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EXHIBIT A

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1 Brett L. Gibbs, Esq. (SBN 251000)
38 Miller Avenue, #263
2 Mill Valley, CA 94941
415-325-5900
3 blgibbs@wefightpiracy.com

4 *Attorney for Plaintiff*

6 IN THE UNITED STATES DISTRICT COURT FOR THE
7 NORTHERN DISTRICT OF CALIFORNIA

9 AF HOLDINGS LLC,)

No. 3:12-cv-04221-SC

10 Plaintiff,)

**DEPOSITION OF MARK LUTZ
SUPPORTING MOTION FOR
WITHDRAWAL OF COUNSEL**

11 v.)

12 ANDREW MAGSUMBOL,)

13 Defendant.)
14)

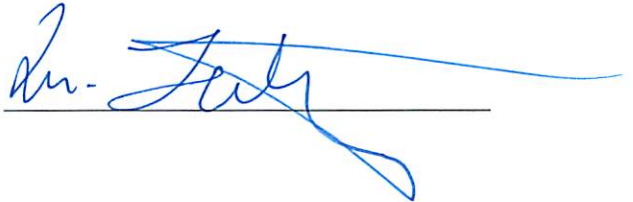
15 **DECLARATION OF MARK LUTZ IN SUPPORT OF**
16 **APPLICATION FOR EXPEDITED DISCOVERY**

17 I, Mark Lutz, declare as follows:

- 18 1. I am the CEO of AF Holdings LLC, the Plaintiff in this matter.
- 19 2. I recently discussed Mr. Brett Gibbs' intent to withdraw as counsel of this case, and
20 we agreed that Mr. Gibbs' withdrawal would be best for Plaintiff in this suit.
- 21 3. I was told by Mr. Gibbs that AF Holdings LLC must retain California counsel within
22 a reasonable amount of time as the LLC cannot go forward on its own without
23 counsel. I understand this requirement and I assured Mr. Gibbs that I would be
24 actively looking for California counsel to litigate this case in his absence.
- 25 4. I declare under penalty of perjury that the foregoing is true and correct based on my
26 own personal knowledge, except for those matters stated on information and belief,
27
28

1 and those matters I believe to be true. If called upon to testify, I can and will
2 competently testify as set forth above.
3

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5 **DATED: February 27, 2013**

6 By:  _____
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