

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25

IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF INDIANA

MALIBU MEDIA, LLC,	)	
Plaintiff,	)	
	)	
v.	)	No. 1:13-cv-00205-WTL-MJD
	)	
KELLEY TASHIRO,	)	
N. CHARLES TASHIRO,	)	
Defendant.	)	

DEPOSITION OF DELVAN NEVILLE  
Taken on behalf of the Plaintiff

\* \* \*

BE IT REMEMBERED THAT, pursuant to the Federal Rules of Civil Procedure, the deposition of DELVAN NEVILLE was taken before Cheryl L. Haase, a Registered Professional Reporter, on January 27th, 2015, commencing at the hour of 2:27 p.m., at the Comfort Suites, 1730 NW 9th St., Corvallis, Oregon.

\* \* \*

1 Q. Okay. And you agree, packet analyzers can record  
2 the network traffic between the computer -- two computers,  
3 correct? That's standard computer stuff.

4 A. Provided that you know how to use the software to  
5 do so, yes.

6 Q. Thank you.

7 Okay. Now, I don't want to get into the  
8 Prenda's story, it's not Malibu Media's story by any  
9 stretch, but I know it very well and I know you do, too.  
10 And I know Mr. Phillips does. But the long and short of it  
11 is, you were one of the people who helped catch Prenda, who  
12 was seeding files that -- for copyrighted movies that he  
13 actually purchased.

14 Is that basically the gist of what happened?

15 MR. PHILLIPS: Objection.

16 A. (Witness nods head.)

17 BY MR. LIPSCOMB:

18 Q. You -- you can answer.

19 A. So that's -- I mean, it's a bit of a short summary  
20 of the other things that I had to analyze in the process of  
21 coming to that conclusion as it wasn't clearly the  
22 BitTorrent traffic; but yes, that was a good part of -- of  
23 how I was involved in sort of throwing up the red flag of  
24 Hey, look, all evidence points to they're the ones actually  
25 handing out the -- the file to the swarm.