

UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF MASSACHUSETTS

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SHIVA AYYADURAI, an individual,		)	
		)	
Plaintiff,		)	
		)	
v.		)	C.A. No. 17-cv-10011-FDS
		)	
FLOOR64, INC., a California corporation		)	
d/b/a TECHDIRT; MICHAEL DAVID		)	
MASNICK, an individual; LEIGH		)	
BEADON, an individual; and DOES 1-20,		)	
		)	
Defendants.		)	
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**AFFIDAVIT OF MICHAEL MASNICK  
IN SUPPORT OF MOTION TO DISMISS  
PURSUANT TO FED. R. CIV. P. 12(B)(5) AND 12(B)(6)  
AND SPECIAL MOTION TO STRIKE  
PURSUANT TO CALIFORNIA ANTI-SLAPP LAW**

I, Michael Masnick, hereby depose and state as follows:

1. I am the founder, President, and CEO of defendant Floor64, Inc. I make this affidavit on personal knowledge in support of Defendants’ (1) Motion to Dismiss Pursuant to Fed. R. Civ. P. 12(b)(5) and 12(b)(6) and (2) Special Motion to Strike Pursuant to the California Anti-SLAPP Law.

2. Floor64, Inc. is a California corporation with its principal place of business at 370 Convention Way, Redwood City, California. Floor64 has no operations in Massachusetts, nor does it have any employees in Massachusetts. Floor64 is not registered to do business in Massachusetts, and does not own any property in Massachusetts.

3. Floor64 publishes Techdirt.com, a blog that covers the United States technology industry, which is centered in California. The content on Techdirt.com can be accessed worldwide.

4. I reside in San Carlos, California. I have never resided in Massachusetts.

5. None of the 14 blog posts identified in plaintiff Shiva Ayyadurai's complaint was written in Massachusetts.

6. I wrote 13 of the 14 blog posts identified in the Complaint. To the best of my memory, I wrote each of those posts while physically located in California. None were written in Massachusetts.

7. Defendant Leigh Beadon, who contributes to Techdirt.com, prepared the only other post at issue in the Complaint. He did so while located in Toronto, Ontario, where he resides.

8. On January 8, 2017, a summons and complaint directed to Floor64, Inc. was delivered to my wife, Sunnia Lin, at our residence in San Carlos, California. Sunnia Lin is not and never has been an officer of Floor64, Inc., nor has she ever been authorized to serve as an agent for service of process of Floor64, Inc.

SIGNED UNDER THE PAINS AND PENALTIES OF PERJURY THIS 17th DAY OF  
FEBRUARY, 2017.

  
\_\_\_\_\_  
Michael Masnick

**CERTIFICATE OF SERVICE**

I hereby certify that the within document filed through the CM/ECF system will be sent electronically to the registered participants as identified on the Notice of Electronic Filing and by first-class mail to any non-registered participants.

/s/ Robert A. Bertsche \_\_\_\_\_  
Robert A. Bertsche  
Attorney to Defendants Floor64, Inc.  
and Michael Masnick