

☐ EXPEDITE

☒ Hearing is set:

Date: May 10, 2013

Time: 9:00 a.m.

Judge/Calendar: GARY TABOR

SUPERIOR COURT OF THE STATE OF WASHINGTON
FOR THURSTON COUNTY

JZK, INC., a Washington corporation,

Plaintiff,

v.

VIRGINIA COVERDALE; JOHN DOES 1-20 and
JANE DOES 1-20 a/k/a ENLIGHTEN ME FREE,

Defendants.

NO. 12-2-02241-8

DECLARATION OF ANDREA H. MCNEELY IN
SUPPORT OF PLAINTIFF'S OPPOSITION TO
SPECIAL MOTION TO STRIKE PURSUANT
TO RCW 4.24.515 OF DAVID MCCARTHY

I, Andrea McNeely, state as follows:

1. I am an attorney of record for the Plaintiff in the above-captioned action. I am over the age of 18, competent to testify, and make this Declaration based on personal knowledge.

2. Attached as Ex. A is a copy of the Confirmation of Joinder filed by JZK, Inc. in this lawsuit. A copy of the Confirmation of Joinder was provided to David McCarthy's attorney Joshua Koltun on April 26, 2013.

3. Attached as Ex. B is a copy of the Amended Confirmation of Joinder, filed jointly by JZK, Inc. and Virginia Coverdale in this lawsuit. A copy of the Amended Confirmation of Joinder was provided to David McCarthy's attorney Joshua Koltun on April 29, 2013.

1
2 4. Attached as Ex. C is a copy of JZK, Inc.'s pleading regarding CR 41 Motion
3 for Mandatory Dismissal of all Doe Defendants in this lawsuit. A copy of this pleading was
4 filed with the Court and provided to Joshua Koltun on Friday, April 26, 2013.

5 5. On the afternoon of Friday, April 26, 2013, I spoke with Joshua Koltun, the
6 attorney for David McCarthy by telephone. I informed him of the filing of the Confirmation
7 of Joinder confirming that JZK, Inc. considered all defendants served in this lawsuit and
8 provided him with a copy in a follow up email from my office. I also informed him that
9 JZK, Inc. would be filing a CR 41 motion for mandatory dismissal of all of the Does the
10 same day. I verbally confirmed that JZK, Inc. did not consider David McCarthy to be a
11 defendant in its Thurston County lawsuit, and I informed Mr. Koltun that the Confirmation
12 of Joinder that had been filed, along with the CR 41 motion should serve as sufficient
13 confirmation of that fact for him to withdraw Mr. McCarthy's motion. As of the date of the
14 this Declaration, Mr. McCarthy's motion has not been withdrawn.

15
16 6. As of the time of filing of this Declaration, I have spent 12.6 hours re-
17 searching and drafting the opposition to Mr. McCarthy's motion. My hourly rate charged
18 in this matter is \$275. I anticipate spending another 4-5 hours at a minimum preparing
19 for oral argument and traveling to and from Thurston County for argument on May 10.
20 Eric Gilman in my office has spent 1.7 hours drafting and revising the opposition brief.
21 His hourly rate as charged in this matter is \$225. Plaintiff seeks reasonable attorneys'
22 fees under RCW 4.24.525 in the amount of \$5000.00, in opposing David McCarthy's
23 Special Motion to Strike. Plaintiff also seeks the statutory amount of \$10,000 pursu-
24 ant to RCW 4.24.525.
25
26

7. Attached as Ex. D are copies of excerpts of the Deposition of Virginia Coverdale in which she describes editing Plaintiff's February 2012 live streaming event that she received on a flash, or stick drive and then sending the drive containing that event to David McCarthy.

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

Signed this 29th day of April, 2013 at Tacoma, Pierce County, Washington.



Andrea H. McNeely, WSBA No. 36156

EXHIBIT A

EXHIBIT A

☐ EXPEDITE

☐ Hearing is set:

☒ No Hearing is set:

Date: _____

Time: _____

Judge/Calendar: Gary Tabor

SUPERIOR COURT OF THE STATE OF WASHINGTON
FOR THURSTON COUNTY

JZK, INC., a Washington corporation,

Plaintiff,

v.

VIRGINIA COVERDALE; JOHN DOES 1-20 and
JANE DOES 1-20 a/k/a ENLIGHTEN ME FREE,

Defendants.

NO. 12-2-02241-8

CONFIRMATION OF JOINDER OF PARTIES
AND CLAIMS

- CJNSC () The parties make the following joint representations:
(IF THIS BOX IS CHECKED, THERE WILL NOT BE A STATUS CONFERENCE)
1. This case is not subject to mandatory arbitration. (If it is, this report should not be filed; instead, no later than the deadline for filing this report, a statement of arbitrability should be filed.)
 2. No additional parties will be joined.
 3. All parties have been served or have accepted service.
 4. All mandatory pleadings have been filed.
 5. The parties anticipate no problems in meeting the deadlines for disclosing possible witnesses and other, subsequent deadlines in the Case Schedule.
 6. All parties have cooperated in completing this report.
- CJ (XX) The parties do not join in making the foregoing representations, as explained below (if appropriate, check both the box at left and every applicable box below);

CONFIRMATION OF JOINDER OF PARTIES AND CLAIMS - 1 of 2
12-2-02241-8
[100065258.docx]

OFFICES
GORDON, THOMAS, HONEYWELL, MALANCA,
PETERSON & DAHEIM LLP
1201 PACIFIC AVENUE, SUITE 2100
POST OFFICE BOX 1157
TACOMA, WASHINGTON 98401-1157
(253) 620-6500 - FACSIMILE (253) 620-6565

(IF THE BOX ADJACENT TO THE PRECEDING SENTENCE IS CHECKED, THERE *WILL* BE A STATUS CONFERENCE, WHICH ALL PARTIES OR THEIR ATTORNEYS MUST ATTEND.)

- ☐ An additional party will be joined.
☐ A party remains to be served.
☐ A mandatory pleading remains to be filed.
☒ An additional claim or defense will be raised.

Note: Defendant Coverdale has submitted a Motion for Leave to file a First Amended Answer and Amended Counterclaims, along with the proposed Amended Answer and Counterclaims. Plaintiff JZK, Inc. will oppose that motion and will oppose the Special Motion to Strike brought by David McCarthy and noted for May 10, 2013. It is JZK, Inc.'s position that all proper parties and claims are presently before the Court and that all parties have been served.

- ☐ One or more parties anticipate a problem in meeting the deadlines for disclosing possible witnesses or other, subsequent deadlines in the Case Schedule.
☐ Other explanation:


In order to obtain the court's direction in the matters described above, the parties will appear at an Initial Status Conference, the date of which (as stated in the Case Schedule) is:

The Case Schedule does not set a date for an Initial Status Conference. The trial date is set for July 15, 2013.

Dated this 16th day of April, 2013.

GORDON THOMAS HONEYWELL LLP

By


Andrea H. McNeely, WSBA 36156
Eric D. Gilman, WSBA 41680
Co-Attorneys for Plaintiff

SKELLENGER BENDER, PS
Jeffrey C. Grant, WSBA No. 11046
Co-Attorneys for Plaintiff JZK, Inc.

Hoover, Leslie

From: Hoover, Leslie
Sent: Friday, April 26, 2013 3:58 PM
To: 'joshua@koltunattorney.com'
Cc: McNeely, Andrea; Gilman, Eric; 'Jeff C. Grant'; 'Jule S. Sprenger'; Scheall, Chris
Subject: JZK Inc. v. Coverdale - Confirmation of Joinder
Attachments: Confirmation of Joinder of Parties and Claims.pdf

Mr. Koltun: Attached is a copy of the Confirmation of Joinder filed in this action.

Leslee Hoover
Legal Assistant to
Andrea McNeely
Shelly Andrew
Ken Kieffer (of counsel)



1201 Pacific Avenue, Suite 2100
Tacoma, Washington 98402
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F 253 620 6565
<http://www.gth-law.com>

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Mr. Koltun: Attached is a copy of the Confirmation of Joinder filed in this action.

Leslee Hooper

Legal Assistant to
Andrea McNeely
Shelly Andrew
Ken Kieffer (of counsel)



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F 253 620 6565

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Hoober, Leslee

From: Hoober, Leslee
Sent: Friday, April 26, 2013 4:10 PM
To: 'Joshua Koltun'; 'Endejan, Judith A.'
Cc: McNeely, Andrea; Gilman, Eric; 'Jeff C. Grant'; 'Jule S. Sprenger'; Scheall, Chris
Subject: RE: JZK Inc. v. Coverdale - Confirmation of Joinder
Attachments: Confirmation of Joinder of Parties and Claims.pdf; CR 41 Note for Motion.pdf; CR 41 Motion.pdf; CR 41 Proposed Order Granting Motion.pdf; CR 41 Motion Decl of Service .pdf; CR 41 AMENDED Note for Motion.pdf; CR 41 Decl of Service AMENDED Note for Motion and other docs.pdf

Ms. Endejan: Attached please find (1) Confirmation of Joinder; (2) Note for Motion; (3) Motion for CR 41 Voluntary Dismissal of John Does 1-20 and Jane Does 1-20; (4) Proposed Order; (5) Declaration of Service; (6) Amended Note for Motion; and (7) Declaration of Service of Amended Note for Motion.

Leslee Hoober
Legal Assistant to
Andrea McNeely
Shelly Andrew
Ken Kieffer (of counsel)
T 206 676 6482
F 206 676 6565

From: Joshua Koltun [<mailto:joshua@koltunattorney.com>]
Sent: Friday, April 26, 2013 4:01 PM
To: Hoober, Leslee; 'Endejan, Judith A.'
Cc: McNeely, Andrea; Gilman, Eric; 'Jeff C. Grant'; 'Jule S. Sprenger'; Scheall, Chris
Subject: RE: JZK Inc. v. Coverdale - Confirmation of Joinder

Please be sure to include Judy Endejan in all service. Her email address is above.

Joshua Koltun ATTORNEY

One Sansome Street
Suite 3500, No. 500
San Francisco, CA 94104

415.680.3410
866.462.5959 fax
joshua@koltunattorney.com
www.koltunattorney.com

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From: Hoober, Leslee [<mailto:LHoober@gth-law.com>]
Sent: Friday, April 26, 2013 3:58 PM
To: joshua@koltunattorney.com
Cc: McNeely, Andrea; Gilman, Eric; Jeff C. Grant; Jule S. Sprenger; Scheall, Chris
Subject: JZK Inc. v. Coverdale - Confirmation of Joinder

EXHIBIT B

EXHIBIT B

☐ EXPEDITE
☐ Hearing is set:
☒ No Hearing is set:

Date: _____
Time: _____
Judge/Calendar: Gary Tabor

SUPERIOR COURT OF THE STATE OF WASHINGTON
FOR THURSTON COUNTY

JZK, INC., a Washington corporation,

Plaintiff,

v.

VIRGINIA COVERDALE; JOHN DOES 1-20 and
JANE DOES 1-20 a/k/a ENLIGHTEN ME FREE,

Defendants.

NO. 12-2-02241-8

AMENDED CONFIRMATION OF JOINDER
OF PARTIES AND CLAIMS

- CJNSC () The parties make the following joint representations:
(IF THIS BOX IS CHECKED, THERE WILL NOT BE A STATUS CONFERENCE)
1. This case is not subject to mandatory arbitration. (If it is, this report should not be filed; instead, no later than the deadline for filing this report, a statement of arbitrability should be filed.)
 2. No additional parties will be joined.
 3. All parties have been served or have accepted service.
 4. All mandatory pleadings have been filed.
 5. The parties anticipate no problems in meeting the deadlines for disclosing possible witnesses and other, subsequent deadlines in the Case Schedule.
 6. All parties have cooperated in completing this report.
- CJ (XX) The parties do not join in making the foregoing representations, as explained below (if appropriate, check both the box at left and every applicable box below);
(IF THE BOX ADJACENT TO THE PRECEDING SENTENCE IS CHECKED, THERE WILL BE A STATUS CONFERENCE, WHICH ALL PARTIES OR THEIR ATTORNEYS MUST ATTEND.)
() An additional party will be joined.

AMENDED CONFIRMATION OF JOINDER OF PARTIES AND CLAIMS - 1 of 2
12-2-02241-8
[100065938.docx]

OFFICES
GORDON, THOMAS, HONEYWELL, MALANCA,
PETERSON & DAHEIM LLP
1201 PACIFIC AVENUE, SUITE 2100
POST OFFICE BOX 1157
TACOMA, WASHINGTON 98401-1157
(253) 620-6500 - FACSIMILE (253) 620-6565

- () A party remains to be served.
() A mandatory pleading remains to be filed.
(X) An additional claim or defense will be raised.

Note: Defendant Coverdale has submitted a Motion for Leave to file a First Amended Answer and Amended Counterclaims, along with the proposed Amended Answer and Counterclaims. Plaintiff JZK, Inc. will oppose that motion and will oppose the Special Motion to Strike brought by David McCarthy and noted for May 10, 2013. It is JZK, Inc.'s position that all proper parties and claims are presently before the Court. The parties agree that all parties have been served.

- () One or more parties anticipate a problem in meeting the deadlines for disclosing possible witnesses or other, subsequent deadlines in the Case Schedule.
() Other explanation:

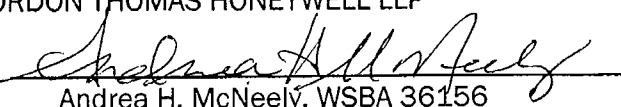
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The Case Schedule does not set a date for an Initial Status Conference. The trial date is set for July 15, 2013.

Dated this 29th day of April, 2013.

GORDON THOMAS HONEYWELL LLP

By

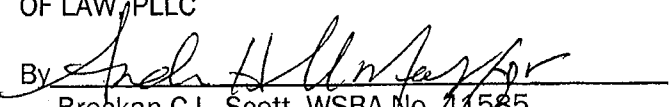

Andrea H. McNeely, WSBA 36156
Eric D. Gilman, WSBA 41680
Co-Attorneys for Plaintiff

SKELLENGER BENDER, PS

Jeffrey C. Grant, WSBA No. 11046
Co-Attorneys for Plaintiff JZK, Inc.

BRECKAN C.L. SCOTT, ATTORNEY AND COUNSELOR
OF LAW, PLLC

By


Breckan C.L. Scott, WSBA No. 41585
Attorneys for Defendants

(via email
Permission)

AMENDED CONFIRMATION OF JOINDER OF PARTIES AND CLAIMS - 2 of 2
12-2-02241-8
[100065938.docx]

Hoober, Leslee

From: Hoober, Leslee
Sent: Monday, April 29, 2013 1:00 PM
To: 'breckan@breckanlaw.com'; 'Virginia Coverdale'; 'Joshua Koltun'; 'Endejan, Judith A.'
Cc: McNeely, Andrea; Gilman, Eric; 'Jeff C. Grant'; 'Jule S. Sprenger'; Scheall, Chris
Subject: JZK Inc. v. Coverdale - Amended Confirmation of Joinder of Parties and Claims
Attachments: Amended Confirmation of Joinder of Parties and Claims.pdf

Counsel: Attached please find Amended Confirmation of Joinder filed today.

Leslee Hoober
Legal Assistant to
Andrea McNeely
Shelly Andrew
Ken Kieffer (of counsel)



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EXHIBIT C

EXHIBIT C

1 ☐ EXPEDITE

2 ☒ Hearing is set:

3 Date: May 3, 2013

4 Time: 9:00 a.m.

5 Judge/Calendar: Gary R. Tabor

6
7 SUPERIOR COURT OF THE STATE OF WASHINGTON
8 FOR THURSTON COUNTY

9 JZK, Inc., a Washington corporation

10 Plaintiff,

11 v.

12 VIRGINIA COVERDALE; JOHN DOES 1-20 and
13 JANE DOES 1-20, also known as Enlighten
14 Me Free,

Defendants.

NO. 12-2-02241-8

MOTION FOR VOLUNTARY DISMISSAL OF
JOHN DOES 1-20 AND JANE DOES 1-20

15 COMES NOW the plaintiff, JZK, Inc., by and through its attorneys of record, Gordon
16 Thomas Honeywell LLP, and Skellenger Bender, and moves for mandatory voluntary
17 dismissal under CR 41(a)(1) of defendants John Does 1-20 and Jane Does 1-20 without
18 prejudice and without costs to either party. This motion does not affect any of Plaintiff's
19 claims in the above captioned lawsuit against Defendant Coverdale, and Plaintiff will
20 proceed in its case against Coverdale as only Defendant in this matter.

21
22 Dated this 26th day of April, 2013.

23 GORDON THOMAS HONEYWELL LLP

24 By 

25 Andrea H. McNeely, WSBA No. 36156
26

MOTION FOR VOLUNTARY DISMISSAL OF JOHN DOES 1-20 AND JANE
DOES 1-20 - 1 of 2
(12-2-02241-8)
[100065929.docx]

LAW OFFICES
GORDON THOMAS HONEYWELL LLP
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POST OFFICE BOX 1157
TACOMA, WASHINGTON 98401-1157
(253) 620-6500 - FACSIMILE (253) 620-6565

Eric D. Gilman, WSBA No. 41680

SKELLENGER BENDER PS

Jeffrey C. Grant, WSBA No. 11046

JGrant@skellengerbender.com

Attorneys for Plaintiff JZK, Inc.

MOTION FOR VOLUNTARY DISMISSAL OF JOHN DOES 1-20 AND JANES

DOES 1-20 - 2 of 2

(12-2-02241-8)

[100065929.docx]

LAW OFFICES

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1201 PACIFIC AVENUE, SUITE 2100

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Hooper, Leslee

From: Hooper, Leslee
Sent: Friday, April 26, 2013 3:47 PM
To: 'joshua@koltunattorney.com'; 'breckan@breckanlaw.com'; 'Virginia Coverdale'
Cc: McNeely, Andrea; Gilman, Eric; 'Jeff C. Grant'; 'Jule S. Sprenger'; Scheall, Chris
Subject: JZK Inc v. Coverdale - Motion for CR 41 Voluntary Dismissal of John Does 1-20 and Jane Does 1-20
Attachments: CR 41 Note for Motion.pdf; CR 41 Motion.pdf; CR 41 Proposed Order Granting Motion.pdf; CR 41 Motion Decl of Service .pdf; CR 41 AMENDED Note for Motion.pdf; CR 41 Decl of Service AMENDED Note for Motion and other docs.pdf

Counsel and Ms. Coverdale:

Attached please find (1) Note for Motion; (2) Motion for CR 41 Voluntary Dismissal of John Does 1-20 and Jane Does 1-20; (3) Proposed Order; (4) Declaration of Service; (5) Amended Note for Motion; and (6) Declaration of Service of Amended Note for Motion and other pleadings to include Mr. Koltun.

Leslee Hooper
Legal Assistant to
Andrea McNeely
Shelly Andrew
Ken Kieffer (of counsel)



1201 Pacific Avenue, Suite 2100
Tacoma, Washington 98402
T 253 620 6482
F 253 620 6565

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Hooper, Leslee

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Cc: McNeely, Andrea; Gilman, Eric; 'Jeff C. Grant'; 'Jule S. Sprenger'; Scheall, Chris
Subject: RE: JZK Inc. v. Coverdale - Confirmation of Joinder
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Ms. Endejan: Attached please find (1) Confirmation of Joinder; (2) Note for Motion; (3) Motion for CR 41 Voluntary Dismissal of John Does 1-20 and Jane Does 1-20; (4) Proposed Order; (5) Declaration of Service; (6) Amended Note for Motion; and (7) Declaration of Service of Amended Note for Motion.

Leslee Hooper
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Sent: Friday, April 26, 2013 4:01 PM
To: Hooper, Leslee; 'Endejan, Judith A.'
Cc: McNeely, Andrea; Gilman, Eric; 'Jeff C. Grant'; 'Jule S. Sprenger'; Scheall, Chris
Subject: RE: JZK Inc. v. Coverdale - Confirmation of Joinder

Please be sure to include Judy Endejan in all service. Her email address is above.

Joshua Koltun ATTORNEY

One Sansome Street
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San Francisco, CA 94104

415.680.3410
866.462.5959 fax
joshua@koltunattorney.com
www.koltunattorney.com

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Sent: Friday, April 26, 2013 3:58 PM
To: joshua@koltunattorney.com
Cc: McNeely, Andrea; Gilman, Eric; Jeff C. Grant; Jule S. Sprenger; Scheall, Chris
Subject: JZK Inc. v. Coverdale - Confirmation of Joinder

Mr. Koltun: Attached is a copy of the Confirmation of Joinder filed in this action.

Leslee Hooper

Legal Assistant to
Andrea McNeely
Shelly Andrew
Ken Kieffer (of counsel)



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EXHIBIT D

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SUPERIOR COURT OF WASHINGTON FOR THURSTON COUNTY

JZK, Inc., a Washington)	
corporation,)	
)	
Plaintiff,)	
)	No. 12-2-02241-8
vs.)	
)	
VIRGINIA COVERDALE; JOHN DOES)	
1-20 and JANE DOES 1-20, also)	
known as Enlighten Me Free,)	
)	
Defendants.)	

DEPOSITION UPON ORAL EXAMINATION OF

VIRGINIA COVERDALE

(Videotaped)

March 15, 2013
Olympia, Washington

Taken Before:

Connie Church, CCR #2555, RPR, CRR
Certified Court Reporter

of

CAPITOL PACIFIC REPORTING, INC.
2401 Bristol Court SW, Suite A-104
Olympia, WA 98502
Tel (360) 352-2054 or (800) 407-0148 Fax (360) 705-6539

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Tacoma	Seattle
(253) 564-8494	(206) 622-9919

www.capitolpacificreporting.com
admin@capitolpacificreporting.com

APPEARANCES

FOR THE PLAINTIFF(S):

MS. ANDREA MCNEELY
ATTORNEY AT LAW
GORDON THOMAS HONEYWELL, LLP
P.O. Box 1157
Tacoma, WA 98401-1157
PH: (253) 620-6500
FAX: (253) 620-6565
E-MAIL: amcneely@gth-law.com

FOR THE PLAINTIFF(S):

MR. JEFFREY GRANT
ATTORNEY AT LAW
SKELLENGER BENDER, P.S.
1301 5th Avenue, Suite 3401
Seattle, WA 98101-2630
PH: (206) 623-6501
FAX: (206) 447-1963
E-MAIL:
jgrant@skellengerbender.com

FOR ENLIGHTEN ME FREE:

MS. BRECKAN SCOTT
ATTORNEY AT LAW
P.O. Box 1123
Yelm, WA 98597
PH: (360) 960-8951
E-MAIL: breckan@breckanlaw.com

ALSO PRESENT:

MR. MIKE WRIGHT

VIDEOGRAPHER:

MR. CHAD REILLY
SOUND VISION VIDEO PRODUCTION

1 BE IT REMEMBERED that on Friday, March 15, 2013, at
2 10:20 a.m., at the offices of Capitol Pacific Reporting, 2401
3 Bristol Court SW, Olympia, Washington, appeared the above-named
4 persons before Connie Church, Washington State Certified Court
5 Reporter, residing at Montesano, authorized to administer oaths
6 and affirmations pursuant to RCW 5.28.010.

7 WHEREUPON the following proceedings were had, to wit:

8

9

10 * * *

11

12 VIDEOTAPE TECHNICIAN: We are now on the record.

13 This is a videotaped deposition. Today's date is
14 March 15, 2013, and the time is now 10:20 a.m.

15 My name is Chad Reilly, videographer for Sound
16 Vision Video Production. Our offices are located at
17 4821 North 14th Street, Tacoma, Washington, 98406. Our
18 telephone number is (253) 759-0676.

19 This deposition is being held at 1201 Bristol Court
20 Southwest in Olympia, Washington. The case is JZK, Inc.,
21 versus Coverdale, et al. Present for the Plaintiff are
22 Andrea McNeely and Jeffrey Grant. The witness is
23 Virginia Coverdale.

24 Connie church, court reporter, will now swear in the
25 witness and we'll proceed.

1 Who else did I talk to about the video in person?
2 I'm trying to remember. I remember I told David
3 McCarthy, but that was not in person. Robair. Again
4 though . . . I'm sorry. I have to strike that. One of
5 those two names is an EE member. So before I get charged
6 with a \$10,000 HIPAA violation, I'd like to ask the name
7 Robair to be stricken. Other than that, I don't remember
8 any others.

9 Q And you said you spoke with Liz Rule in person?

10 A I did . . . I don't know if it was about the video at
11 that time. I remember we chatted a couple times in
12 person very briefly outside my mother's place. I don't
13 know if that's when I brought the video or if I told her
14 on chat. But just to be clear, I did - I had very little
15 in-person communication with anyone regarding this
16 so . . .

17 Q What did you tell Liz Rule about the video?

18 A Just that I had it. In the beginning, it was - I don't
19 know what event it is. Since she was more familiar with
20 events than I was, we were trying to ascertain which
21 event. At some point when I saw JZ calling me a whore
22 and saying some other really disgusting things, I
23 figured, "Okay. This must be that one in February that I
24 heard about through the grapevine." Then other people
25 said she called me a whore other times, too, so I . . .

1 But because of the timing of it, we realized that it was
2 - it was the . . . We were trying to ascertain the
3 timing of it basically, I think. I think that was the
4 discussion, from what I remember.

5 Q Okay. And you determined that it was a February 2012
6 event?

7 A Correct.

8 Q If I said it was a February 17th, 2012 event, does that
9 sound about right?

10 A Yeah. Sounds right.

11 Q Did you show the video to Liz Rule?

12 A No.

13 Q What did Liz Rule tell you about the timing of it?

14 A I believe she told me that was not the infamous 17-hour
15 one because I would have seen an hour on Twinkies and why
16 they're going to save your life. So it was not the
17 17-hour. We were trying to figure out if it was the
18 infamous 17-hour rant. And it was . . . She said, "I
19 don't believe so" from what I told her was on the - on
20 the footage. But that's about it. We didn't have . . .
21 Liz is not a gabber.

22 Q So you told Liz essentially what you had seen on this
23 stick drive that you got. And she told you, "Well, that
24 must be the X event - the event that occurred on this
25 day"?

1 **A** **Actually, no. I think she told me what it wasn't. She**
2 **told me it wasn't the 17-hour that I had heard about.**

3 **Q** **And she knew that because she had attended the 17-hour or**
4 **watched it on a stream?**

5 **A** **I don't know.**

6 **Q** **And you came to the conclusion it was a February 2012**
7 **event from Liz Rule's input?**

8 **A** **I wouldn't say that.**

9 **Q** **Who else told you that?**

10 **A** **You know, at some point on - on the actual . . . And I**
11 **don't know how it's laid out. There was a button to**
12 **click for Ramtha whatever. At some point, I might have**
13 **found a date on it itself. I think that's . . . I think**
14 **that's what happened.**

15 **Q** **Where is that stick drive? Do you have it?**

16 **A** **No. I don't have it. I sent it to David McCarthy.**

17 **Q** **Did you send it back to David McCarthy?**

18 **A** **No. I didn't - I didn't send it back to David McCarthy.**
19 **I sent it . . . He asked me to send it to him, and I**
20 **sent it to him.**

21 **Q** **How did he know about it?**

22 **A** **I told him about it.**

23 **Q** **What did you tell him about it?**

24 **A** **I told him I received it and that I was going to take**
25 **some, you know, outclips of it for a video.**

1 Q Did you send him the full copy of it - send him the stick
2 drive before you released the copy on YouTube?

3 A I think it was released first.

4 Q So to the best of your knowledge, it's with
5 David McCarthy?

6 A Correct.

7 Q Where is the download from your computer? Did you save a
8 copy?

9 A I don't have anything. My laptop was total . . . I wish
10 I had a copy, but my laptop was destroyed. And I kind of
11 thought that that 11 hours was going to push the laptop
12 over the top. It was so slow by then that I took it off.
13 That was prior to my laptop completely not working
14 but . . .

15 Q When did your . . . When was your laptop destroyed?

16 A It wasn't destroyed. It stopped . . . It's still . . .
17 It's not that it's destroyed. It's not working.

18 Q It's sitting in your home somewhere?

19 A Yes.

20 Q Have you made any efforts to recover --

21 A I've been too busy.

22 Q And did David McCarthy send you anything back?

23 A No.

24 Q And how did Ryan Palmeter edit the video? Was there a
25 copy given to him?

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C E R T I F I C A T E

I, CONNIE CHURCH, a duly authorized Court Reporter in
and for the State of Washington, residing at Montesano,
authorized to administer oaths and affirmations pursuant to
RCW 5.28.010, do hereby certify:

That the foregoing deposition of VIRGINIA COVERDALE
was taken before me on March 15, 2013, and thereafter
transcribed by me by means of computer-aided transcription;
that the transcript is a full, true and complete transcript of
the testimony of said witness;

That the witness, before examination, was by me duly
sworn to testify the truth, the whole truth and nothing but the
truth, and that the witness reserved signature;

That I am not a relative, employee, attorney or
counsel of any party to this action or relative or employee of
any such attorney or counsel, and I am not financially
interested in the said action or the outcome thereof;

That upon completion of signature, if required, I
shall herewith securely seal the original transcript and serve
same upon Ms. Andrea McNeely, counsel for the Plaintiff.

IN WITNESS WHEREOF, I have hereunto set my hand this
22nd day of March, 2013.

CONNIE CHURCH
CERTIFIED COURT REPORTER
CCR #2555