

SUPREME COURT OF THE STATE OF NEW YORK
COUNTY OF NEW YORK

GEORGE OUZOUNIAN, P/K/A MADDOX,
and JANE DOE,

Plaintiffs,

Index No. 656779/2017

-against-

DAX HERRERA P/K/A DICK MASTERSON,
FOUNDATION DIGITAL, LLC, GREG BOSER,
LOREN BAKER, CMGRP, INC. D/B/A WEBER
SHANDWICK, JOSHUA KAUFMAN,
ASTERIOS KOKKINOS, TREVOR BIRT,
PATREON, INC., and JORDAN COPE,
Defendants.

AFFIRMATION OF MICHAEL M. MUNOZ

Michael M. Munoz, an attorney duly admitted to practice law in the State of New York, hereby affirms the following under the penalties of perjury, pursuant to CPLR 2106:

1. I am a member of the firm of Golenbock Eiseman Assor Bell & Peskoe LLP, attorneys for Defendants CMGRP, Inc. d/b/a Weber Shandwick (“WS”) and Joshua Kaufman (“Kaufman”).

2. I respectfully submit this Affirmation in support of the Motion filed simultaneously herewith on behalf of WS and Kaufman, to dismiss the Complaint (the “Complaint”) filed by plaintiffs George Ouzounian, p/k/a Maddox and Jane Doe, as to those Causes of Action asserted against WS and Kaufman, based on documentary evidence and for failure to state a claim upon which relief can be granted.

3. Attached hereto as Exhibit A is a true and correct copy of the Complaint.

4. Attached hereto as Exhibit B is a true and correct copy of a website found at the URL <http://thebiggestproblemtheuniverse.com>. The email address set forth on page 1 of that

Exhibit is, upon information and belief, an address belonging to Plaintiff Ouzouzian. I accessed the cited website and printed the attached Exhibit on December 27, 2017.

5. Attached hereto as Exhibit C is a true and correct copy of a file obtained by my firm from the Superior Court of California, County of Los Angeles, in a case by Marie Elena Valenzuela against the individual who, upon information and belief, is the Plaintiff identified as “Jane Doe” in the Complaint.

6. Attached hereto as Exhibit D is a true and correct copy of the docket for an Opposition to a Trademark Application in the United States Patent and Trademark Office, filed by Plaintiff Ouzouzian against Dax Herrera, who is a defendant in this present lawsuit. Pages 1 and 2 of the Exhibit indicate that the Opposition was filed on June 27, 2017.


7. Attached hereto as Exhibit E is a true and correct copy of the website found at a URL cited in paragraph 103 of the Complaint, <http://thedickshow.com/episode-33>. The last page of Exhibit sets forth the date “January 17, 2017.” When viewed online, that date appears near the top left of the web page, just under the title of the podcast, “Episode 33 – Dick on Shaved Ice.” A paralegal at my firm accessed the cited website and printed the attached Exhibit on November 28, 2017.

8. Attached hereto as Exhibit F is a true and correct copy of the website found at a URL cited in paragraph 103 of the Complaint, <http://kiwifarms.net/threads/maddox-george-schnoz.24527/page13>. A paralegal at my firm accessed the cited website and printed the attached Exhibit on November 28, 2017.

9. Attached hereto as Exhibit G is a true and correct copy of the website found at a URL <https://itunes.apple.com/us/album/cuckmas-carols-bald-headed-lies-ep/1208283614>. An

attorney at my firm accessed the cited website and printed the attached Exhibit on December 27, 2017.

Dated: New York, New York
January 10, 2018



Michael M. Munoz