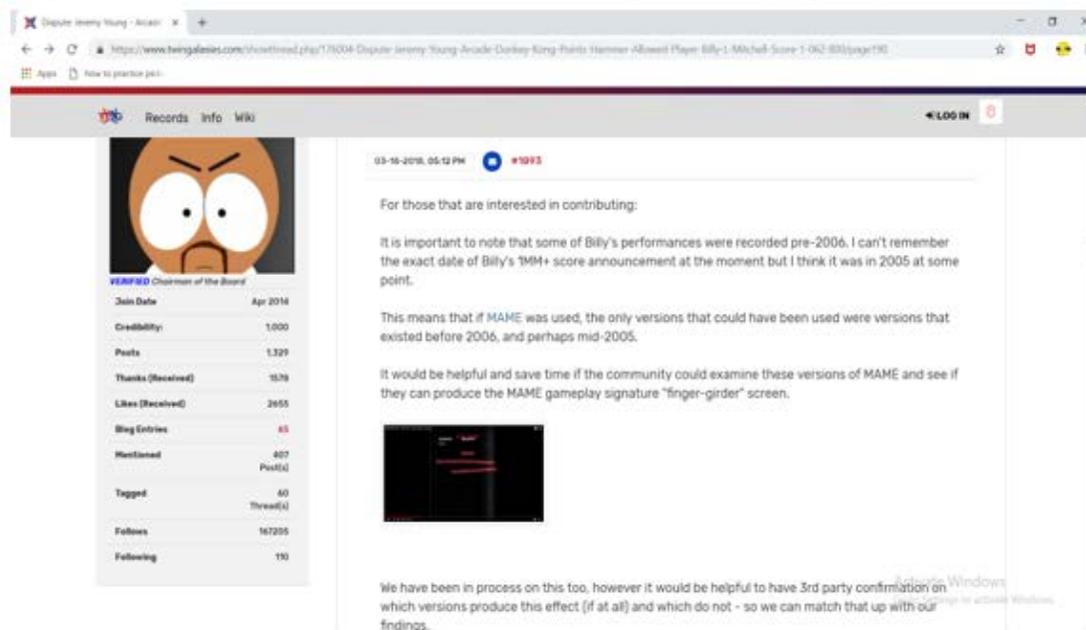


Figure 4. Twin Galaxies Dispute Thread post #1893. Jace Hall asks dispute thread participants to produce the girder finger in versions of MAME that existed at the time of the performance.

Following this post, there were two counter-arguments provided, which both involve tampering with an older version of MAME to force the girder finger to appear. I underline force to emphasize that this does not occur naturally. One of these counter-arguments is to change MAME's refresh rate from 60.0Hz to 60.6Hz, and the other is to set the CPU0 back to 99%. While these methods do force the girder finger to appear in versions of MAME that existed in 2004, I'll explain why both of these arguments are invalid, and are incongruent with all other testimony surrounding Billy Mitchell's performances.

After the evidence that the version of MAME that rendered the girder finger didn't exist, Twin Galaxies employee Wes Copeland provided a possible way the girder finger can render in earlier versions of MAME, which was to change the refresh rate for 60Hz to 60.6Hz (Figure 5).

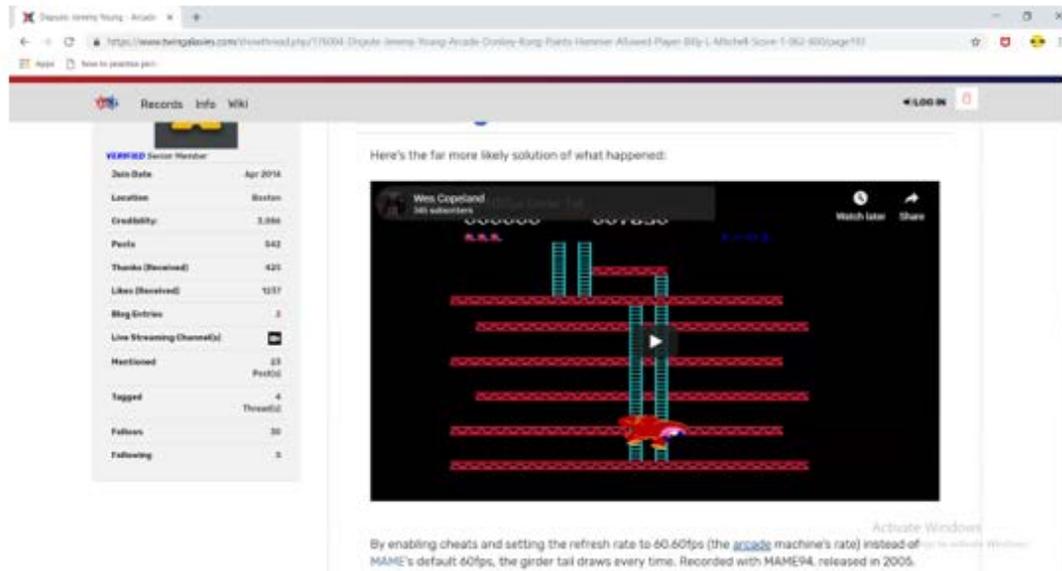


Figure 6. Twin Galaxies employee Wes Copeland provides the refresh rate change explanation. This is post #1925 in the Twin Galaxies Dispute Thread.

Copeland, who I'd like to remind the reader, has proven himself less than fully honest in the RNG analyses, provides reasoning behind this by saying that the arcade machine's refresh rate is 60.6Hz, and not 60Hz. This is a lie. I'd like to cite the research of David Race, who states that the arcade refresh rate is 60Hz, and provides evidence in a 1987 manual from Mikesarcade.com (Figure 7, Figure 8). Personally, I, Billy Mitchell Jr, could not find anything that supports Copeland's claim that Donkey Kong Arcade runs at 60.6hz. It's nothing but a claim without any evidence to substantiate it. Copeland's attempt to provide reasoning behind why someone would change the refresh rate to 60.6hz is completely fabricated.

There is a manual from 1987 which lists the vertical rate as 60 Hz (+/- 5 Hz). It can be found on Mikesarcade.com



MikesArcade.com

mikesarcade.com

Sanyo 19" Standard-Resolution Display

2 Specifications

Power Input and Consumption

Line Voltage	100 VAC, within +10% and -15%
Line Frequency	47 to 63 Hz
Power Consumption	74 W maximum

Temperature and Humidity

Ambient Air Temperature:

Operating	0°C to +55°C (+32°F to +130°F)
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At Screen Edges

0.020 inch (0.5 mm) maximum misconvergence

Color Purity

Practically uniform throughout the screen area after degaussing with a hand-held degaussing coil.

Scan Rates:

Horizontal 15.75 kHz, within ± 500 Hz

Vertical 60 Hz, within ± 5 Hz

CRT Type 510/UB22, 19-inch, 90°

Tilt of Deflection Yoke Declination of a horizontal line is within 0.10 inch (2.54 mm).



Figure 7. Screenshot of 1987 manual about the Sanyo Monitor via Mikes Arcade, stating the refresh rate is 60Hz, not 60.6Hz.
Link: <http://mikesarcade.com/cgi-bin/store.pl>

Link: <http://mikesarcade.com/cgi-bin/store.pl>

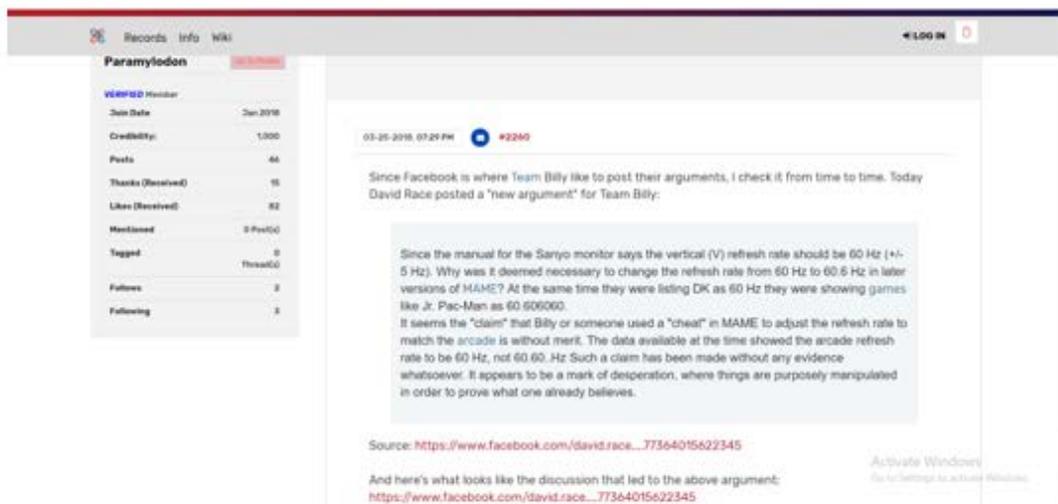


Figure 8. Quote of a David Race Facebook post regarding the refresh rate change. "The data available at the time showed the arcade refresh rate to be 60 Hz, not 60.6 Hz"

Next, I'd like to explain why the idea of the refresh rate change is invalid. To understand this in depth, it's important to understand the different MAME versions being mentioned. From the creation of MAME Donkey Kong, to June 10th 2007, the versions of MAME from the first version until version .116, the girder finger did not appear on transition screens. In these versions of MAME, the refresh rate was 60Hz. On June 10th 2007, MAME version .116 was released, and in these versions the girder finger began its existence. In MAME version .116, the creators increased the refresh rate to 60.6Hz from just 60Hz. The reasoning is not exactly clear, although it seems that it was simply to make the game run more smoothly. The change in refresh rate to 60.6hz the MAME creators installed with version .116, on June 10th 2007, is what caused the finger to begin appearing. Although I can not provide the scientific explanation to this, because I'm not a technician, this is echoed in the Twin Galaxies dispute thread (Figure 9). Hence, someone in 2004 would have to somehow see into the future, know that the MAME creators would change the refresh rate of their game to 60.6hz in version .116, that this would create a phenomenon known as the girder finger, and replicate it themselves. This is impossible, because time travel isn't real. There is no legitimate way someone in 2004 could have known to change the refresh rate from 60hz to 60.6hz to produce the girder finger, so expressing it as proof that the girder finger is possible is fictitious. The entire premise of this, which is that someone could have known to make this change, is impossible.

There is also no logical alternative explanation for why Billy Mitchell, or somebody working for him, would have changed the refresh rate to 60.6hz, if he was playing on MAME. This problem is most likely why the arcade running at 60.6hz lie was created. The 60.6hz refresh rate does not match the arcade settings, meaning it would only create differences between MAME and the arcade, which would be stupid for someone to do if they were trying to pass off

MAME as arcade. The entire claim of a refresh rate change producing the girder finger is exactly that, a claim, without evidence.

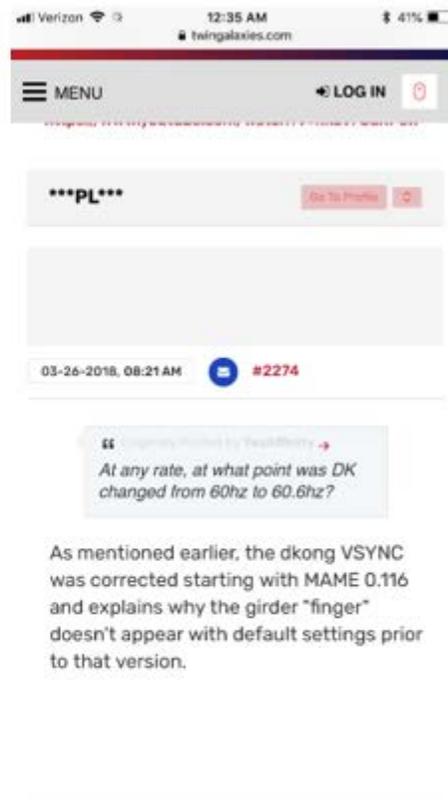


Figure 9. This screenshot from the Twin Galaxies Dispute thread explains the MAME refresh rate change from 60Hz to 60.6Hz in version .116. Also, this person mentions it was "mentioned earlier," so this was not the first time it was explained.

Next, I'd like to show that even changing the refresh rate in those earlier versions of MAME is very difficult. When Copeland presented this solution, other people, specifically someone named "FBX," had trouble reproducing Copeland's method. This is because there's not a built in command to change refresh rate (Figure 10). It actually takes some technical savvy to force MAME to perform this function, as Copeland describes in figure 9. So on top of the incredibly low likelihood that someone would even change refresh rate, it's also very complicated to even perform this action in MAME.

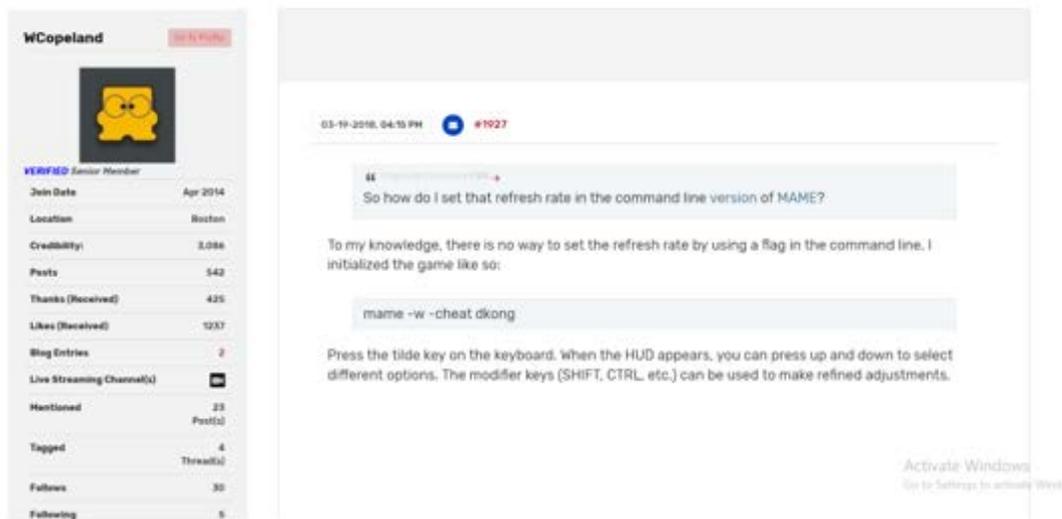


Figure 10. Wes Copeland explains the complicated process to tamper with early versions of MAME in order to change the refresh rate.

Lastly, I'd like to point out the incongruence between Copeland's claim and all witness testimony provided in this evidence package. Throughout all the testimony, there is unanimous recollection that Billy Mitchell's scores occurred on **hardware**, not a computer. For Copeland's claim to be possible, the games would have to be played on a computer. All witness testimony rebuts this conclusively.

The second counter-argument is by far the weaker than the first, mainly because on top of having no evidence to support it, it's also extremely obscure. The second counter-argument involves setting MAME's CPU0 (Computer Processing Unit) to 99%. This argument originated after dispute participants failed to produce the girder finger in versions of MAME available at the time of Billy Mitchell's 1,047,200 performance (Figure 4). Following their failure, Jace Hall, seemingly out of nowhere, obtained the knowledge of this counter-argument and asked the dispute participants to perform the action (Figure 11). The action of setting the CPU0 to 99% did make the girder finger appear in versions of MAME released long before Billy Mitchell's 1,047,200 performance. However, there are a number of issues with this argument.

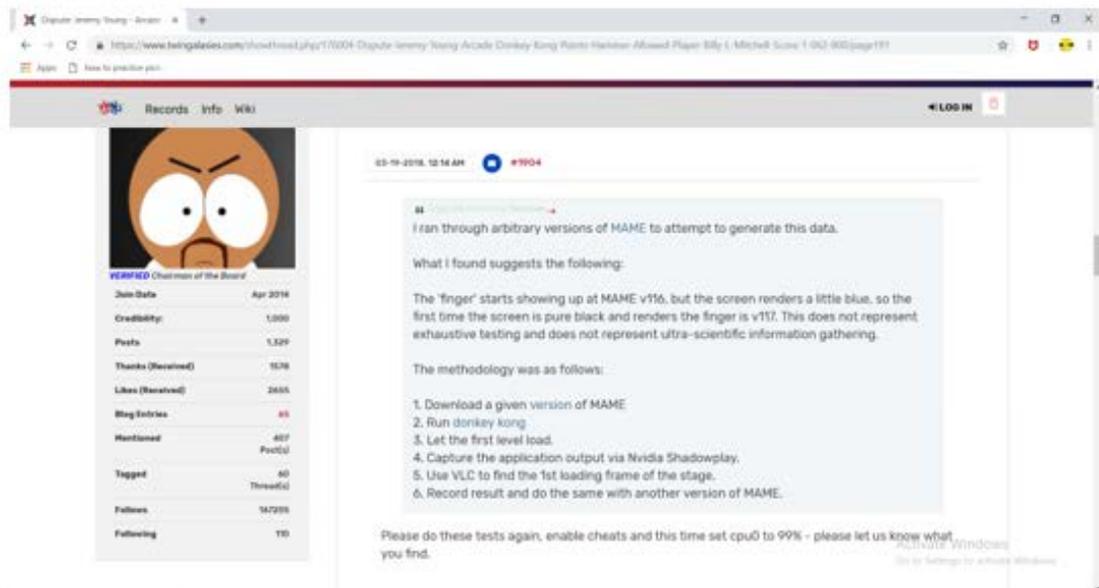


Figure 11. After dispute thread participants fail to reproduce the girder finger in versions of MAME that existed at the time of the performance, Jace Hall explains how to tamper with MAME, and subsequently make the girder finger appear.

This argument made by Twin Galaxies and its dispute participants, which is “settings the CPU0 back to 99% makes the girder finger appear in versions available at the time, therefore, it is possible that the finger appears in Billy’s 1,047,200 game, so the tapes aren’t tampered with” has a few glaring issues. Firstly, it can’t be emphasized enough that there is no evidence that this occurred in Mitchell’s games. The argument provided here is a mere possibility, and an obscure one, that is stated in an attempt of desperation to salvage the dispute. Stated many times by Jace Hall himself, the dispute must prove its own case, which it does not do at all in this case. I’d like to provide a similar example, in a murder case, a defendant is on trial because it’s possible that they committed the crime; however, it is the prosecution’s job to prove the defendant is guilty. In this case, the equivalent would be the prosecution saying, “they we’re in the same venue at the time of the crime, therefore the defendant must have committed the crime.” Providing possibility doesn’t prove anything, possibilities are not facts. Secondly, the counter-argument provided here provides a solution that is so obscure it’s unreasonable to believe someone in 2004 could have even know about this possibility. Moreover, even if Billy Mitchell did use MAME, why would someone even do this? There’s no logical reasoning behind it at all; it’s a claim, without evidence.

Lastly, again, I’d like to point out the incongruence with this claim, and all witness testimony surrounding Billy Mitchell’s scores. The CPU0 is a feature unique to the computer, although it has hardware equivalents, specifically the Z80 processor, clocking a Z80 to 99% does not render the same result. All testimony surrounding Mitchell’s scores unanimously testifies to

the use of hardware in these games. The games were not played on a computer. This simply fact totally disqualifies this claim.

To sum up, the biggest problem with the counter-arguments to this evidence is mainly that there's no evidence or logic that either of these things occurred. The second counter-argument is so weak, it almost wasn't worth acknowledging. At least with the first counter-argument, the opposition *attempted* to provide logic by saying that the refresh rate was changed to 60.6 to match the arcade refresh rate. However, the claim that arcade runs at a refresh rate of 60.6Hz is false in itself. All sources available from the time state the arcade refresh rate as 60Hz, not 60.6Hz, and MAME does not produce the girder finger at 60Hz. To confirm my findings regarding this matter I got input from David Race, someone who has helped research the accusations against Billy Mitchell. Race doubled down on my findings, and provided a well written email that expresses his own research. However, I think Race put the reception, and counter-arguments, of this evidence by Jace Hall and the dispute participants better than anyone. "It appears to be a mark of desperation, where things are purposely manipulated in order to prove what one already believes."

Here is our assertion regarding this evidence. Since Billy Mitchell, nor anyone associated with him, is capable of time travel, this evidence strongly points toward that someone tampered with Billy Mitchell's performances. Moreover, I'll support this claim with factual evidence. The evidence that supports this is vast, including:

- Well known facts that Dwayne Richard, also known as the owner of fuckbillymitchell.com, is the only source these performances.
- Dwayne Richard also lies regarding his source of the performances (Section 1).
- An email from Dwayne Richard back in 2009, where he's looking for technical help from an "Asian tech guy," and is learning to "modify boards" (Section 3 Item 2).
- A email from Dwayne Richard back in 2011, where he states "Bill has got something big coming his way, Billy Mitchell and his tight fuckin gears I have a master to take him down there are so so much on him he will be finished you won't believe what's going to happen he is a sinner and will pay" (Section 3 Item 3).
- Witness statement from Richard Vavrence stating Dwayne Richard's proposition to fake a MAME game, and how similar his plan and the accusations against Billy Mitchell are (Section 3 Item 4).
- The fact that Billy's Mitchell's performances have been edited as his alleged performances we're put on Youtube by several different sources, one of which states "This is a combined and rotated video from Dwayne Richard's uploads of the direct feed video from Billy Mitchell" (Section 3 Item 6).
- The fact that Billy Mitchell's 1,050,200 performance has borders around it, screaming that it's been put through a editor (Section 3 Item 7).
- Jeremy Young's own video uploads to Twin Galaxies, which are also in parts (Section 3 Item 8).
- Jace Hall's own Facebook comment stating that there's no way to known if said performances are copies of Billy Mitchell's original tape. "There is no way to know that

Dwayne and Greg's versions came from a copy of the original performance" (Section 3 Item 9).

- In the Twin Galaxies official dispute thread, Jace Hall calls these tape's a "liability." He's clearly not 100% confident in them (Section 3 Item 10).
- The Girder Finger Evidence presented in this document (Section 3 Item 11).

A absolute fact that Jace Hall and Twin Galaxies can not escape is that these tapes are edited, specifically by Dwayne Richard. I would also like to inform the reader that Dwayne Richard also spent thousands of dollars of creating a Youtube movie in an attempt to discredit Billy Mitchell with false evidence. In these movies, he notably tampers with Chris Ayra's Perfect Pac-man tape in an attempt to discredit him as well, simply because Ayra is a long-time friend of Billy Mitchell, so tampering with performances is nothing unfamiliar to Dwayne Richard. Twin Galaxies ignored all evidence that these tapes had been tampered with and provided no counter-arguments that proved anything. Any counter argument provided by Twin Galaxies has holes that can not be filled, so their response, specifically Jace Hall's response, was to say it "didn't matter." Unfortunately for Jace Hall, a judge and jury will think it matters.

The Aftermath:

Finally, I'd like to mention the aftermath of this entire debacle. I believe it's important, because in my opinion, this is probably the absolute height of maliciousness by Jace Hall and Twin Galaxies. Jace Hall's answer to this evidence was simple: change the argument and act like it didn't exist. After helping the dispute provide a poor and obscure counter-argument, Hall totally abandoned the claim that the games were MAME, even though he'd been claiming it was MAME for months. He changed his entire argument and dispute so that it claimed Mitchell's performances simply "weren't arcade," and proceeded to act like this evidence didn't exist. When asked, Hall told Mitchell that this evidence "didn't matter." The reasoning behind Hall doing this is very simple and can be supported fairly easily: he was receiving millions of views to his website, new investors, and unspeakable amounts of money from this dispute. There is no reason he would want this dispute to end. He received FAR more benefit from dragging the dispute out for as long as possible, then stripping Billy Mitchell's scores for maximum media attention than he would simply deeming Mitchell innocent and ending the dispute. The latter option wouldn't get him a fraction of the benefits of the former. Personally, I believe these actions we're far more malicious than anything else, even Hall's refusal to even look at, much less accept a lot Mitchell's evidence, because this was publicly available evidence. People knew about this evidence, so his answer was to simply create a deflection, and change the ground of his entire dispute. This evidence confirmed one last thing for Billy Mitchell and anyone helping him: there is no evidence that would stop Jace Hall from his premeditated plan to remove Billy Mitchell's scores.

Update: 2/23/2019

In the summer of 2018, David Race's research uncovered an interesting frame captured from a Donkey Kong Arcade machine. The following picture is from a Youtube video Carlos Pineiro uploaded during his time researching the controversy. This picture displays a partial recreation of the girder finger phenomena on a Donkey Kong Arcade machine (Figure 12). Moreover, it should also be noted that the recreation, specifically the girder finger part, almost exactly reflects the finger phenomena on Billy Mitchell's alleged tapes. However, it begs the question, what does this mean?

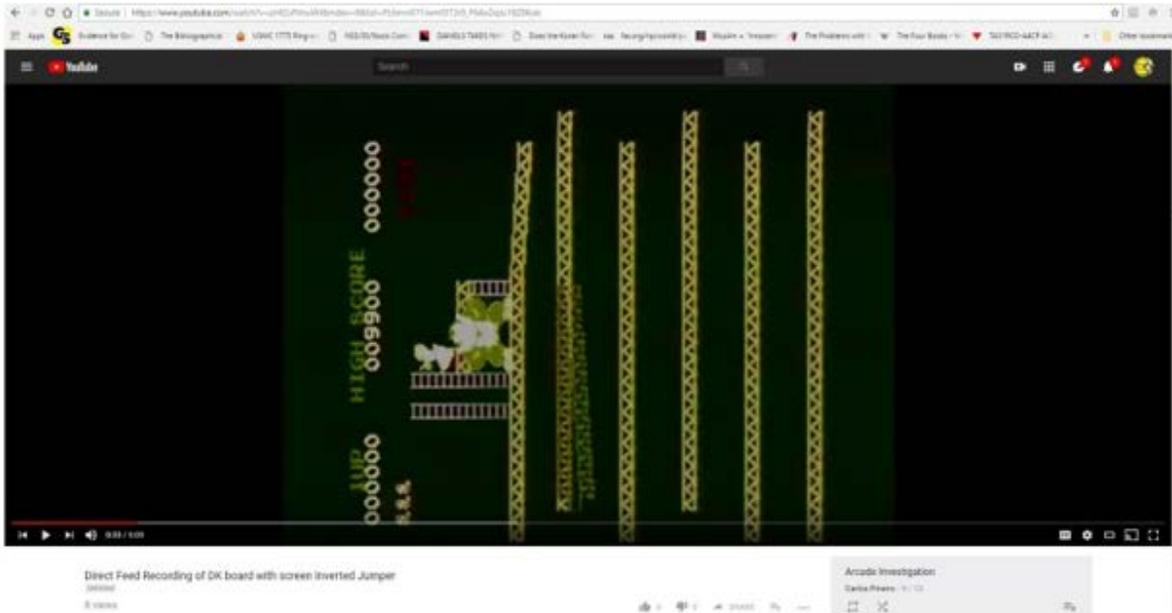
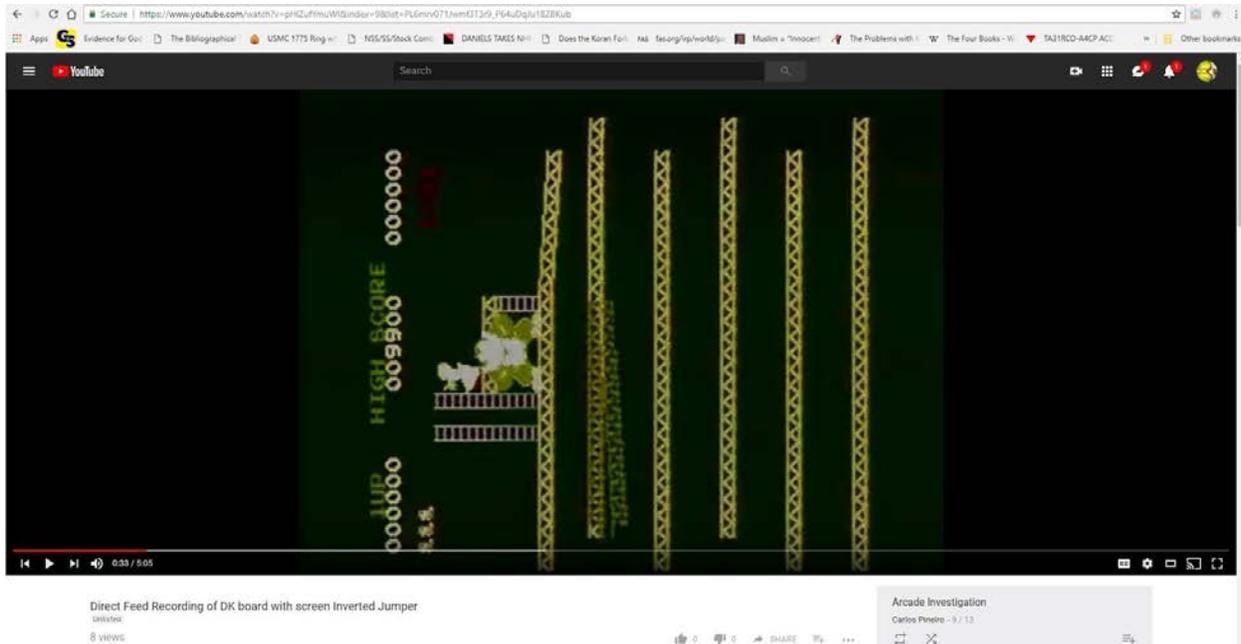


Figure 12. The picture above is a recreation of the girder finger phenomena on a Donkey Kong Arcade machine.

The picture above doesn't provide a clean recreation of what occurs in Billy Mitchell's alleged tapes. However, the partial recreation at least proves one thing: it is indeed possible for a Donkey Kong arcade machine to produce the girder finger phenomena showed in Billy Mitchell's alleged tapes. I'd like to remind the reader that Twin Galaxies asserts that under no conditions can this occur. For Twin Galaxies' entire case to hold any validity, the phenomena being displayed on Billy Mitchell's alleged tapes has to be completely impossible (also assuming the tapes are unaltered). The possibility of a technical explanation, the possibility alone, debunks that case. That specifically makes this evidence meaningful.



For this document, some figures may be hard to read. Therefore, I will provide the dispute thread post numbers to disqualify this excuse.

Dispute Thread Post Numbers:

Figure 4: #1893

Figure 6: #1925

Figure 8: #2260

Figure 9: #2274

Figure 10: #1927

Figure 11: #1904

Figure 7 can be found at: <http://mikesarcade.com/cgi-bin/store.pl>

Part 4: Donkey Kong Jr.

Description

Despite strong evidence to the contrary, some may doubt that the alleged taped performances are tampered with, or fabricated. This part serves to show that there is a high probability that there is also a technical explanation to the accusations made against Billy Mitchell.

In summary, the document shows that through Donkey Kong Jr, and historical documentation, it is indeed possible for Nintendo hardware to render the transitions shown in footage.

|There is a Technical Explanation

Before beginning this analysis, I would like to remind the reader of the Twin Galaxies (TG) argument against Billy Mitchell. The Twin Galaxies argument is, under no conditions, can an unmodified arcade Donkey Kong board render a 3 girder transition. TG created this argument as a counter to the alleged Billy Mitchell Donkey Kong tapes, which are claimed to exhibit MAME-like transition screens. I would also like to remind the reader that Twin Galaxies totally lost, and does not even retain an alleged copy, of Billy Mitchell's 1,062,800 Donkey Kong game, or his 1,270,900 Donkey Kong Junior game. The only footage of Billy Mitchell's 1,062,800 Donkey Kong game, and his 1,270,900 Donkey Kong Junior game, is footage of Billy Mitchell's live announcement at the 2010 International Video Game Hall of Fame Induction Event. This footage comes from a hand camera, which within itself, creates a lot of scientific issues with the footage, including, but not limited, to massive amounts of frame loss and extremely poor quality. Regardless, this footage shows a few supposed MAME-like transitions on Billy Mitchell's 1,062,800 game, and also shows MAME-like transitions in Billy Mitchell's 1,270,900 Donkey Kong Junior game. Here is a link to the video: <https://www.youtube.com/watch?v=1-LRptUQwFE&feature=youtu.be>

In this analysis, I'll use a few pieces of evidence to prove that although Twin Galaxies claims otherwise, authentic unmodified Nintendo hardware can produce MAME-like transition screens by showing that Billy Mitchell played on authentic Nintendo hardware in his 1,270,900 Donkey Kong Junior performance, meanwhile, it is rendering MAME-like transitions.

First, I'd like to show the reader the MAME-like Donkey Kong Junior transition screens in the Billy Mitchell 2010 International Video Game Hall of Fame announcement video (Figure 1, Figure 2, Figure 3).

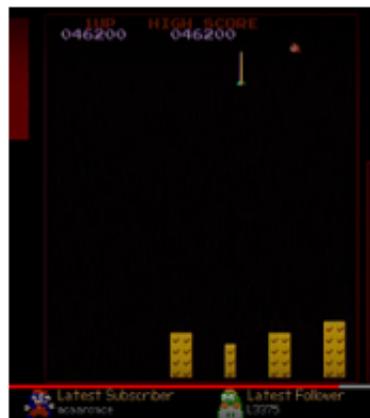


Figure 1. Screenshot of arcade Donkey Kong Junior transition screen (Vine Level). Source: Twin Galaxies Website

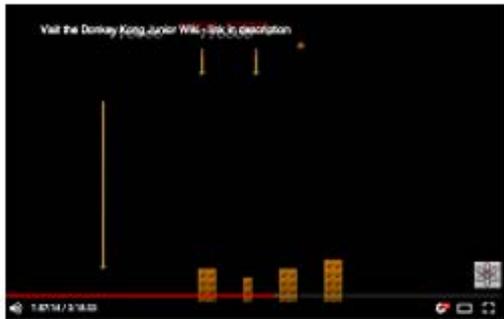


Figure 2. Screen Capture of MAME Donkey Kong Junior transition screen (Vine Level).
Source: Twin Galaxies Website



Figure 3. Screenshot of the Billy Mitchell Announcement Video.
Source: Twin Galaxies Website

Although we have no pictures, video, or any evidence that directly shows the game board Billy Mitchell played the 1,062,800 Donkey Kong game on, we do have footage of the Donkey Kong Junior board used in Billy Mitchell's 1,270,900 performance. We have this footage thanks to a Youtube video by Robert Child made in attempt to get views for his channel. This video has come to be called the "board swap video." This video occurred at Boomers, which is the location Billy Mitchell achieved both his 1,062,800 Donkey Kong score, and his 1,270,900 Donkey Kong Junior score. Here is a link to the video: https://www.youtube.com/watch?v=O_5cuc-ayP0. In this video, all the hardware inside the machine, and the Donkey Kong Junior game board can be seen. From the footage, it is extremely obvious that the board is authentic Nintendo hardware, as the footage can be matched with pictures of another Donkey Kong Junior game board to confirm authenticity (Figures 4, Figure 5, Figure 6, Figure 7).

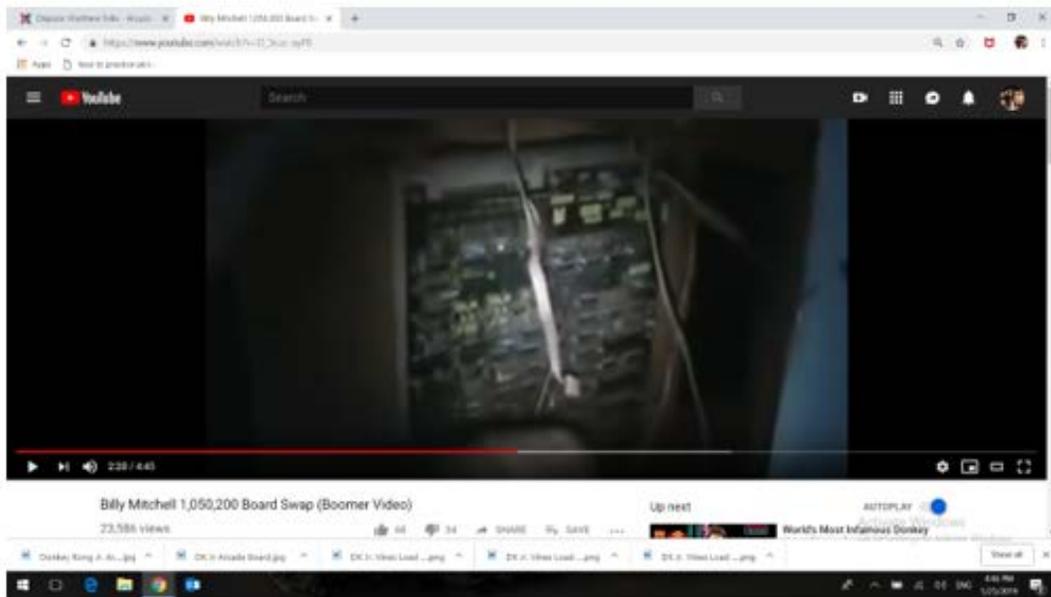


Figure 4. Picture one of the Donkey Kong Junior game board used in Billy Mitchell's 1,270,900 performance.

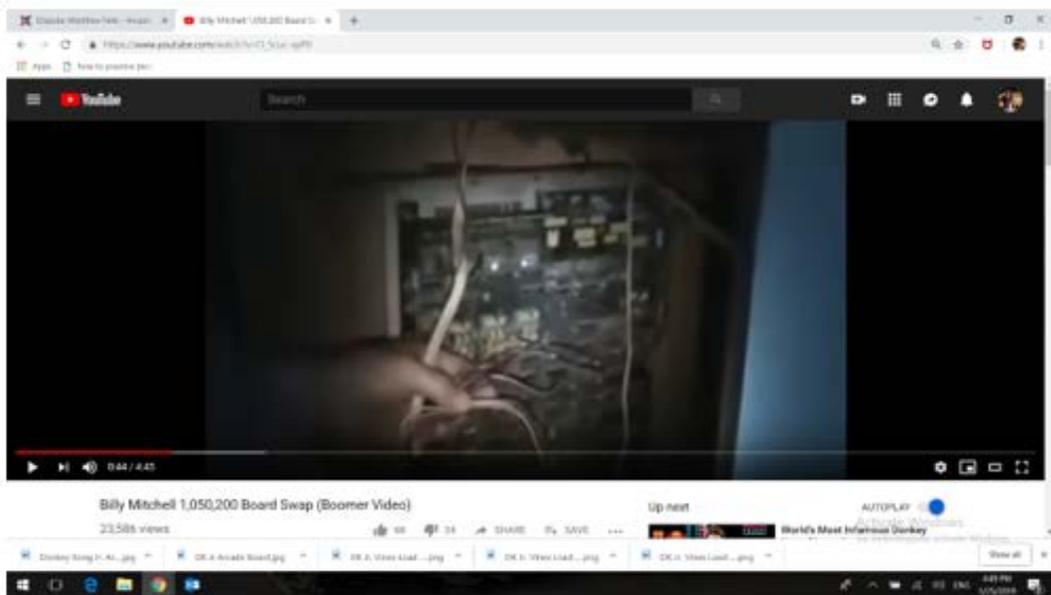


Figure 5. Picture two of the Donkey Kong Junior game board used in Billy Mitchell's 1,270,900 performance.

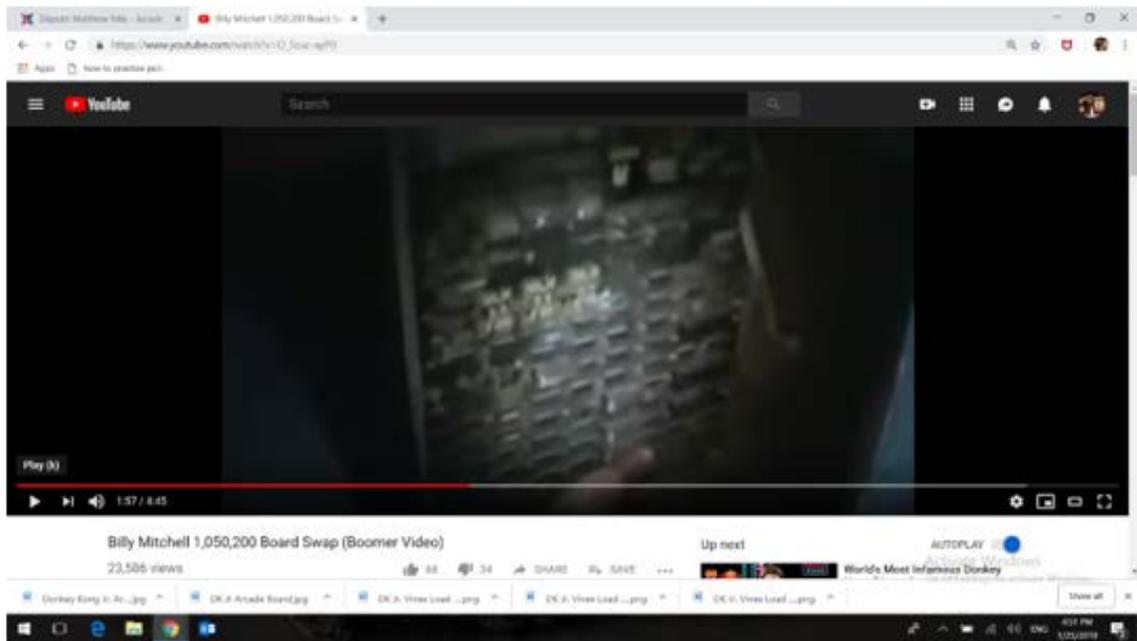


Figure 6. Picture three of the Donkey Kong Junior game board used in Billy Mitchell's 1,270,900 performance.

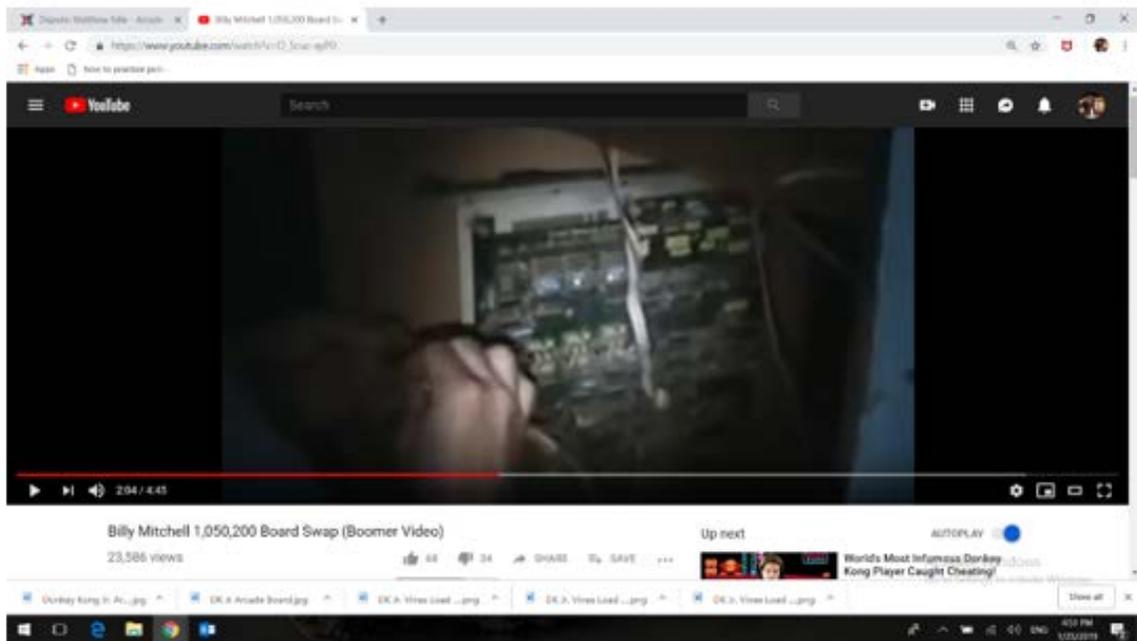


Figure 7. Picture four of the Donkey Kong Junior game board used in Billy Mitchell's 1,270,900 performance.

Now that we've seen pictures of Billy Mitchell's Donkey Kong Junior board, lets compare it to ~~anot~~ picture of an arcade Donkey Kong Junior board (Figure 8, Figure 9).



Figure 8. Picture of an arcade Donkey Kong Junior game board.



Figure 9. A second picture of an arcade Donkey Kong Junior game board.

Comparing the game boards, clearly the game board in the board swap video is an arcade Donkey Kong Junior game board. Now, knowing from video evidence that an arcade board was present, and witness testimony to confirm Billy Mitchell did achieve the score on that machine at Boomers, it's confirmed that Billy Mitchell achieved his Donkey Kong Junior score on an authentic arcade board. However, gameplay footage from the International Video Game Hall of Fame announcement shows the game experiencing MAME-like transitions. Simply by connecting these dots, it's clear that authentic Nintendo hardware can, and did, produce MAME-like transitions, but it begs the question: what does this really mean? What this means, is that there is a scientific explanation for Nintendo hardware rendering MAME-like transitions. Furthermore, there's no evidence to suggest that this phenomenon can't apply to a Donkey Kong game board as well, because both of these video games are made by Nintendo. Nintendo would have created these games with the same methods, and possibly even some of the same mechanisms or parts.

Now that the reader has seen the evidence that Nintendo Hardware can produce MAME-like transitions, I'd like to remind them of the Twin Galaxies argument: Under *no conditions*, can an unmodified Donkey Kong game board render a three girder transition. In reality, this is fancy verbage for "an unmodified Donkey Kong game board can't produce MAME-like transitions." This is also obvious, because Jace Hall and Twin Galaxies spent months claiming the tapes were MAME, before backtracking due to threatening counter-evidence, and changing the argument to claim the performances simply "weren't arcade."

Now understanding the Twin Galaxies argument, and the evidence presented, it's clear that the Twin Galaxies claims that an arcade machine can't render MAME-like transitions is incorrect, because we have raw evidence of it happening on Donkey Kong Junior. The prospect that there is a possible scientific explanation for the phenomenon shown disqualifies the Twin Galaxies argument, because they're argument leans on there being no conditions that MAME-like transitions can occur on authentic hardware. Lastly, Twin Galaxies are the ones making accusations against Billy Mitchell, not the other way around. The onus to undisputedly disprove the evidence provided here is on them.

Possible Counter-Arguments:

1. This doesn't necessarily mean this is the board Billy got the world record score on.
 - a. There is witness testimony to the fact that Billy got the world record score using this game board.