

1 Michael Williams

2 mbwmbw1337@gmail.com

3 *Petitioner*

4  
5 **UNITED STATES DISTRICT COURT**  
6 **NORTHERN DISTRICT OF CALIFORNIA**  
7 **SAN FRANCISCO DIVISION**

9  
10 IN RE DMCA 17 U.S.C. § 512(h)

Case No.: \_\_\_\_\_

11 SUBPOENA TO X CORP (“TWITTER”).

12 **DECLARATION OF MICHAEL**  
13 **WILLIAMS IN SUPPORT OF MICHAEL**  
14 **WILLIAMS’ REQUEST TO THE CLERK**  
15 **FOR THE ISSUANCE OF A SUBPOENA**  
16 **TO X CORP PURSUANT TO 17 U.S.C. §**  
17 **512(h) TO IDENTIFY ALLEGED**  
18 **INFRINGER**

19  
20 **DECLARATION OF MICHAEL WILLIAMS**

21 1. I am Michael Williams (“Williams”), the individual whose copywritten images and  
22 works have been infringed upon by the prospective subpoena respondents.

23 2. I have personal knowledge of the facts contained herein and, if called upon to do so,  
24 could and would testify competently thereto.

25 3. I submit this declaration in support of Michael Williams’ request for issuance to X  
26 Corp. (“Twitter”), hosting provider of the following Twitter accounts, all of which are related,  
27 <https://twitter.com/brookejlacey/>, <https://twitter.com/peabeeandjelly>,  
28 .

1 <[https://twitter.com/Name\\_H\\_](https://twitter.com/Name_H_)>, and <[https://twitter.com/GIRL\\_SQUAD\\_OG](https://twitter.com/GIRL_SQUAD_OG)> of a subpoena  
2 pursuant to the Digital Millennium Copyright Act ("DMCA"), 17 U.S.C. § 512(h) (the "Subpoena"),  
3 to identify one or more alleged infringers whom Williams is informed and believes posted  
4 copyrighted images owned by Williams (the "Infringing Content") on systems currently hosted by  
5 Twitter without Williams' authorization.  
6

7 4. On July 12, 2023, July 13, 2023, and July 14, 2023, Williams submitted a notifications  
8 via email to <[copyright@twitter.com](mailto:copyright@twitter.com)> and <[support@twitter.com](mailto:support@twitter.com)>, identifying the Infringing  
9 Content on Twitter's systems and providing the information required by 17 U.S.C. § 512(c)(3)(A).  
10 Attached hereto as **Exhibit 1** is a true and correct copy of the notifications sent to Twitter on July 12,  
11 2023, July 13, 2023, and July 14, 2023.  
12

13 5. The purpose for which the Subpoena to Twitter is sought is to obtain the identity of  
14 the alleged infringer or infringers, and such information will only be used for the purpose of 18  
15 protecting rights under 17 U.S.C. §§ 100, et seq.  
16

17 6. A true and correct copy of Williams' proposed Subpoena to Twitter is attached hereto  
18 as **Exhibit 2**.

19 7. The infringing materials include unauthorized copies of copyrighted images and works  
20 owned solely and exclusively by Michael Williams.  
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1 I hereby declare under penalty of perjury under the laws of the United States of America that  
2 the foregoing is true and correct. Executed on the 14<sup>th</sup> day of July 2023.  
3

4  
5 DATED: July 14, 2023

**MICHAEL WILLIAMS**

*/s/ Michael Williams*

\_\_\_\_\_  
Michael Williams

mbwmbw1337@gmail.com

*Petitioner*

*Michael Williams*

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IN RE DMCA

17 U.S.C. § 512(h)

SUBPOENA TO X CORP.

**EXHIBIT 1**



Michael Williams &lt;mbwmbw1337@gmail.com&gt;

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## DMCA Takedown Request - Own Photo Copyright

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Michael Williams <mbwmbw1337@gmail.com>  
To: copyright@twitter.com, support@twitter.com

Wed, Jul 12, 2023 at 6:20 PM

To whom it may concern,

My name is Michael Williams, and I am writing to inform you about the copyright infringement and unlawful use of my copyrighted material that appears on the service for which you are the designated agent.

The infringing material, which I contend belongs to me, includes the following:  
My personal photo.

The infringing material appears at the following location:  
<https://twitter.com/brookejlacey/status/1678920369879789568/photo/1>  
<https://twitter.com/brookejlacey/status/1679189095564869632>  
<https://twitter.com/brookejlacey>  
<https://twitter.com/peabeeandjelly>

Specifically, the following images are owned by Michael Williams.

The original material is available at the following location:  
<https://mbw.name/MBW.jpg>

This letter is the official notification under Section 512(c) of the Digital Millennium Copyright Act of 1998 ("DMCA"), and I request the immediate removal of the aforementioned infringing material from your servers.

I also request that you immediately notify the infringer of this notice and inform them to cease any further posting of the infringing material to your server in the future.

I am providing this notice in good faith and with the reasonable belief that the use of the described material in the manner complained is not authorized by myself, my agents, or the law.

I swear, under penalty of perjury, that the information in the notification is accurate and that I am the owner of the copyrighted material involved.

If you have any questions, please contact me directly at [Michael.Williams@kaddex.xyz](mailto:Michael.Williams@kaddex.xyz)

Sincerely,

Michael Williams

1 Hansom Dr.  
Merrimac, MA 01860  
United States  
[Michael.Williams@kaddex.xyz](mailto:Michael.Williams@kaddex.xyz)



Michael Williams <mbwmbw1337@gmail.com>

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## DMCA Takedown Request - Own Photo Copyright

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**Michael Williams** <mbwmbw1337@gmail.com>  
To: [copyright@twitter.com](mailto:copyright@twitter.com), [support@twitter.com](mailto:support@twitter.com)

Thu, Jul 13, 2023 at 9:24 AM

To whom it may concern,

My name is Michael Williams, and I am writing to inform you about the copyright infringement and unlawful use of my copyrighted material that appears on the service for which you are the designated agent.

The infringing material, which I contend belongs to me, includes the following:  
My personal photo.

The infringing material appears at the following location:

<https://twitter.com/brookejlacey/status/1675681528435867649>  
<https://twitter.com/brookejlacey/status/1678920931161554945/photo/1>  
<https://twitter.com/brookejlacey/status/1679174379123658753/photo/1>  
<https://twitter.com/brookejlacey/status/1678921775839866881>  
<https://twitter.com/brookejlacey/status/1679174379123658753>  
<https://twitter.com/brookejlacey/status/1678920369879789568>  
<https://twitter.com/brookejlacey/status/1678920369879789568/photo/1>  
<https://twitter.com/brookejlacey/status/1675681528435867649/photo/1>  
<https://twitter.com/brookejlacey/status/1678920931161554945/photo/1>

Specifically, the following images are owned by Michael Williams.

The original material is available at the following location:  
<https://mbw.name/MBW.jpg>

This letter is the official notification under Section 512(c) of the Digital Millennium Copyright Act of 1998 ("DMCA"), and I request the immediate removal of the aforementioned infringing material from your servers.

I also request that you immediately notify the infringer of this notice and inform them to cease any further posting of the infringing material to your server in the future.

I am providing this notice in good faith and with the reasonable belief that the use of the described material in the manner complained is not authorized by myself, my agents, or the law.

I swear, under penalty of perjury, that the information in the notification is accurate and that I am the owner of the copyrighted material involved.

If you have any questions, please contact me directly at [Michael.Williams@kaddex.xyz](mailto:Michael.Williams@kaddex.xyz)

Sincerely,

Michael Williams

1 Hansom Dr.  
Merrimac, MA 01860  
United States  
[Michael.Williams@kaddex.xyz](mailto:Michael.Williams@kaddex.xyz)



Michael Williams <michael.williams@kaddex.xyz>

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## DMCA Takedown Request - Copyrighted Textual Works, Photos

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Michael Williams <michael.williams@kaddex.xyz>  
To: copyright@twitter.com, Twitter Support <support@twitter.com>

Fri, Jul 14, 2023 at 3:56 PM

To whom it may concern,

My name is Michael Williams, and I am writing to inform you about the copyright infringement and unlawful use of my copyrighted material that appears on the service for which you are the designated agent.

The infringing material, which I contend belongs to me, includes the following:  
My personal photo.

The infringing material appears at the following location:

[https://twitter.com/GIRL\\_SQUAD\\_OG/status/1679702571554856960/photo/1](https://twitter.com/GIRL_SQUAD_OG/status/1679702571554856960/photo/1)  
[https://twitter.com/GIRL\\_SQUAD\\_OG/status/1679702378428223488/photo/1](https://twitter.com/GIRL_SQUAD_OG/status/1679702378428223488/photo/1)  
[https://twitter.com/GIRL\\_SQUAD\\_OG/status/1679702378428223488/photo/2](https://twitter.com/GIRL_SQUAD_OG/status/1679702378428223488/photo/2)  
[https://twitter.com/GIRL\\_SQUAD\\_OG/status/1679701081532645376/photo/1](https://twitter.com/GIRL_SQUAD_OG/status/1679701081532645376/photo/1)  
[https://twitter.com/GIRL\\_SQUAD\\_OG/status/1679700571144564736/photo/1](https://twitter.com/GIRL_SQUAD_OG/status/1679700571144564736/photo/1)  
[https://twitter.com/GIRL\\_SQUAD\\_OG/status/1679699430100942848/photo/1](https://twitter.com/GIRL_SQUAD_OG/status/1679699430100942848/photo/1)  
[https://twitter.com/GIRL\\_SQUAD\\_OG/status/1679696283953504260/photo/1](https://twitter.com/GIRL_SQUAD_OG/status/1679696283953504260/photo/1)  
[https://twitter.com/GIRL\\_SQUAD\\_OG/status/1679695956676149248/photo/1](https://twitter.com/GIRL_SQUAD_OG/status/1679695956676149248/photo/1)  
[https://twitter.com/GIRL\\_SQUAD\\_OG/status/1679695956676149248/photo/2](https://twitter.com/GIRL_SQUAD_OG/status/1679695956676149248/photo/2)  
[https://twitter.com/GIRL\\_SQUAD\\_OG/status/1679694723999576064/photo/1](https://twitter.com/GIRL_SQUAD_OG/status/1679694723999576064/photo/1)  
[https://twitter.com/GIRL\\_SQUAD\\_OG/status/1679694723999576064/photo/2](https://twitter.com/GIRL_SQUAD_OG/status/1679694723999576064/photo/2)  
[https://twitter.com/GIRL\\_SQUAD\\_OG/status/1679692357489377280/photo/1](https://twitter.com/GIRL_SQUAD_OG/status/1679692357489377280/photo/1)  
[https://twitter.com/GIRL\\_SQUAD\\_OG/status/1679692357489377280/photo/2](https://twitter.com/GIRL_SQUAD_OG/status/1679692357489377280/photo/2)  
[https://twitter.com/GIRL\\_SQUAD\\_OG/status/1679657663657832454/photo/1](https://twitter.com/GIRL_SQUAD_OG/status/1679657663657832454/photo/1)  
[https://twitter.com/GIRL\\_SQUAD\\_OG/status/1679657601053646850/photo/1](https://twitter.com/GIRL_SQUAD_OG/status/1679657601053646850/photo/1)  
[https://twitter.com/GIRL\\_SQUAD\\_OG/status/1679657562696761344/photo/1](https://twitter.com/GIRL_SQUAD_OG/status/1679657562696761344/photo/1)  
[https://twitter.com/GIRL\\_SQUAD\\_OG/status/1679273928290709504/photo/1](https://twitter.com/GIRL_SQUAD_OG/status/1679273928290709504/photo/1)  
[https://twitter.com/GIRL\\_SQUAD\\_OG/status/1679288811342241795/photo/1](https://twitter.com/GIRL_SQUAD_OG/status/1679288811342241795/photo/1)  
[https://twitter.com/GIRL\\_SQUAD\\_OG/status/1679061198485041156](https://twitter.com/GIRL_SQUAD_OG/status/1679061198485041156)

Specifically, the following images are owned by Michael Williams.

The original material is available at the following location:

<https://mbw.name/MBW.jpg>  
<https://www.mbw.name/MBW-2.jpg>  
<https://www.mbw.name/MBW-3.jpg>  
<https://www.mbw.name/MBW-4.jpg>  
<https://www.mbw.name/MBW-5.png>  
<https://www.mbw.name/MBW-6.jpg>  
<https://www.mbw.name/MBW-7.png>  
<https://www.mbw.name/MBW-8.png>  
<https://www.mbw.name/MBW-9.png>

This letter is the official notification under Section 512(c) of the Digital Millennium Copyright Act of 1998 ("DMCA"), and I request the immediate removal of the aforementioned infringing material from your servers.

I also request that you immediately notify the infringer of this notice and inform them to cease any further posting of the infringing material to your server in the future.

I am providing this notice in good faith and with the reasonable belief that the use of the described material in the manner complained is not authorized by myself, my agents, or the law.

I swear, under penalty of perjury, that the information in the notification is accurate and that I am the owner of the copyrighted material involved.

If you have any questions, please contact me directly at [Michael.Williams@kaddex.xyz](mailto:Michael.Williams@kaddex.xyz)

Sincerely,

Michael Williams

1 Hansom Dr.  
Merrimac, MA 01860  
United States  
[Michael.Williams@kaddex.xyz](mailto:Michael.Williams@kaddex.xyz)

IN RE DMCA

17 U.S.C. § 512(h)

SUBPOENA TO X CORP.

**EXHIBIT 2**

**UNITED STATES DISTRICT COURT**

for the

Northern District of California

In re DMCA Sec. 512(h) Subpoena to X Corp.

*Plaintiff*

v.

*Defendant*

Civil Action No.

**SUBPOENA TO PRODUCE DOCUMENTS, INFORMATION, OR OBJECTS  
OR TO PERMIT INSPECTION OF PREMISES IN A CIVIL ACTION**

To:

X Corp.  
355 Market Street, Suite 900, San Francisco, California 94103, UNITED STATES

*(Name of person to whom this subpoena is directed)*

**Production:** **YOU ARE COMMANDED** to produce at the time, date, and place set forth below the following documents, electronically stored information, or objects, and to permit inspection, copying, testing, or sampling of the material: Listed and described on Attachment A

Place: Derek.Khanna@gmail.com or 50 California St Suite 1500, San Francisco, CA 94111, United States	Date and Time: 07/28/2023 10:00 am
--	---------------------------------------

**Inspection of Premises:** **YOU ARE COMMANDED** to permit entry onto the designated premises, land, or other property possessed or controlled by you at the time, date, and location set forth below, so that the requesting party may inspect, measure, survey, photograph, test, or sample the property or any designated object or operation on it.

Place:	Date and Time:
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The following provisions of Fed. R. Civ. P. 45 are attached – Rule 45(c), relating to the place of compliance; Rule 45(d), relating to your protection as a person subject to a subpoena; and Rule 45(e) and (g), relating to your duty to respond to this subpoena and the potential consequences of not doing so.

Date: \_\_\_\_\_

CLERK OF COURT

OR

\_\_\_\_\_  
*Signature of Clerk or Deputy Clerk*

\_\_\_\_\_  
*Attorney's signature*

The name, address, e-mail address, and telephone number of the attorney representing *(name of party)* \_\_\_\_\_ **Petitioner**  
Derek Khanna \_\_\_\_\_, who issues or requests this subpoena, are:  
Derek Satya Khanna (CA No. 308563); Derek.Khanna@gmail.com; 202-643-2483

**Notice to the person who issues or requests this subpoena**

If this subpoena commands the production of documents, electronically stored information, or tangible things or the inspection of premises before trial, a notice and a copy of the subpoena must be served on each party in this case before it is served on the person to whom it is directed. Fed. R. Civ. P. 45(a)(4).

Civil Action No. \_\_\_\_\_

**PROOF OF SERVICE**

*(This section should not be filed with the court unless required by Fed. R. Civ. P. 45.)*

I received this subpoena for *(name of individual and title, if any)* \_\_\_\_\_

on *(date)* \_\_\_\_\_ .

I served the subpoena by delivering a copy to the named person as follows: \_\_\_\_\_

\_\_\_\_\_ on *(date)* \_\_\_\_\_ ; or

I returned the subpoena unexecuted because: \_\_\_\_\_

Unless the subpoena was issued on behalf of the United States, or one of its officers or agents, I have also tendered to the witness the fees for one day's attendance, and the mileage allowed by law, in the amount of \$ \_\_\_\_\_ .

My fees are \$ \_\_\_\_\_ for travel and \$ \_\_\_\_\_ for services, for a total of \$ \_\_\_\_\_ 0.00 .

I declare under penalty of perjury that this information is true.

Date: \_\_\_\_\_

\_\_\_\_\_  
*Server's signature*

\_\_\_\_\_  
*Printed name and title*

\_\_\_\_\_  
*Server's address*

Additional information regarding attempted service, etc.:

Print

Save As...

Add Attachment

Reset

**Federal Rule of Civil Procedure 45 (c), (d), (e), and (g) (Effective 12/1/13)****(c) Place of Compliance.**

**(1) For a Trial, Hearing, or Deposition.** A subpoena may command a person to attend a trial, hearing, or deposition only as follows:

- (A) within 100 miles of where the person resides, is employed, or regularly transacts business in person; or
- (B) within the state where the person resides, is employed, or regularly transacts business in person, if the person
  - (i) is a party or a party's officer; or
  - (ii) is commanded to attend a trial and would not incur substantial expense.

**(2) For Other Discovery.** A subpoena may command:

- (A) production of documents, electronically stored information, or tangible things at a place within 100 miles of where the person resides, is employed, or regularly transacts business in person; and
- (B) inspection of premises at the premises to be inspected.

**(d) Protecting a Person Subject to a Subpoena; Enforcement.**

**(1) Avoiding Undue Burden or Expense; Sanctions.** A party or attorney responsible for issuing and serving a subpoena must take reasonable steps to avoid imposing undue burden or expense on a person subject to the subpoena. The court for the district where compliance is required must enforce this duty and impose an appropriate sanction—which may include lost earnings and reasonable attorney's fees—on a party or attorney who fails to comply.

**(2) Command to Produce Materials or Permit Inspection.**

(A) *Appearance Not Required.* A person commanded to produce documents, electronically stored information, or tangible things, or to permit the inspection of premises, need not appear in person at the place of production or inspection unless also commanded to appear for a deposition, hearing, or trial.

(B) *Objections.* A person commanded to produce documents or tangible things or to permit inspection may serve on the party or attorney designated in the subpoena a written objection to inspecting, copying, testing, or sampling any or all of the materials or to inspecting the premises—or to producing electronically stored information in the form or forms requested. The objection must be served before the earlier of the time specified for compliance or 14 days after the subpoena is served. If an objection is made, the following rules apply:

- (i) At any time, on notice to the commanded person, the serving party may move the court for the district where compliance is required for an order compelling production or inspection.
- (ii) These acts may be required only as directed in the order, and the order must protect a person who is neither a party nor a party's officer from significant expense resulting from compliance.

**(3) Quashing or Modifying a Subpoena.**

(A) *When Required.* On timely motion, the court for the district where compliance is required must quash or modify a subpoena that:

- (i) fails to allow a reasonable time to comply;
- (ii) requires a person to comply beyond the geographical limits specified in Rule 45(c);
- (iii) requires disclosure of privileged or other protected matter, if no exception or waiver applies; or
- (iv) subjects a person to undue burden.

(B) *When Permitted.* To protect a person subject to or affected by a subpoena, the court for the district where compliance is required may, on motion, quash or modify the subpoena if it requires:

- (i) disclosing a trade secret or other confidential research, development, or commercial information; or

(ii) disclosing an unretained expert's opinion or information that does not describe specific occurrences in dispute and results from the expert's study that was not requested by a party.

(C) *Specifying Conditions as an Alternative.* In the circumstances described in Rule 45(d)(3)(B), the court may, instead of quashing or modifying a subpoena, order appearance or production under specified conditions if the serving party:

- (i) shows a substantial need for the testimony or material that cannot be otherwise met without undue hardship; and
- (ii) ensures that the subpoenaed person will be reasonably compensated.

**(e) Duties in Responding to a Subpoena.**

**(1) Producing Documents or Electronically Stored Information.** These procedures apply to producing documents or electronically stored information:

(A) *Documents.* A person responding to a subpoena to produce documents must produce them as they are kept in the ordinary course of business or must organize and label them to correspond to the categories in the demand.

(B) *Form for Producing Electronically Stored Information Not Specified.* If a subpoena does not specify a form for producing electronically stored information, the person responding must produce it in a form or forms in which it is ordinarily maintained or in a reasonably usable form or forms.

(C) *Electronically Stored Information Produced in Only One Form.* The person responding need not produce the same electronically stored information in more than one form.

(D) *Inaccessible Electronically Stored Information.* The person responding need not provide discovery of electronically stored information from sources that the person identifies as not reasonably accessible because of undue burden or cost. On motion to compel discovery or for a protective order, the person responding must show that the information is not reasonably accessible because of undue burden or cost. If that showing is made, the court may nonetheless order discovery from such sources if the requesting party shows good cause, considering the limitations of Rule 26(b)(2)(C). The court may specify conditions for the discovery.

**(2) Claiming Privilege or Protection.**

(A) *Information Withheld.* A person withholding subpoenaed information under a claim that it is privileged or subject to protection as trial-preparation material must:

- (i) expressly make the claim; and
- (ii) describe the nature of the withheld documents, communications, or tangible things in a manner that, without revealing information itself privileged or protected, will enable the parties to assess the claim.

(B) *Information Produced.* If information produced in response to a subpoena is subject to a claim of privilege or of protection as trial-preparation material, the person making the claim may notify any party that received the information of the claim and the basis for it. After being notified, a party must promptly return, sequester, or destroy the specified information and any copies it has; must not use or disclose the information until the claim is resolved; must take reasonable steps to retrieve the information if the party disclosed it before being notified; and may promptly present the information under seal to the court for the district where compliance is required for a determination of the claim. The person who produced the information must preserve the information until the claim is resolved.

**(g) Contempt.**

The court for the district where compliance is required—and also, after a motion is transferred, the issuing court—may hold in contempt a person who, having been served, fails without adequate excuse to obey the subpoena or an order related to it.

**UNITED STATES DISTRICT COURT**  
**NORTHERN DISTRICT OF CALIFORNIA**  
**SAN FRANCISCO DIVISION**

IN RE DMCA 17 U.S.C. § 512(h) SUBPOENA TO X CORP. (“TWITTER”)

**ATTACHMENT A**  
**TO SUBPOENA COMMANDING PRODUCTION BY X CORP. (“TWITTER”)**

The users changed their accounts usernames multiple times; therefore, we request the details for the following Twitter accounts:

1. <<https://twitter.com/brookejlacey>>
2. <<https://twitter.com/peabeeandjelly>>, now updated to URL <[https://twitter.com/name\\_h\\_](https://twitter.com/name_h_)> (we believe the user changed their username and profile to conceal identity and hide infringement)
3. <[https://twitter.com/GIRL\\_SQUAD\\_OG](https://twitter.com/GIRL_SQUAD_OG)>

Provide the following:

1. Since May 1, 2023, all direct messages that were exchanged between the two accounts <@brookejlacey> and <@peabeeandjelly> (now <@name\_h\_>).
2. All identity and contact information, including full name, email address(es), physical address, date of birth, gender, occupation, and other personal identifiers, including profile photographs;
3. All past and current usernames and names associated with the accounts and information as to when the usernames changed;
4. The dates and times at which the account profile was created and the internet protocol address at the time of sign-up.
5. All IP logs or other documents showing the IP address, date, location, and time of each log-in to the account;
6. Since May 1, 2023, all direct messages which have been sent or received;
7. Any websites or other links listed in the user biographies;
8. Every “Tweet” including photographic images, the user(s) posted;
9. Any IMEI (International Mobile Station Equipment Identity) number collected from a mobile device that logged into the accounts;
10. Any and all user data collected off any website posted to the user’s biography or the Tweet posted at the URL containing the infringed image.
11. Any other accounts, current or closed, associated with the user’s IP address or IMEI.
12. The user’s billing information if the account(s) were developer accounts or paid-for advertisements on Twitter.
13. Any other apps the user(s) of the account(s) have downloaded onto their mobile devices.