

JASON S. LEIDERMAN, SBN 203336  
jay@criminal-lawyer.me  
LAW OFFICES OF JAY LEIDERMAN  
5740 Ralston Street, Suite 300  
Ventura, California 93003  
Tel: 805-654-0200  
Fax: 805-654-0280

Attorney for Plaintiffs  
JAMES MCGIBNEY  
VIAVIEW, INC

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA  
SAN JOSE DIVISION

JAMES MCGIBNEY, an individual, and  
VIAVIEW, INC, a corporation,  
  
Plaintiffs,  
  
vs.  
THOMAS RETZLAFF, an individual,  
NEAL RAUHAUSER, an individual,  
LANE LIPTON, an individual, and  
DOES 1-5, individuals whose true names are not  
known,  
  
Defendants.

) Case No.: 5:14-cv-01059 BLF

) **DECLARATION OF JAMES MCGIBNEY IN**  
) **SUPPORT OF PLAINTIFFS' OPPOSITION**  
) **TO DEFENDANT THOMAS RETZLAFF'S**  
) **MOTION TO STRIKE**

I, JAMES MCGIBNEY, declare the following under penalty of perjury:

1. I am the founder and CEO of ViaView, Inc, which wholly owns numerous Internet properties, including [www.cheaterville.com](http://www.cheaterville.com), [www.bullyville.com](http://www.bullyville.com), and [www.karmaville.com](http://www.karmaville.com).
2. I have personal knowledge of the facts stated herein, unless stated upon information and belief.
3. Mr. Retzlaff has accused me on multiple occasions of being a pedophile. I am not a pedophile nor have I ever had any pedophilia tendencies.
4. I have a master's degree in Criminal Justice from Boston University and I attended Harvard Business School within their executive education program. Retzlaff's assertions that I committed academic fraud or that I have lied about my education are totally false.

- 1 5. Defendant Thomas Retzlaff states that I've committed "academic fraud" and that I'm "currently  
2 under investigation" by the dean of students and admissions at Boston University. Both of these  
3 statements are unequivocally false. Not only did I never commit "academic fraud", I've contacted  
4 Boston University and they've informed me that there never has been, nor ever will be "an  
5 investigation" into such outrageous and absurd allegations.
- 6 6. None of ViaView's websites allow nudity or pornography. We do our best to ensure any curse words  
7 never go live. Retzlaff's allegations that ViaView engages in "revenge porn" are false.
- 8 7. I am not a criminal. I do not illegally "hack" computer systems. I do not have a criminal record or an  
9 arrest record for that matter.
- 10 8. Contrary to Defendant Retzlaff's allegations, I have never threatened or intimidated Denise Hollas or  
11 Collin Retzlaff. Why would I intimidate our own witnesses? He intimidated them to the point that  
12 they each committed perjury within their second affidavits.
- 13 9. Combined, ViaView-owned websites average close to 1 million unique views per month.
- 14 10. Like most websites that make money, ViaView's sites generate revenue by hosting advertisements.
- 15 11. In order to reach advertisers, the sites enter into contracts with advertising partners.
- 16 12. Prior to the alleged conduct in this case, the websites had contracts with advertising partners (1)  
17 spokeo.com, (2) lijit.com, (3) advertise.com, (4) godaddy.com, and (5) digit covers.
- 18 13. I am a former United States Marine. I served tours of duty with Third Surveillance Reconnaissance  
19 Intelligence Group in Okinawa, Japan and Marine Security Guard Battalion in Quantico, Virginia.  
20 Although initially assigned as an 0151 (administration), my roles and responsibilities drastically  
21 changed to include network and Server administration/security and programming.
- 22 14. During my service, I provided computer support to Marine Security Guard Battalion and the State  
23 Department in support of 128 United States Embassies. Thanks to this experience, along with being  
24 actively employed within the Information Technology sector for over 20 years, I have detailed  
25 knowledge of computer network and Internet technology. I was even awarded a Navy Achievement  
26 medal while stationed at Marine Security Guard Battalion.
- 27 15. After I received my honorable discharge from the Marines, I become a network administrator for a  
28 large telecommunications company in San Francisco, CA.
16. Shortly thereafter, I launched my first telecommunications/GPS company and authored numerous  
technical patents with respect to Cellular and GPS technology, including a patent on GPS spatial  
zones (Patent #6850839 and #6509867). The company was eventually acquired by a publicly traded  
company.

- 1 17. As the Infrastructure manager/Data Center lead for a multibillion dollar construction company, I  
2 spearheaded the first successful launch of CISCO UCS (Unified Computing System) Blade  
3 technology in the world. I was given Cisco's pioneer award for launching and integrating this  
4 technology.
- 5 18. I have authored over 40 trademarks and I'm very confident in my technical abilities. I was  
6 responsible for the database architecture and build-out of our current "Ville" properties and am  
7 extremely proficient in IP tracking and identification of machines tied into a specific IP address.
- 8 19. An Internet Protocol address (IP address) is a numerical label assigned to each device (e.g.,  
9 computer, printer) participating in a computer network that uses the Internet Protocol for  
10 communication.
- 11 20. An IP address serves two principal functions: host or network interface identification and location  
12 addressing. Its role has been characterized as follows: "A name indicates what we seek. An address  
13 indicates where it is. A route indicates how to get there."
- 14 21. A publically accessible IP address is typically assigned to a device by an Internet Service Provider  
15 (ISP). The assigned IP address can be either static or dynamic. A static IP address does not change;  
16 a dynamic IP address is temporary.
- 17 22. The vast majority of IP addresses assigned to residential Internet users by typical residential ISPs are  
18 dynamic. That is, most homes have dynamic IP addresses that change fairly regularly.
- 19 23. However, because the Internet is really a network of smaller, localized networks, these dynamic,  
20 residential IP addresses assigned to a particular physical location remain in the same IP address  
21 range, even when the address itself changes.
- 22 24. One of the main goals of BullyVille has been to take down revenge porn sites, which post naked  
23 images of victims, some of whom are underage, and quite a few that are illegally obtained. We've  
24 also exposed pedophiles online, especially those who viciously stalk and attack children from  
25 anonymous accounts, thinking they'll never be exposed.
- 26 25. I understand, and accept the fact that some of my critics don't agree with my methods, however the  
27 results speak for themselves. Bullyville has been directly responsible for the permanent takedown of  
28 at least three major revenge porn websites. And when a parent of a 15 year old girl thanks me  
because her daughter was contemplating suicide because her naked images ended up on a website for  
millions of people to see, well that voice is always the one I prefer to listen too instead of my critics.
- 26 26. I have said it before, and I'm proud to say it again, "sometimes you need to be a bully to beat a  
bully" and Defendant Thomas Retzlaff is a bully of epic proportions. He has been bullying women,

1 and children for decades, and doing so under the perceived cloak of anonymity, thinking he would  
2 never be caught, yet here we are.

3 27. My first interaction with Mr. Retzlaff was in October of 2013. From his @klansmann account he  
4 made his first, of many, death threats towards myself and my family. As our exhibits illustrate, we  
5 have clearly identified Mr. Retzlaff as being the primary owner and operator of at least a dozen sock  
6 accounts on the web. Furthermore, I, along with my family, Retzlaff's daughter, Brittany, and legal  
7 counsel Jay Leiderman have a permanent restraining order issued by a Santa Clara Superior Court  
8 judge in place against Defendant Thomas Retzlaff.

9 28. In order to put an identity with an alias, I began a network forensics investigation based primarily on  
10 the IP addresses used to make the threats and statements alleged in this suit. I began this process by  
11 gathering the IP addresses that were used on blogs and websites that I believed tied into the aliases  
12 that Thomas Retzlaff used.

13 29. If there is one thing that I have learned over my 20+ years in the IT industry, it is this: People always  
14 leave a digital footprint, even when they're desperately trying to cover their tracks, and Thomas  
15 Retzlaff left thousands of footprints. The results of my investigation are as follows:

16 30. The IP address **70.162.198.189** (owned by COX Communications in Phoenix, AZ) was used to post  
17 comments on Internet blogger Adam Steinbaugh's website [www.adamsteinbaugh.com](http://www.adamsteinbaugh.com) on May, 15,  
18 2013 from [mark14nx05y@hotmail.com](mailto:mark14nx05y@hotmail.com). (See Steinbaugh Decl. ¶ 4.)

19 31. That IP address is linked to "Johnny Swift" which is one of Thomas Retzlaff's confirmed sock  
20 accounts. The same IP address **70.162.198.189** is registered to the email address  
21 [the.klansman@hotmail.com](mailto:the.klansman@hotmail.com) which is registered to "Johnny Swift's" Facebook page. In other words,  
22 when "Johnny Swift" created his Facebook page, he used the email address  
23 [the.klansman@hotmail.com](mailto:the.klansman@hotmail.com) to do so.

24 32. On May 27, 2013, IP address **70.162.198.189** posted the following comment within Brittany Cintron  
25 Retzlaff's (**Defendant Thomas Retzlaff's daughter**) Cheaterville.com post under the username  
26 "Johnny76" (Johnny Anderson) with an email address of [johnny76@mailinator.com](mailto:johnny76@mailinator.com) "Hahahaha – I  
27 heard the story of her getting pregnant by her daddy to a couple of years ago, but did not believe it. I  
28 knew both her and Robert from the \*\*\* in El Paso, and there were rumors going on there about her  
and some of the other husbands and that she was cheating. Now that I have seen all her sex videos  
she is really a disgusting person and does not deserve to be one of the Jehovah's witnesses. I hope  
she dies".

- 1 33. On May 27, 2013, IP address **70.162.198.189** posted the following comment within Anna Katz's  
2 Cheaterville profile. (It is important to note that Anna Katz worked with Thomas Retzlaff in San  
3 Antonio, TX at the law office of Robert P. Braubach. I personally spoke to Mr. Braubach who  
4 confirmed that Thomas Retzlaff did work for him but was fired after it was discovered that Mr.  
5 Retzlaff lied about his credentials as a private investigator). Thomas Retzlaff posted within the  
6 Cheaterville post under the username "Johnny76" (Johnny Anderson) with an email address of  
7 [johnny76@mailinator.com](mailto:johnny76@mailinator.com) "I personally know this girl. She is a piece of human garbage. Her  
8 facebook page is \*\*\*\*\*" and "Her Linked in Page is here \*\*\*\*\*".
- 9 34. On May 29, 2013, IP address **70.162.198.189** posted the following comment within Brittany Cintron  
10 Retzlaff's Cheaterville post under the username "BoogerEater" (James Andrews) with an email  
11 address of [boogerRascal@mailinator.com](mailto:boogerRascal@mailinator.com) "I love her sex videos!!! She takes \*\*\*\* like a champ!!!"
- 12 35. On May 29, 2013, IP address **70.162.198.189** posted the following comment within Anna Katz's  
13 Cheaterville post under the username "BoogerEater" (James Andrews) with an email address of  
14 [boogerRascal@mailinator.com](mailto:boogerRascal@mailinator.com) "I know her. She is a jew" and "I have seen her sex video on another  
15 site and it is incredible. She is a total sl\*t. I sent her dad Leo Katz a link to the website. I bet he  
16 enjoyed her, too"!
- 17 36. On May 27, 2013, IP address **70.162.198.189** posted the following comment within Paula Stamm's  
18 Cheaterville post. (It is important to note that Paula Stamm worked with Thomas Retzlaff in San  
19 Antonio, TX at the law office of Robert P. Braubach. I personally spoke to Mr. Braubach who  
20 confirmed that Thomas Retzlaff did work for him but was fired after it was discovered that Mr.  
21 Retzlaff lied about his credentials as a private investigator). Retzlaff posted under the username  
22 "Johnny76" (Johnny Anderson) with an email address of [johnny76@mailinator.com](mailto:johnny76@mailinator.com) "I am going to  
23 make absolutely certain that every employer she works at gets an email with a link to this site and to  
24 her sex videos. Here is her facebook if anyone is curious. <https://facebook.com>\*\*\*" and "Here is her  
25 Linked in Page\*\*\*"
- 26 37. On May 28, 2013, IP address **70.162.198.189** posted the following comment within Paula Stamm's  
27 Cheaterville post under the username "Ajaxman" (Donald Reynolds) with an email address of  
28 [ajaxman@mailinator.com](mailto:ajaxman@mailinator.com) "Why does this website censor its posters? That is stupid and against free  
speech".
38. The IP address **70.162.198.27**, which is within the same subnet range (Computers that belong to a  
subnet are addressed with a common, identical, most-significant bit-group in their IP address. This  
results in the logical division of an IP address into two fields, a network or routing prefix and the rest

1 field or host identifier. The rest field is an identifier for a specific host or network interface) as  
2 **70.162.198.189**, and owned by the same ISP in Phoenix, AZ (COX Communications) was used to  
3 send Brittany Retzlaff an email by Thomas Retzlaff at [retzlaff@texas.net](mailto:retzlaff@texas.net) on June 13, 2014.

4 39. Collin Retzlaff (Thomas Retzlaff's son) confirmed on multiple occasions that he has an account  
5 through COX Communications that his father, Thomas Retzlaff uses within the rental property, in  
6 Collin's name, at 8312 West Elm Street, Phoenix, AZ. This was the address where Mr. Retzlaff was  
7 served with multiple restraining orders and this federal lawsuit. Collin Retzlaff acknowledges in his  
8 affidavit dated July 23, 2014 that the Internet connection is in his name and that his father is the only  
9 one who uses that connection.

10 40. The IP address **70.162.219.14**, which is within the same IP range as **70.162.198.189**, and owned by  
11 the same ISP in Phoenix, AZ (COX Communications) was used to send Phoenix, AZ based Attorney  
12 Mark Chernoff a threatening email on September 19, 2014 from [retzlaff@texas.net](mailto:retzlaff@texas.net). Part of Thomas  
13 Retzlaff's threats included the following: "How would you like it if someone posted YOUR personal  
14 information online, along with photos of yourself, your family members, your home address, and  
15 then set about trying to ruin your law practice? In spending a few minutes Googling you I found that  
16 you enjoy a pretty respectable reputation as a real estate and commercial litigation guy who is just  
17 starting up his own law firm. But how many clicks on a mouse would it take for all that to be gone,  
18 so that when someone Googles your name all they see is defamatory crap about you being a drunken  
19 idiot with a gambling problem who dips in to the firm's Client Trust Fund account to fuel his thirst  
20 for the slots at the nearest Indian casino? And who also rapes young boys in his spare time?"

21 41. The IP address **70.162.219.85**, which is within the same IP range as **70.162.198.189**, and owned by  
22 the same ISP in Phoenix, AZ (COX Communications) was used to post comments about James and  
23 Christina McGibney as "Dick Hertz" on the website [www.thedirty.com/2013/12/some-reporters-are-just-dumb/](http://www.thedirty.com/2013/12/some-reporters-are-just-dumb/)  
24 on December 6, 2013.

25 42. The IP address **72.201.185.236**, owned by the same ISP in Phoenix, AZ (COX Communications) as  
26 **70.162.219.85**, **70.162.198.27**, **70.162.219.14** and **70.162.198.189** was used to post comments as  
27 "Todd" on Internet blogger Adam Steinbaugh's website [www.adamsteinbaugh.com](http://www.adamsteinbaugh.com) on February 22,  
28 2013. The username "Todd" was registered with the email address of [t\\_retz@hotmail.com](mailto:t_retz@hotmail.com).  
(Steinbaugh Decl. ¶ 5.)

43. The same IP address **72.201.185.236** was used to post comments as "the.klansman" on Internet  
blogger Adam Steinbaugh's website [www.adamsteinbaugh.com](http://www.adamsteinbaugh.com) on February 19, 2013. The username

1 “the.klansman” was registered with the email address of [the.klansman@hotmail.com](mailto:the.klansman@hotmail.com). (Steinbaugh  
2 Decl. ¶ 5.)

- 3 44. IP address **72.201.185.236** posted the following comments within the Cheaterville post about  
4 Brittany Retzlaff on January 1, 2013 under the username “Andrew915” (Andrew Smith) with the  
5 email address [deb14nx05y@yahoo.com](mailto:deb14nx05y@yahoo.com) “I’d love to rape her. Bet she would enjoy it too!!! I’d make  
6 her bleed”. “I’d love to rape her so hard”. “She lives at \*\*\*\*\* and her work number is (915) \*\*\*\*”.
- 7 45. IP address **72.201.185.236** created the Cheaterville post about Paula Stamm on January 31, 2013  
8 under the username “Andrew915” (Andrew Smith) with the email address [deb14nx05y@yahoo.com](mailto:deb14nx05y@yahoo.com)  
9 entitled “Paula Stamm from Trinity Univ cheats and steals”.
- 10 46. On February 1, 2013, under the same IP address **72.201.185.236**, username “Andrew915” made the  
11 following comments within the Paula Stamm Cheaterville post. “Paula will do anal sex (A N A L)  
12 sex all day long but she won’t do oral (O R A L) which I think is selfish. (fyi – blame this website’s  
13 language filters for having to write like this). I also found an Rx in her purse Zovirax, which explains  
14 why she has sores around her vag, so y’all know what the deal is with her. She was a member of  
15 Gamma Chi Delta, but they got kicked out of the University cuz they were all a bunch of sex freaks,  
16 serious freaks – like got caught taking pics of pledges pooping on each other and stuffing things up  
17 their vag. Paula got caught with her face in some girl’s booty hole. Real freak.”
- 18 47. The IP address **72.201.182.152**, owned by the same ISP in Phoenix, AZ (COX Communications) as  
19 **70.162.219.85, 70.162.198.27, 70.162.219.14, 70.162.198.189 72.201.185.236** was used to send  
20 Brittany Retzlaff an email from email address [retzlaff@texas.net](mailto:retzlaff@texas.net) on May 13, 2014.
- 21 48. The IP address **72.201.184.111**, owned by the same ISP in Phoenix, AZ (COX Communications) as  
22 **70.162.219.85, 70.162.198.27, 70.162.219.14, 70.162.198.189 72.201.185.236, 72.201.182.152** was  
23 used to post comments within the Brittany Retzlaff Cheaterville post as username “MisterMister”  
24 (Mister Smith) with an email address [sourbobster@mailinator.com](mailto:sourbobster@mailinator.com) on January 2, 2013. “I met this  
25 girl when I was in El Paso, she used to get passed around with different guys a lot at the PF Changs  
26 restaurant where she worked at. No wonder you got an \*\*\* from her!!”
- 27 49. On April 19, 2013, MisterMister posted the following under the same post about Brittany Retzlaff.  
28 “Her ex-husband is Robert Cintron and he has been running around on the Internet for the last few  
years posting videos and photos of Brittany. I knew him from PJ Changs. He never told me about  
Brittany having sex with her dad. But maybe he didn’t know about it then. Next time I see him I will  
have to ask him. She always did seem a little off and strange. Someone told me recently that she got  
pregnant by her daddy and got an abortion about 2 years ago. 25 yr old and still doing her dad –lul

1 what a sl\*t”. On June 12, 2013, MisterMister posted the following within the same Brittany Retlaff  
2 Cheaterville post. “LOL – I called her work place like eight times today asking for her, but they keep  
3 hanging up on me”.

4 50. On June 22, 2013, IP Address **72.201.184.111** posted within the Brittany Retzlaff Cheaterville post  
5 under the username “Elf1980” (Elf Man) with the email address [DelicateElf@mailinator.com](mailto:DelicateElf@mailinator.com) “After  
6 seeing her videos I totally understand why her daddy was f\*\*king her. I would f\*\*k every one of her  
7 three holes and use and abuse her totally”.

8 51. On June 22, 2013, IP address **72.201.184.111** posted within the Anna Katz Cheaterville post under  
9 the username “Elf1980” (Elf Man) with the email address [DelicateElf@mailinator.com](mailto:DelicateElf@mailinator.com) “I called her  
10 work like 8 times today asking for her and they kept hanging up on me. Imma drive by there this  
11 weekend”.

12 52. On June 12, 2013, IP address **72.201.184.111** posted within the Paula Stamm Cheaterville post under  
13 the username “MisterMister” (Mister Smith) from the email address [sourbobster@mailinator.com](mailto:sourbobster@mailinator.com)  
14 “Dear Paula: I want you to know that I masturbate to your pictures at least once a day. I think u are a  
15 dirty wh\*re. But I happen to like that in girls. I am quite certain that when your future employers  
16 Google your name, they will enjoy looking at your pics and videos, too. Girls with filthy naked pics  
17 never get fired from jobs, do they? I posted a link to them on ur dad’s FB page. Lol”.

18 53. On August 24, 2013, IP address **72.201.184.111** posted within the Paula Stamm Cheaterville post  
19 under the username “HomerJay” (Homer Jay) from the email address [losethunder@mailinator.com](mailto:losethunder@mailinator.com)  
20 “Use google u moron. Ur beliefs about this are irrelevant. I’m busy spanking the monkey looking at  
21 Paula right now!!! She is now going out with Matthew Hite (a CPA in Dallas). He looks like he rode  
22 the short bus when he was a kid. Hope he gets checked out for an \*\*\* asap after he went to Mexico  
23 with her”.

24 54. On September 3, 2013, IP address **72.201.184.111** posted within the Paula Stamm Cheaterville post  
25 under the username “hounddoggy” (David Barkley) with an email address of  
26 [losemarine@mailinator.com](mailto:losemarine@mailinator.com) “Well buddy I’d say you already know the truth about Paula, otherwise  
27 you wouldn’t be here, eh?? Lol my brother in the Bengal Lancers told me about this website. Paula  
28 naked pics are ALL over Trinity man. Videos of her are watched ALL THE TIME ever since her ex-  
or whatever put them on 4Chan and The Pirate Bay. Paula is are NUMBER ONE stroke girl for us  
guys in Chi Delta Tau! One brother Chris made a Ginormous poster of Paula in her naked sexy glory  
for his room. Lol U can totally see up in her box man! Its epic! October 13<sup>th</sup> will be our 1<sup>st</sup> annual  
Paula Stamm event complete with a big screen TV and condoms”.

- 1 55. The IP address **72.201.184.86**, owned by the same ISP in Phoenix, AZ (COX Communications) as  
2 **70.162.219.85, 70.162.198.27, 70.162.219.14, 70.162.198.189 72.201.185.236, 72.201.182.152,**  
3 **72.201.184.111** was used to post comments within the Paula Stamm Cheaterville post on October 13,  
4 2013 under the username “BengalBill” (Bill Holtn) with an email address of [bengal9-@nospam.com](mailto:bengal9-@nospam.com)  
5 “Today Paula Stamm is exactly 23 years old. To celebrate I will be masturbating to her totally  
6 famous sex video at least three times today. To celebrate I will masturbate to her pictures once and  
7 then email a bunch of my cum shots to her friends and relatives. Nice to see the power of  
8 Cheaterville when this listing is the first to come up when you Google Paula’s name. She is a piece  
9 of garbage and every one should know it. Boo hoo”.
- 10 56. The same IP address **72.201.184.86**, was used to post a comment within the Paula Stamm  
11 Cheaterville post on October 6, 2013 under the username “HolyCowz” (John Adams) with the email  
12 address [john669@nospam.com](mailto:john669@nospam.com) “Paula Stamm is what is known as a ‘come dumpster’ in the Trinity  
13 scene. She’s one of many lol. Not good for much of anything except taking mucho cum up her nose  
14 and mucho MUCHO come down her throat! It’s all good though. You can never have enough cum  
15 dumpsters out there lol”.
- 16 57. IP address **68.104.151.10 (ISP COX Communications)** was used to post Brittany Retzlaff on  
17 Cheaterville on December 24, 2012 under the username “FranklinStud” (Anthony Robert) with the  
18 email address [the.klansman@hotmail.com](mailto:the.klansman@hotmail.com) “I found out that my ex-wife was having sex with her  
19 father. Her name is Brittany Cintron. I divorced the \*\*\*\*\* and found out that she got me in over  
20 \$10,000 in debt and I ended up with an \*\*\*. After I kicked her out, she moved into my dad’s house –  
21 yes my own father (Eddie Cintron of El Paso) house and shared a bedroom with him!!! How sick is  
22 that?!? He later gave her \$10,000 and bought her a truck! So you know they were also having sex!!!  
23 She used to work for an Orthodontix dental office in El Paso till she got fired when she was caught  
24 giving a doctor a \*\*\*\* job in the parking lot. She will do anything for money and then leave you in  
25 the dirt! She is supposed to be a Jehovah’s Witness but she really isn’t. She is a dirty \*\*\*\*\*. Google  
26 her name and you will find tons of her naked pictures and her sex videos. She is a member of the  
27 Marwood Congregation of the El Paso Jehovah’s Witness church. She moved to Peru recently and  
28 married some dude from there that she met on the Internet. His name is David Vasquez and he speaks  
no English”.
58. IP address **68.104.151.10 (ISP COX Communications)** was used to post a comment within the  
CheaterVille post about Brittany Retzlaff on December 29, 2012 under the username  
“Molly14nx05y” (Molly Santucci) with an email address of [molly14nx05y@hotmail.com](mailto:molly14nx05y@hotmail.com) “I totally

1 know this girl!!! OMG!!!!!! We used to work together at sun orthodontix (yeah its spelled that way)  
 2 in El Paso!! She was such a total wh\*re there. She even had to be walked off the property after the  
 3 \*\*\*\* job incident with a doctor! She totally gave her husband Robert a disease, this is sooo funny. I  
 4 came here looking up an boyfriend and I randomly found Brittany here. Lulz to the max, Brittany is a  
 5 total loser and I hope she enjoys her nasty disease. Yuck! STAY AWAY FROM THIS GIRL”.

6 59. IP address **68.3.57.89 (ISP COX Communications)** was used to post a comment within the Paula  
 7 Stamm post Cheaterville under the user “Scotty88” (Scott Jones) with the email address  
 8 [rottenshot@mailinator.com](mailto:rottenshot@mailinator.com) “FYI – a video of her passed out drunk and some dudes having sex with  
 9 her is on the Pirate Bay as we speak, so there’s ur proof”. “You want to know where is the proof,  
 10 Ernie? So you don’t think Stamm was ever videoed w/o her knowledge having sex?? Yeah, like a  
 11 guy would NEVER do that”. “Stupid PAULA – you just wasted \$199!! If you had bothered to do  
 12 your research first you would have learned that Cheaterville owns Truth in Posting. Truth In Posting  
 13 is a scam website designed to separate you from your money and has been the subject of  
 14 NUMEROUS complaints!! Also, according to the Terms of Service of Truth In Posting, if someone  
 15 else (like me, for instance) re-posts you here on Cheaterville (with another 1.5 million views!) you  
 16 have to pay them yet again to get it removed! I am going to repost this over and over and over  
 17 forever you fat cow! Somebody else already posted you on Myex.com. So whenever an employer  
 18 Googles your name they will find out what a piece of garbage you are FOR THE REST OF YOUR  
 19 LIFE!! Suicide is always an option, lol”.

20 60. After seeing the posts about Paula Stamm and Anna Katz, I personally reached out to both women.  
 21 They confirmed via email and by numerous phone calls that Thomas Retzlaff was currently under  
 22 investigation in San Antonio, TX for stalking and harassing them. I personally spoke to Detective  
 23 Carlos Ortiz of the San Antonio Police Department who confirmed the investigation.

24 61. The following IP addresses were obtained from the IP headers within emails sent to Brittany Retzlaff  
 25 from Thomas Retzlaff using the email address [retzlaff@texas.net](mailto:retzlaff@texas.net):

- 26 a. **66.87.68.160** email sent by [retzlaff@texas.net](mailto:retzlaff@texas.net) on July 17, 2014 to Brittany Retzlaff.
- 27 b. **66.87.68.205** email sent by [retzlaff@texas.net](mailto:retzlaff@texas.net) on July 28, 2014 to Brittany Retzlaff.
- 28 c. **66.87.69.54** email sent by [retzlaff@texas.net](mailto:retzlaff@texas.net) on June 19, 2014 to Brittany Retzlaff.
- a. **66.87.69.120** email sent by [retzlaff@texas.net](mailto:retzlaff@texas.net) on Sept 29, 2014 to Brittany Retzlaff.
- e. **66.87.69.129** email sent by [retzlaff@texas.net](mailto:retzlaff@texas.net) on July 6, 2014 to Brittany Retzlaff.
- f. **66.87.69.135** email sent by [retzlaff@texas.net](mailto:retzlaff@texas.net) on July 15, 2014 to Brittany Retzlaff.
- g. **66.87.69.191** email sent by [retzlaff@texas.net](mailto:retzlaff@texas.net) on Sept 24, 2014 to Brittany Retzlaff.

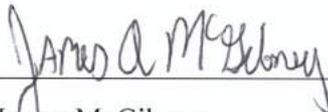
- 1 h. **66.87.69.224** email sent by [retzlaff@texas.net](mailto:retzlaff@texas.net) on June 11, 2014 to Brittany Retzlaff.
- 2 i. **66.87.69.254** email sent by [retzlaff@texas.net](mailto:retzlaff@texas.net) on June 11, 2014 to Brittany Retzlaff.
- 3 j. **66.87.70.5** email sent by [retzlaff@texas.net](mailto:retzlaff@texas.net) on July 12, 2014 to Brittany Retzlaff.
- 4 k. **66.87.70.9** email sent by [retzlaff@texas.net](mailto:retzlaff@texas.net) on Sept 28, 2014 to Brittany Retzlaff.
- 5 l. **66.87.70.127** email sent by [retzlaff@texas.net](mailto:retzlaff@texas.net) on July 14, 2014 to Brittany Retzlaff.
- 6 m. **66.87.70.203** email sent by [retzlaff@texas.net](mailto:retzlaff@texas.net) on July 15, 2014 to Brittany Retzlaff.
- 7 n. **66.87.71.158** email sent by [retzlaff@texas.net](mailto:retzlaff@texas.net) on July 10, 2014 to Brittany Retzlaff.
- 8 o. **66.87.79.162** email sent by [retzlaff@texas.net](mailto:retzlaff@texas.net) on June 11, 2014 to Brittany Retzlaff.
- 9 p. **68.3.61.117** email sent by [retzlaff@texas.net](mailto:retzlaff@texas.net) on April 30, 2014 to Brittany Retzlaff.
- 10 q. **68.104.148.212** email sent by [retzlaff@texas.net](mailto:retzlaff@texas.net) on April 21, 2014 to Brittany Retzlaff.
- 11 r. **70.162.198.27** email sent by [retzlaff@texas.net](mailto:retzlaff@texas.net) on June 13, 2014 to Brittany Retzlaff.
- 12 s. **72.201.182.152** email sent by [retzlaff@texas.net](mailto:retzlaff@texas.net) on May 13, 2014 to Brittany Retzlaff.
- 13 62. Attached hereto as Exhibit 3 is a true and correct copy of a report I created detailing the vast number
- 14 of IP addresses I have gathered over the course of my investigation. For each address I have
- 15 identified, I performed a search on [www.ip2location.com](http://www.ip2location.com), which provides an approximate
- 16 geographical location for each IP address.
- 17 63. As a direct result of the sustained harassment of Defendants, I have suffered enormous personal
- 18 emotional stress.
- 19 64. Comments on the bvfiles blog, which was administrated by Retzlaff, include but are not limited to:
- 20 “James McGibney is a pedophile, are his kids safe when they’re around him?” (This particular post
- 21 was accompanied by a picture of my three minor children, all under the age of 5.)
- 22 65. Another post included my home address and stated “Here’s Mr. McGibney’s home address on
- 23 (redacted). Aryan Brotherhood, go and get him.” This chilling comment went through moderation on
- 24 the blog that Retzlaff had administrative privileges to, therefore had the ability to remove it.
- 25 66. Another comment: “You want real revenge? How about taking money out of some man’s pocket and
- 26 food off his table? How about making it so no one will ever hire him again? Or, how about making
- 27 him fear for the life of his wife & children every time they step outside the house? Or reach for a
- 28 weapon under his pillow because he hears a strange noise in the middle of the night? Or keep watch
- out his window when he sees a car drive by his home slowly too many times? Or worry about who is
- standing behind him in the line at 7/11 or Costco and what they might have in their pocket? Now
- that’s REAL revenge.”

- 1 67. And yet another: “It would be so much fun to kill all of mc-stupids kids, one by one while he  
2 watches me go over them with a blowtorch. Fuck off. You will pay the price for your shit. I will  
3 kill your kids, slowly. I will enjoy watching them bleed out. Extinguishing your half-breeds will be  
4 a highlight of anyone’s day. Now gfy. I hope McGibney’s sons are all hung from a tree and  
5 murdered. All half-breeds need to be killed.”
- 6 68. I am a parent of three children all under the age of five, including an 11 month old.
- 7 69. The stress has aggravated a bleeding ulcer, causing tremendous pain.
- 8 70. I have suffered great fear and paranoia that Retzlaff or someone encouraged by Retzlaff will target  
9 me for violence.
- 10 71. I have lost sleep because of Retzlaff’s threats of violence.
- 11 72. I have had to move my family twice in the past year, further adding to the stress caused by these  
12 threats.
- 13 73. Exhibit 3 also contains a compilation of statements authored by alleged Retzlaff alias “Johnny  
14 Swift,” mark14nx05y, Albert14nx05y, and others. As best as I could, I have connected these aliases  
15 to each other and I am convinced Retzlaff is behind each one.
- 16 74. Attached hereto as Exhibit 4 are true and correct copies of e-mails and text messages between myself  
17 and Collin Retzlaff, Thomas Retzlaff’s son. These are included to rebut Retzlaff’s claims of “witness  
18 tampering.”
- 19 75. Likewise, attached hereto as Exhibit 5 are true and correct copies of e-mails between myself and  
20 Denise Hollas, Thomas Retzlaff’s ex-wife. These are included to rebut Retzlaff’s claims of “witness  
21 tampering.”
- 22 76. Attached hereto as Exhibit 6 is a compilation of posts from the blogs at bvfiles.wordpress.com. For  
23 many of these posts, I compiled them by visiting the specific posts at bvfiles.wordpress.com, taking a  
24 screenshot of the content, and pasting the screenshot into this document. The screenshots are true  
25 and correct copies of the posts as they existed when I took the screenshot. For other posts, I copied  
26 and pasted the textual content of posts/comments, and pasted the text into the document. For these  
27 posts, the format and style of the blog are not copied. However, the *content* of these posts are  
28 accurately copied into Exhibit 6.
77. Attached hereto as Exhibit 7 is a similar compilation of statements from Twitter accounts believed to  
be run by Retzlaff. These tweets are true and correct copies of the tweets as I read them. As with  
Exhibit 6, I created this document by taking screenshots of particular “tweets” and copying those  
screenshots into the compilation document.

1 78. Attached hereto as Exhibit 8 is a compilation of e-mails sent from Retzlaff's various e-mail aliases  
2 james.smith871003@gmail.com, deanallen5634@outlook.com, deananderson714@yahoo.com, and  
3 dean714@yandex.com. Some of these e-mails were sent directly to me, and I can state that the  
4 content in Exhibit 8 is a true and correct copy of those e-mails. For other e-mails sent to third-  
5 parties, the content in Exhibit 8 is a true and correct copy of those e-mails as they were forwarded to  
6 me by their original recipients.

7 79. Retzlaff has previously claimed that California does not have personal jurisdiction over him. He has  
8 even gone as far as taunting Santa Clara Superior Court Judge Socrates Manoukian that the  
9 California restraining order protecting me from further harassment from him was "unenforceable."  
10 But Retzlaff posted my California home address and incited the Aryan Brotherhood to pay me and  
11 my "half spic kids" a visit. He harassed Becca Tobin from Glee, who lives in California. He  
12 harassed Dave Suder, former board member of ViaView, and even went as far as to post his work  
13 and home address on his blog. He submitted court documents within the restraining order and Anti-  
14 SLAPP hearings (which he lost) in California.

15 I declare under penalty of perjury that the foregoing is true and correct to the best of my  
16 knowledge. Executed in Santa Clara California on this 10<sup>th</sup> day of October 2014.

17   
18 \_\_\_\_\_  
19 James McGibney