

1 Michael W. Jacobs (SBN 174885)
2 Mjacobslaw12@gmail.com
3 Janine R. Menhennet (SBN 163501)
4 jmenhennetlaw@gmail.com
5 **THE LAW OFFICES OF**
6 **MICHAEL W. JACOBS**
7 11353 Meadow View Road
8 El Cajon, California 92020
9 Phone: (619) 277-0461

10
11 *Counsel for Defendant JENNIFER*
12 *WALKER*

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**UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF CALIFORNIA**

13 BREAKING CODE SILENCE, a
14 California Public Benefit Corporation,
15 Plaintiff,
16 vs.

17 CHELSEA PAPCIAK aka FILER, an
18 individual, JENNIFER WALKER, an
19 individual, JENNA BULIS, an
20 individual, MARTHA THOMPSON, an
21 individual, and
22 BREAKINGCODESILENCE, INC., a
23 Florida corporation

24 Defendants.
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Case No.: 21-cv-0918-BAS (DEB)

**DECLARATION OF MICHAEL W.
JACOBS SUPPORT OF
DEFENDANT JENNIFER
WALKER'S MOTION FOR
ATTORNEY'S FEES AFTER
DISMISSAL**

Date: May 16, 2022
Dept.: 4B
Judge: Hon. Cynthia A. Bashant

1 I, Michael W. Jacobs, hereby declare as follows:

2 1. I am counsel of record for defendant JENNIFER WALKER, and in that
3 capacity have personal knowledge of the items declared herein.

4 2. I was retained on May 19, 2021, after which I engaged in investigation
5 and research into the claims being made. Almost from the inception of the case it
6 became apparent the case was meritless, particularly as to my client. Over the
7 many months the case was litigated I sent hundreds of emails to counsel for BCS,
8 the bulk of which were to point out that the case lacked merit and was not well
9 pled.

10 3. The subject mark BREAKING CODE SILENCE was initially put into
11 commerce by Papciak in August 2014. See, **Exhibit 1**.

12 4. Several of the defendants, and BCS's own former COO, Katherine
13 McNamara, filed with the USPTO to register BREAKING CODE SILENCE on or
14 about September 3, 2020. See, **Exhibit 2**.

15 5. I am now aware that Josh Scarpuzzi engaged in extensive emails with
16 BCS' attorney Greta Proctor in which he specifically recanted any ownership or
17 use of any BCS-related mark. He further indicated that he had been coerced into
18 an "assignment" and that he recanted and rescinded that document. See, Exhibit 3.
19 I did not become aware of those email exchanges until much later in the case.

20 6. In early July 2021 I became aware that Josh Scarpuzzi had publicly
21 posted that he not only did not assign anything, but had no rights in the mark.
22 Counsel for the other defendants was able to obtain a declaration from Mr.
23 Scarpuzzi to that effect. See, **Exhibit 4**.

24 7. In November 2021 I propounded discovery seeking the BCS attorney
25 communications with Mr. Scarpuzzi. Counsel refused to produce them, citing
26 relevance, among other baseless objections. See, **Exhibit 5, RFP #6**.

27 8. In total my office spent 59.0 over the approximate year long litigation.
28

1 All work was done by myself or Ms. Menhennet at a billable rate of \$350.00 per
2 hour, for a total of \$20,650.00. See, **Exhibit 6**.

3 9. I have been practicing since 1994, during which I have specialized in
4 civil litigation. I have handled hundreds of cases, including at least 25 trials, in
5 addition to arbitrations, DRE, municipal, and other judicial and non-judicial
6 proceedings and hearing.

7 10. Ms. Menhennet's declaration in support of her fees is filed
8 concurrently herewith.

9 11. The conference of counsel took place on April 4, 2022.

10 I declare the foregoing to be true and correct under the penalty of perjury of
11 the laws of the United States of America. Executed on April 11th, 2022, at San
12 Diego, California.

13 /s/ Michael W. Jacobs
14 Michael W. Jacobs
15 Mjacobs12@gmail.com
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EXHIBIT 1

The Wayback Machine - <https://web.archive.org/web/20141105004635/http://wwaspsurvivors.com:80/breaking...>

- [Troubled Teen Industry](#)
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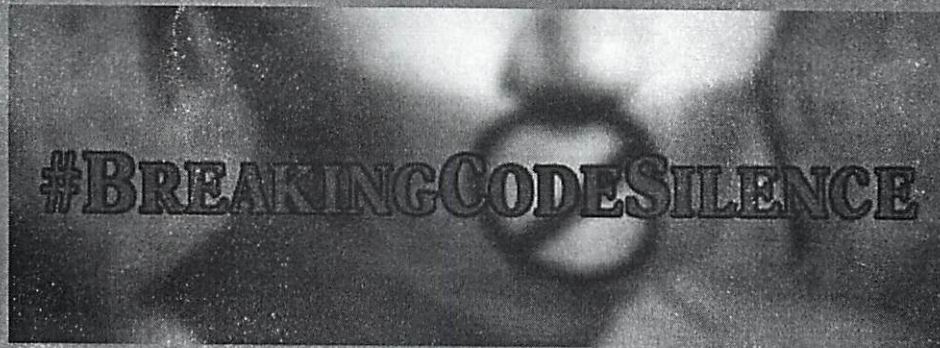
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#BreakingCodeSilence – The Challenge

August 19, 2014



WWASPSurvivors, Safe Teen Schools, the SIA Organization (Survivors of Institutional Abuse) and Shut Down Logan River have just launched the **#BreakingCodeSilence Challenge**, a challenge designed to bring awareness to the issues of institutional child abuse in residential treatment centers and teen behavior modification programs.

As we speak, as we live and breathe and enjoy our everyday freedoms, there are thousands of children suffering in captivity, usually involuntarily committed or incarcerated without consent or due process to "Teen Rehab" facilities that masquerade as therapeutic treatment centers and operate with impunity due to lack of government oversight. The "treatment" these children receive couldn't be further from therapeutic and more often than not, result in abuse and torment that leaves survivors with lifelong emotional scars. Children have been systematically abused in these fraudulent programs for decades, and as long as the government allows them to continue to

7/26/2021

#BreakingCodeSilence - The Challenge - WWASP Survivors

operate, they will suffer in silence in these programs- some will even die. Fraudulent teen programs exist all over the US and in many countries all over the world. What may look like a premiere rehab or treatment center in marketing materials may be in actuality a private **for-profit teen prison** that abuses kids and deceives desperate parents. For more information about the signs of an abusive teen program please see our [Red Flags](#) list.

What is "Code Silence"?

In the program, silence is not a choice, it is a requirement. "Code Silence" is a punishment meant to isolate and unnerve children until they reach to a breaking point, to the point where they feel no one believes anything they say... They are kept in this oppressive silence until they "get with the program" and say what they are expected to say. This method is so powerful that the effects often follow a survivor well after they have left the program. It affects them so much that they hold on to all the memories and unresolved feelings about their experience because they were taught that no one would believe them, and "being a victim" was shameful and showed weakness. Those lies and deceptions end today.

We will be silent no more.

The **#BreakingCodeSilence Challenge** was created to encourage survivors of institutional abuse to stand up and testify about the abuse in their programs, to speak today not for themselves, but for all the kids out there currently suffering with no voice and no hope of rescue. We will be strong for them and come forward to be their voice! **#UnitedwithOneVoice** we stand as an undeniable testament to the realities of the troubled teen industry. We hope this demonstration of empowerment and support for all survivors will take on enough headway to reach the masses, and save the lives of kids currently held in these private teen prisons.

CHALLENGE ACCEPTED!

Are you a survivor of institutional abuse? Please, take the challenge by first sharing your story. It can be as little as a paragraph or your entire life story- as much as you would like to share. Along with your story, submit your challenge photo, a "selfie" with tape over your mouth with the symbol "Ø". This symbolizes the fact that so many kids have no voice in these programs... But we do have a voice, and **we will use it to stand up for them!**

In your submission, challenge 3 other people you know to share their stories of being abused or a witness to abuse in a teen program (but be sure to support them through the process if this is their first time). If sharing is too much, feel free to just support (*see below*).

Are you a supporter of the cause? Please just take the photo as described above and share this message: (Twitter ready) through every social media channel you have.

Take The [#BreakingCodeSilence](#) Challenge! [#UnitedwithOneVoice](#) we will
[#EndInstitutionalAbuse](#) <http://wwaspsurvivors.com/breakingcodesilence/>

The more shares and tweets we get the further this message will travel, and the more lives will be saved by this awareness.

To submit your challenge testimony, comment below or submit your full testimony [here](#).

[\[Show as slideshow\]](#)

[#BreakingCodeSilence](#)
[#breakingcodesilence](#)
[#BreakingCodeSilence](#)
[#BreakingCodeSilence](#)
[#BreakingCodeSilence](#)
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[#BreakingCodeSilence](#)

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The Wayback Machine - <https://web.archive.org/web/20141105004635/http://wwaspsurvivors.com:80/breaking...>

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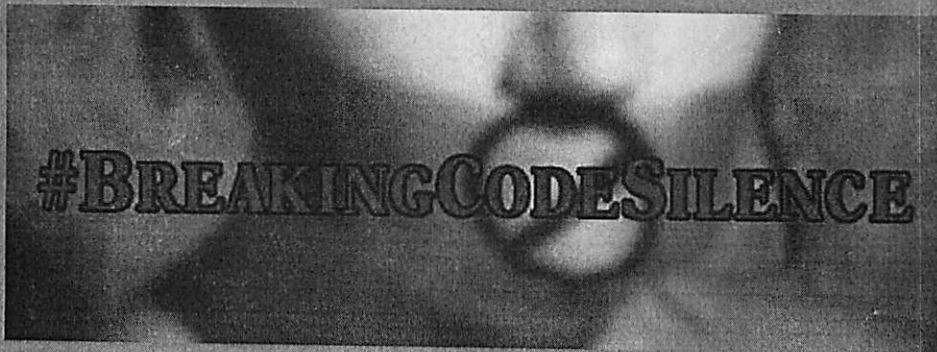
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- [Survivor Testimony >](#)
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#BreakingCodeSilence – The Challenge

August 19, 2014

[News](#)



WWASPSurvivors, [Safe Teen Schools](#), the [SIA Organization](#) (Survivors of Institutional Abuse) and [Shut Down Logan River](#) have just launched the **#BreakingCodeSilence Challenge**, a challenge designed to bring awareness to the issues of institutional child abuse in residential treatment centers and teen behavior modification programs.

As we speak, as we live and breathe and enjoy our everyday freedoms, there are thousands of children suffering in captivity, usually involuntarily committed or incarcerated without consent or due process to “Teen Rehab” facilities that masquerade as therapeutic treatment centers and operate with impunity due to lack of government oversight. The “treatment” these children receive couldn’t be further from therapeutic and more often than not, result in abuse and torment that leaves survivors with lifelong emotional scars. Children have been systematically abused in these fraudulent programs for decades, and as long as the government allows them to continue to

EXHIBIT 2



United States Patent and Trademark Office

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Please logout when you are done to release system resources allocated for you.

OR to record:

Record 4 out of 5

[TSDR](#) [ASSIGN Status](#) [TTAB Status](#) (Use the "Back" button of the Internet Browser to return to TESS)

BreakingCodeSilence

Word Mark **BREAKINGCODESILENCE**

Goods and Services IC 041. US 100 101 107. G & S: Activism and advocacy group of troubled teen program survivors - We are going to be providing education on boarding schools and teen programs. FIRST USE: 20130312. FIRST USE IN COMMERCE: 20190101

Standard Characters Claimed

Mark Drawing Code (4) STANDARD CHARACTER MARK

Serial Number 90157154

Filing Date September 3, 2020

Current Basis 1B

Original 1B

**Filing
Basis**

Owner (APPLICANT) Robison, Jen INDIVIDUAL UNITED STATES 272 N Mar Vista Ave
Pasadena CALIFORNIA 91106

(APPLICANT) McNamara, Katherine INDIVIDUAL UNITED STATES 272 N Mar Vista
Ave Pasadena CALIFORNIA 91106

(APPLICANT) Bulis, Jenna INDIVIDUAL UNITED STATES 272 N Mar Vista Ave
Pasadena CALIFORNIA 91106

(APPLICANT) Papciak, Chelsea INDIVIDUAL UNITED STATES 272 N Mar Vista Ave
Pasadena CALIFORNIA 91106

(APPLICANT) Moorman, Rebecca INDIVIDUAL UNITED STATES 272 N Mar Vista
Ave Pasadena CALIFORNIA 91106

(APPLICANT) Carter, Emily INDIVIDUAL UNITED STATES 272 N Mar Vista Ave
Pasadena CALIFORNIA 91106

**Type of
Mark** SERVICE MARK

Register PRINCIPAL

**Live/Dead
Indicator** LIVE

TESS HOME	NEW USER	STRUCTURED	FREE FORM	BROWSE DICT	SEARCH OG	TOP	HELP	PREV LIST	CURR LIST	NEXT LIST
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Please logout when you are done to release system resources allocated for you.

Record 5 out of 5

List At: OR to record:

[TSDR](#) [ASSIGN Status](#) [TTAB Status](#) (Use the "Back" button of the Internet Browser to return to TESS)

Breaking Code Silence

Word Mark **BREAKING CODE SILENCE**

Goods and Services IC 035. US 100 101 102. G & S: Promoting the interests of troubled teens by means of public advocacy. FIRST USE: 20130401. FIRST USE IN COMMERCE: 20190601

Standard Characters Claimed

Mark Drawing Code (4) STANDARD CHARACTER MARK

Serial Number 90208204

Filing Date September 24, 2020

Current Basis 1A;1B

Original Filing Basis 1A;1B

Owner (APPLICANT) McNamara, Katherine R INDIVIDUAL UNITED STATES 272 N Mar

Vista Ave Pasadena CALIFORNIA 91106

(APPLICANT) Robison, Jennifer INDIVIDUAL UNITED STATES 272 N Mar Vista Ave Pasadena CALIFORNIA 91106

(APPLICANT) Bulis, Jenna INDIVIDUAL UNITED STATES 272 N Mar Vista Ave Pasadena CALIFORNIA 91106

(APPLICANT) Carter, Emily INDIVIDUAL UNITED STATES 272 N Mar Vista Ave Pasadena CALIFORNIA 91106

(APPLICANT) Moorman, Rebecca INDIVIDUAL UNITED STATES 272 N Mar Vista Ave Pasadena CALIFORNIA 91106

(APPLICANT) Papciak, Chelsea INDIVIDUAL UNITED STATES 272 N Mar Vista Ave Pasadena CALIFORNIA 91106

Type of Mark SERVICE MARK
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FIRST DOC	PREV DOC	NEXT DOC	LAST DOC							

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Exhibit 3

Case 3:21-cv-00918-BAS-DEB Document 56-2 Filed 04/11/22 PageID.674 Page 14 of 50
From: Joshua Scarpuzzi
Sent: Monday, July 5, 2021 8:16 PM
To: greta.proctor@procopio.com <greta.proctor@procopio.com>
Subject: Breaking Code Silence

Hello Greta,

I am writing you this letter with deep sadness in my heart. After experiencing weeks of personal attacks and efforts to silence me over very serious professional concerns I feel that I have an obligation to the truth and to the BCS community of survivors to reach out to you.

The first issue is Vanessa. I have seen a pattern of bullying, talking down to, diagnosing volunteers and mocking them for it, cursing in meetings, and all around acting in a dictator authoritarian style of leading. For the last few months there were countless times her behavior resulted in a volunteer leaving or needing me or Jenny to smooth over how she handled things as a direct result of things she said or did. I was terrified of her and didn't dare speak out about it because if she was doing this to others then it meant she wasn't doing it to me. This was my indoctrination into the leadership "clique" that is now both the highest leadership roles and the board.

Secondly, once I raised the concerns of close to ten volunteers including myself and Jeremy, there was a group effort to dismiss and silence me even through the HR process. I set very clear boundaries and expectations for what it would take for me to continue volunteering my time with BCS and that was laid out in an email I sent over. Since sending that email I have been attacked personally by both Jenny and Katie, as well as Katie spreading false information about me to Jeremy. I've been falsely accused of blackmail and extortion, and left with zero choice but to walk away from the organization that I care so deeply about.

Finally, there has been a pattern of manipulative behavior that is always left me feeling uneasy. This began in the first conversations I had with Vanessa and not stopped since. There have been gross liberties taken that were suggested by Vanessa in regards to my activism work prior to 2021. My book was written and published in 2018. "Breaking Code Silence" was just the title of my book and nothing else. It was suggested by Vanessa that the activism work I had done in 2009/10 was done under the title of my book and that's a far stretch. This narrative was pushed on me and in many ways I liked the idea of me being the founder as it was the first time the Breaking Code Silence community had ever acknowledged me. I believe a title of a book cannot be trademarked and given that my activism work was unrelated I don't not believe the trademark agreement we made has any validity to it and I do not believe that I have any claim to the mark.

Vanessa through this entire process has been privy to the "investigation" into her. I don't know of any organization or company that the person accused of abuse is one of the ones orchestrating their own investigation. And the board members are all people she has picked to protect and go to battle in her name, I know because for months I was one of them. I have zero faith in this leadership to hold her to any standard and am walking away with my head high. They have kicked me out of every survivor Facebook group with zero reason other than retaliation. I believe Vanessa's actions, specifically the diagnosing and labeling volunteers as "on the spectrum" or "bipolar" and then mocking them for it, is reportable to the state under her licensing. They are nothing but bullies who are attempting to grab power and hold onto it at the cost of destroying friendships.

The way they have treated Jeremy is cruel and unprofessional. At times when Jeremy has raised concerns Vanessa had mocked him, one time bringing up his sexuality and asking me why gay men are "drama queens."

I have attached a number of screenshots showing the abuse I have taken. I will at this time request that I not be contacted by anyone from BCS or on behalf of BCS.

There have been countless opportunities for them to remedy this, to apologize, to admit her behavior was wrong, and they have only escalated it and further proved my point that they are unprofessional and incapable of leading this movement.

Joshua Scarpuzzi

Case 3:21-cv-00918-BAS-DEB Document 56-2 Filed 04/11/22 PageID.675 Page 15 of 50
From: Josh Scarpuzzi <joshscarpuzzi@hotmail.com>
Sent: Friday, July 9, 2021 2:58 PM
To: Proctor, Greta A. <greta.proctor@procopio.com>
Subject: Re: BCS forwarded emails

Statement of Fact

July 08, 2021

Hello BCS Community, Lawyers, and Leadership,

In

2007-2008 while at Spring Creek I wrote a collection of poetry that was titled "The thoughts of a caged bird." This collection was never intended to be a part of my book and was written independently.

On

October 12th, 2010 I spoke at a Mathew Sheapherd Memorial event in San Diego California. At this event I spoke about my struggle with suicide, and my time at Spring Creek. At this point in time I had began writing my book with no title, it was meant to be a journal at first.

From

2010-2018 I had worked at a number of small events that talked about troubled teen issues and suicide awareness but always acted on behalf of myself and was not

promoting, engaging, or in any way mentioning the BCS mark. I continued working on my book independently.

Around

2017 I settled on the title Breaking Code Silence for my book and began emailing editors and publishers. Book titles are not able to be trademarked and as such I never trademarked my book, only a general copyright that applies to any intellectual written property.

When

I was first approached by Vanessa Hughes with the new BCS organization, I was told by them that they believed I had the exclusive rights to the BCS mark and they wanted to secure that from me. They implied that what their trademark lawyer told them was that any work I did around the TTI(speaking about suicide, my poetry, my book) was entirely connected and legally constituted first use rights under trademark law. I have now learned that this is false. I had questioned this at the time and was reassured by both Vanessa and Katie on multiple occasions that my concerns over the validity and legality of this were already cleared by the lawyers. Despite my concern they continued to ensure me that anything I did in the past regarding TTI counted as part of my "BCS advocacy."

For

the last few months I have been defending myself as the sole owner and founder of BCS because that's what I was told and ensured by those in power at BCS was legally my right. It was never my intention to lie or deceive anyone in the process, I was operating under the information that was given to me with the intention that I was helping kids.

At

this time I am taking a step back from TTI advocacy as I never asked to be brought into the middle of this division and used as a pawn. Please respect my privacy and stop reaching out. To those who are calling and harassing me, sending me harassing messages online and via text, I'm asking you survivor to survivor, please stop.

Joshua
Scarpuzzi

On Jul 5, 2021, at 23:43, Proctor, Greta A. <greta.proctor@procopio.com> wrote:

Hi Josh, I am seeing all your emails come through. We represent the entity and so I will make sure your concerns are passed on to the board.

GRETA A. PROCTOR
PARTNER
PROCOPIO

—
P. 310.382.5321 | greta.proctor@procopio.com
633 WEST FIFTH STREET, 26TH FLOOR, LOS ANGELES, CA 90071
View Profile | LinkedIn | procopio.com

-----Original Message-----

From: josh scarpuzzi <joshscarpuzzi@hotmail.com>
Sent: Monday, July 5, 2021 11:19 PM
To: Proctor, Greta A. <greta.proctor@procopio.com>
Subject: BCS forwarded emails

* EXTERNAL EMAIL - Please use Caution. *

I've sent you two forwarded emails, the first was from Vanessa telling me there was still ongoing investigations, the second came the next day and said the investigation concluded that it's just a personal matter. I don't know how close to ten volunteers, leads, board members, and myself make this an issue that's solely between Vanessa and me.

This is another example of how I'm being silenced and I have no faith that they can fix this issue as long as Vanessa continues to be protected by people she has power over.

Josh

Mon Jul 05 2021 20:43:33

This is an email from Procopio, Cory, Hargreaves & Savitch LLP, Attorneys at Law. This email and any attachments hereto may contain information that is confidential and/or protected by the attorney-client privilege and attorney work product doctrine. This email is not intended for transmission to, or receipt by, any unauthorized persons. Inadvertent disclosure of the contents of this email or its attachments to unintended recipients is not intended to and does not constitute a waiver of attorney-client privilege or attorney work product protections. If you have received this email in error, immediately notify the sender of the erroneous receipt and destroy this email, any attachments, and all copies of same, either electronic or printed. Any disclosure, copying, distribution, or use of the contents or information received in error is strictly prohibited.

From: josh scarpuzzi

Sent: Sunday, July 18, 2021 8:52 AM

To: Greta A. Proctor <greta.proctor@procopio.com>

Subject: BCS .com and Facebook page

Hello Greta,

I am writing to request that the website www.breakingcodesilence.com and the Facebook page facebook.com/breakingcodesilence be returned to me as the rightful owner. Given the agreement we signed over trademark rights was signed under false pretenses and is invalid given there was no claim to rights, that those be returned to me as quickly as possible as I continue to work on my copyrighted book being published.

If we can do this without me needing to get lawyers involved that would be great, otherwise if that is required, I am happy to go that route.

-Joshua Scarpuzzi

From: josh scarpuzzi

Sent: Tuesday, August 3, 2021 3:13 PM

To: Greta A. Proctor <greta.proctor@procopio.com>

Subject: BCS Facebook, com site

Greta,

I have already written you once without response. This is my second attempt at a civil exchange of my rightful property the domain www.breakingcodesilence.com and the Facebook page [Facebook.com/breakingcodesilence](https://www.facebook.com/breakingcodesilence).

Given that your clients have committed contract fraud, I believe the best scenario for everyone is to promptly return these to the rightful owner so I can continue with my book publication.

Failure to comply with this lawful request will be met with legal action.

Joshua Scarpuzzi

Exhibit 4

1 Dolores Contreras, Esq. SBN 257230
2 *dc@contreraslawfirm.com*
3 Andrew Stilwell, Esq. SBN 229469
4 *as@contreraslawfirm.com*
5 **CONTRERAS LAW FIRM**
6 402 West Broadway, Suite 1200
7 San Diego, CA 92101
8 Tel (619) 238-0616
9 Fax: (619) 342-3166

10 Attorneys for Defendants,
11 **MARTHA THOMPSON, JENNA**
12 **BULIS, CHELSEA PAPCIAK, and**
13 **BREAKINGCODESILENCE, INC.**

14 **UNITED STATES DISTRICT COURT**
15 **FOR THE SOUTHERN DISTRICT OF CALIFORNIA**

16 BREAKING CODE SILENCE, a
17 California Public Benefit
18 Corporation,

19 Plaintiff,

20 vs.

21 CHELSEA PAPCIAK aka FILER, an
22 individual, JENNIFER WALKER, an
23 individual, JENNA BULIS, an
24 individual, MARTHA THOMPSON,
25 an individual, and
26 BREAKINGCODESILENCE, INC.,
27 a Florida corporation

28 Defendants.

Case No.: 21-cv-0918-BAS (DEB)

**DECLARATION OF JOSH
SCARPUZZI IN SUPPORT OF
DEFENDANTS' MOTION TO
DISMISS PURSUANT TO FRCP
12(b)(6) AND MOTION TO STRIKE
PURSUANT TO FRCP 12(f)**

Date: July 26, 2021
Dept.: 4B
Judge: Hon. Cynthia A. Bashant

///

CONTRERAS LAW
402 W. BROADWAY, STE. 1200
SAN DIEGO, CALIFORNIA 92101
(619) 238-0616

1 I, JOSH SCARPUZZI, hereby declares the following:

2 1. I have personal knowledge of the matters I have declared herein, and If
3 called to testify I would do so in the same manner.

4 2. I am a survivor of abuse by teen programs and boarding schools, and as
5 a survivor I have a long history of involvement with the survivor community. I do
6 writing, blogging, social media posting, and speaking engagements having to do with
7 the survivor community, but I did it all as TTI, and never as BREAKING CODE
8 SILENCE, prior to December 22, 2018.

9 3. The material attached herein is a true and correct copy of a post that I
10 personally drafted and uploaded to Facebook on July 8, 2021, and the statements
11 made in that post are true, correct, and accurate.

12 I declare this is true and correct under penalty of perjury under the laws of the
13 State of California.

14 **CONTRERAS LAW FIRM**

15
16 Date: July 27, 2021

17 By: Josh Scarpuzzi (Jul 27, 2021 21:06 EDT)

18 Josh Scarpuzzi, Declarant
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/groups/653206225177431



Jenna

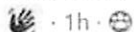


TTI Advocates

+ Invite



Josh Scarpuzzi



1h



Statement of Fact
July 08, 2021

Hello BCS Community, Lawyers, and Leadership,

In 2007-2008 while at Spring Creek I wrote a collection of poetry that was titled "The thoughts of a caged bird." This collection was never intended to be a part of my book and was written independently.

On October 12th, 2010 I spoke at a Mathew Sheapherd Memorial event in San Diego California. At this event I spoke about my struggle with suicide, and my time at Spring Creek. At this point in time I had began writing my book with no title, it was meant to be a journal at first.

From 2010-2018 I had worked at a number of small events that talked about troubled teen issues and suicide awareness but always acted on behalf of myself and was not promoting, engaging, or in any way mentioning the BCS mark. I continued working on my book independently.

Around 2017 I settled on the title Breaking Code Silence for my book and began emailing editors and publishers. Book titles are not able to be trademarked and as such I never trademarked my book, only a general copyright that applies to any intellectual written property.

When I was first approached by Vanessa Hughes with the new BCS organization, I was told by them that they believed I had the exclusive rights to the BCS mark and they wanted to secure that from me. They implied that what their trademark lawyer told them was that any work I did around the TTI(speaking about suicide, my poetry, my book) was entirely connected and legally constituted first use rights under trademark law. I have now learned that this is false. I had questioned

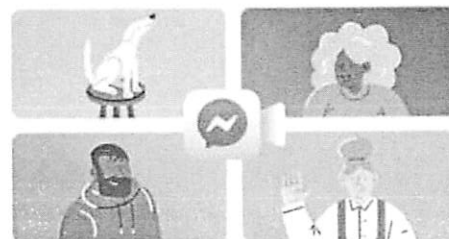
and what they post.

Visible

Anyone can find this group.

General

Rooms



Get the Group Together on Video Chat

Create a room to instantly connect to other members on video chat.

Create Room

Recent media



/groups/653206225177431



Jenna



TTI Advocates

+ Invite



organization, I was told by them that they believed I had the exclusive rights to the BCS mark and they wanted to secure that from me. They implied that what their trademark lawyer told them was that any work I did around the TTI(speaking about suicide, my poetry, my book) was entirely connected and legally constituted first use rights under trademark law. I have now learned that this is false. I had questioned this at the time and was reassured by both Vanessa and Katie on multiple occasions that my concerns over the validity and legality of this were already cleared by the lawyers. Despite my concern they continued to ensure me that anything I did in the past regarding TTI counted as part of my "BCS advocacy."

For the last few months I have been defending myself as the sole owner and founder of BCS because that's what I was told and ensured by those in power at BCS was legally my right. It was never my intention to lie or deceive anyone in the process, I was operating under the information hat was given to me with the intention that I was helping kids.

At this time I am taking a step back from TTI advocacy as I never asked to brought into the middle of this division and used as a pawn. Please respect my privacy and stop reaching out. To those who are calling and harassing me, sending me harassing messages online and via text, I'm asking you survivor to survivor, please stop.

Joshua Scarpuzzi



Lily Speerbrecker, Topher Miller and 10 others 3 Comments



Like



Comment

All Comments ▼



Josh Scarpuzzi

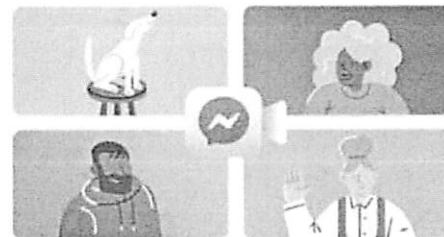
Just to clarify some confusion regarding timeline and

Visible

Anyone can find this group.

General

Rooms



Get the Group Together on Video Chat

Create a room to instantly connect to other members on video chat.

Create Room

Recent media



Decl.JS.Mtn.Dismiss.CL.U.07.27.21

Final Audit Report

2021-07-28

Created:	2021-07-27
By:	Andrew Stilwell (as@contreraslawfirm.com)
Status:	Signed
Transaction ID:	CBJCHBCAABAAw_gkfy_gATDmbPfXeWge0ss5Gd8LusOL

"Decl.JS.Mtn.Dismiss.CL.U.07.27.21" History

-  Document created by Andrew Stilwell (as@contreraslawfirm.com)
2021-07-27 - 8:55:24 PM GMT- IP address: 70.179.42.198
-  Document emailed to Joshua Scarpuzzi (joshscarpuzzi@hotmail.com) for signature
2021-07-27 - 8:56:06 PM GMT
-  Email viewed by Joshua Scarpuzzi (joshscarpuzzi@hotmail.com)
2021-07-28 - 1:05:04 AM GMT- IP address: 172.58.219.235
-  Document e-signed by Joshua Scarpuzzi (joshscarpuzzi@hotmail.com)
Signature Date: 2021-07-28 - 1:06:56 AM GMT - Time Source: server- IP address: 172.58.219.235
-  Agreement completed.
2021-07-28 - 1:06:56 AM GMT

Exhibit 5

Lisel M. Ferguson (Bar No. 207637)
Lisel.Ferguson@procopio.com
Tiffany Salayer (Bar No. 226189)
Tiffany.Salayer@procopio.com
PROCOPIO, CORY, HARGREAVES &
SAVITCH LLP
525 B Street, Suite 2200
San Diego, CA 92101
Telephone: 619.238.1900
Facsimile: 619.235.0398

Attorneys for BREAKING CODE SILENCE

**UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF CALIFORNIA**

BREAKING CODE SILENCE, a
California Public Benefit Corporation,

Plaintiff,

v.

CHELSEA PAPCIAK aka FILER, an
individual; JENNIFER WALKER, an
individual; JENNA BULIS, an individual;
MARTHA THOMPSON, an individual;
and BREAKINGCODESILENCE, INC., a
Florida Profit Corporation.,

Defendants.

Case No. 21-cv-0918-BAS-DEB

**PLAINTIFF BREAKING CODE
SILENCE'S RESPONSES TO
JENNIFER WALKER'S
REQUEST FOR PRODUCTION
(SET ONE)**

PROPOUNDING PARTY: DEFENDANT JENNIFER WALKER

RESPONDING PARTY: PLAINTIFF BREAKING CODE SILENCE

SET NUMBER: ONE (1)

Plaintiff Breaking Code Silence ("Responding Party") responds to the Requests for Production of Documents, Set One, propounded by Defendant Jennifer Walker ("Propounding Party") pursuant to Rules 26 and 34 of the Federal Rules of Civil Procedure as follows:

PRELIMINARY STATEMENT AND OBJECTIONS

1
2 1. Responding Party's responses to Requesting Party's Requests for
3 Production are made to the best of Responding Party's present knowledge, information
4 and belief. Responding Party reserve the right to supplement and amend these
5 responses should future investigation, which is ongoing, indicate that such
6 supplementation or amendment is warranted. Responding Party's responses should in
7 no way be considered prejudicial in relation to further discovery, investigation,
8 research, analysis or production of evidence.

9 2. Responding Party's responses are made solely for the purpose of and in
10 relation to this action. Each response is given subject to all appropriate objections
11 including, but not limited to objections concerning privilege, competency, relevancy,
12 materiality, propriety and admissibility. All objections are reserved and may be
13 interposed at any time.

14 3. Responding Party incorporates by reference each and every objection set
15 forth below into each and every specific response. From time to time a specific
16 response may repeat an objection for emphasis or some other reason. The failure to
17 include any objection into any specific response shall not be interpreted as a waiver of
18 any objection to that response.

19 4. By responding to the categories, Responding Party does not waive any
20 objection that may be applicable to: (a) the use, for any purpose, by Requesting Party
21 of any information or documents given in this response to any question; or (b) the
22 admissibility, relevancy or materiality of any information or documents at issue in this
23 litigation.

24 5. Responding Party has not fully completed its investigation of the facts
25 relating to this case, has not fully completed its discovery in this action, and has not
26 completed its preparation for trial. All of the responses contained herein are based
27 only upon such information and documents that are presently available to and
28

1 specifically known to Responding Party at this time. It is anticipated that further
2 discovery, independent investigation, legal research and analysis will supply
3 additional facts, add meaning to the known facts, as well as establish entirely new
4 factual conclusions and legal contentions, all of which may lead to substantial addition
5 to, changes in, and variation to the responses herein set forth.

6 **GENERAL OBJECTIONS**

7 Responding Party makes the following objections, whether or not separately set
8 forth. These objections are made solely for the purpose of this action. Responding
9 Party does not waive any appropriate objection, including, without limitation, those
10 based on competency, relevancy, materiality, attorney-client privilege, work-product,
11 or admissibility. All objections to each question and any further discovery relating to
12 the matters contained in these Requests for Production or responses thereto are
13 reserved and may be made at any time in any future proceeding.

14 1. Responding Party objects to the extent that these Requests for Production
15 call for information that is equally or more available to Requesting Party than to the
16 Responding Party, including records obtainable via subpoena from third parties, or
17 other records withheld by Requesting Party, or publicly available information and
18 documents.

19 2. To the extent any request calls for information that was prepared in
20 anticipation of litigation or trial, for information or material covered by the work
21 product doctrine, or that is otherwise privileged, Responding Party objects to
22 responding to such request and thus will not supply information protected by the
23 applicable privilege. Responding Party objects to the extent that any of the Requests
24 for Production seek information protected by the attorney-client privilege and/or
25 attorney work-product privilege. Such information shall not be provided in the
26 responses to Requesting Party's requests and any inadvertent disclosure thereof shall
27
28

1 not be deemed waiver of any privilege with respect to such information or any attorney
2 work product privilege which may attach thereto.

3 3. Responding Party objects to each of the Requests for Production,
4 including all definitions and instructions, to the extent they seek to impose
5 requirements on Responding Party that are inconsistent with or in addition to the
6 provisions of the Federal Rules of Civil Procedure.

7 4. Responding Party objects to the Requests for Production as unduly
8 burdensome to the extent that they seek to impose on Responding Party an obligation
9 to locate documents and provide information that are not in Responding Party's
10 possession, custody, or control. Responding Party will undertake only to provide
11 information that is in Responding Party's possession, custody, or control and can be
12 located by a reasonable search.

13 5. Responding Party objects to the Requests for Production to the extent that
14 they seek confidential, financial, and/or proprietary information which, if disclosed,
15 would invade the privacy rights of Responding Party and/or third parties. Responding
16 Party generally objects to the Requests for Production to the extent they seek
17 confidential and/or private information, disclosure of which would constitute improper
18 invasion of the right of privacy under the common law or as set forth in the California
19 Constitution, Article I, Section I. All objections on the grounds of Constitutional and
20 common law privacy rights are expressly preserved.

21 6. Responding Party objects to the Requests for Production to the extent that
22 they seek information that is not relevant to the subject matter of this action and not
23 reasonably calculated to lead to the discovery of admissible evidence. Responding
24 Party further object to the Requests for Production to the extent that the burden and/or
25 expense of these demands outweigh their likely benefit in this case or to the extent that
26 they are otherwise overbroad, unduly burdensome, or oppressive. The resulting
27 burden is not proportional to the needs of the case, considering the importance of the
28

1 issues at stake in the action, the amount in controversy, the parties' relative access to
2 relevant information, the parties' resources, the importance of the discovery in
3 resolving the issues, and whether the burden or expense of the proposed discovery
4 outweighs its likely benefit.

5 7. Responding Party objects to the Requests for Production to the extent that
6 they are vague, ambiguous, or without sufficient specificity to identify what
7 information is requested. Responding Party objects to the definitions and instructions
8 to the extent that they are unclear, ambiguous, overly broad, or unduly burdensome,
9 are inconsistent with the ordinary and customary meaning of words or phrases, seek
10 to impose obligations different from, or in excess of, those created by the Federal Rules
11 of Civil Procedure or any other applicable rule of this Court, or incorporate other
12 definitions or instructions that suffer from such defects.

13 8. Responding Party objects to the Requests for Production to the extent that
14 they call for a legal conclusion or seek a PRODUCTION on a legal issue.

15 9. The fact that Responding Party has responded and/or objected to the
16 Requests for Production shall not be interpreted to imply that Responding Party
17 acknowledges the propriety of any of the Requests for Production or has waived any
18 applicable specific or general objection to any of the Requests for Production. Each
19 of the foregoing objections is hereby incorporated by reference into each of the
20 following specific responses to Requesting Party's Requests for Production.
21 Responding Party's response to each of the Requests for Production is submitted
22 without prejudice to, and without in any respect waiving, any of these objections not
23 also set forth in the below responses.

24 All of the responses made herein are made subject to the above statements and
25 objections and any further objections specifically stated.

RESPONSES TO REQUESTS FOR PRODUCTION

REQUEST FOR PRODUCTION NO. 1:

A copy of the assignment of rights identified in Paragraph 14 of the Second Amended Complaint.

RESPONSE TO REQUEST FOR PRODUCTION NO. 1:

Responding Party incorporates by reference each of the above general objections to document requests as if set forth in full herein.

Without waiving and subject to the foregoing objections, Responding Party responds as follows: Responding party will produce a copy of the assignment identified in Paragraph 14 of the Second Amended Complaint ("SAC").

REQUEST FOR PRODUCTION NO. 2:

A copy of any documents, including emails, texts or other electronic communications that reflect any assignment of rights from Josh Scarpuzzi to you [Breaking Code Silence, California entity C4 72136].

RESPONSE TO REQUEST FOR PRODUCTION NO. 2:

Responding Party incorporates by reference each of the above general objections to document requests as if set forth in full herein.

Without waiving and subject to the foregoing objections, Responding Party responds as follows: Responding party will produce all relevant, non-privileged documents within its possession, custody or control. Responding Party has not withheld documents in its possession based on the above objections. Investigation and discovery are continuing.

REQUEST FOR PRODUCTION NO. 3:

A copy of any social media posts that reflect comments made by Walker about, or related in any way to you [Breaking Code Silence, California entity C4 72136].

RESPONSE TO REQUEST FOR PRODUCTION NO. 3:

Responding Party incorporates by reference each of the above general

1 objections to document requests as if set forth in full herein. Responding Party further
2 objects to this Request to the extent that it seeks information that is not likely to lead
3 to relevant evidence, and to the extent that this unlimited request is overbroad and
4 burdensome in that it is not limited in time or topic, and would require extensive
5 searches to comply completely with this request. Investigation and discovery are
6 continuing.

7 **REQUEST FOR PRODUCTION NO. 4:**

8 Any and all documents, including electronic communications, between you
9 [Breaking Code Silence, California entity C4 72136] and Josh Scarpuzzi.

10 **RESPONSE TO REQUEST FOR PRODUCTION NO. 4:**

11 Responding Party incorporates by reference each of the above general
12 objections to document requests as if set forth in full herein. Responding Party further
13 objects to this Request to the extent that it seeks information that is not likely to lead
14 to relevant evidence, and to the extent that this unlimited request is overbroad and
15 burdensome in that it is not limited in time or scope. Responding Party further objects
16 to this request to the extent that it calls for the production of materials protected from
17 disclosure by the attorney-client privilege, the work product doctrine, and/or the right
18 to privacy. Responding Party further objects to this Request to the extent that it seeks
19 confidential information which, if disclosed, would invade the privacy rights of third
20 parties.

21 Without waiving and subject to the foregoing objections, Responding Party
22 responds as follows: Responding party will produce all relevant communications to
23 the assignment and/or trademarks, non-privileged documents within its possession,
24 custody or control. Investigation and discovery are continuing.

25 **REQUEST FOR PRODUCTION NO. 5:**

26 Any and all documents, including electronic communications, between
27 Katherine McNamara and Josh Scarpuzzi.

RESPONSE TO REQUEST FOR PRODUCTION NO. 5:

Responding Party incorporates by reference each of the above general objections to document requests as if set forth in full herein. Responding Party further objects to this Request to the extent that it seeks information that is not likely to lead to relevant evidence, and to the extent that this unlimited request is overbroad and burdensome in that it is not limited in time or scope. Responding Party further objects to this request to the extent that it calls for the production of materials from non-parties and therefore is not in Responding Party's possession or control.

REQUEST FOR PRODUCTION NO. 6:

Any and all documents, including electronic communications, between your attorneys and Josh Scarpuzzi.

RESPONSE TO REQUEST FOR PRODUCTION NO. 6:

Responding Party incorporates by reference each of the above general objections to document requests as if set forth in full herein. Responding Party further objects to this Request to the extent that it seeks information that is not likely to lead to relevant evidence, and to the extent that this unlimited request is overbroad and burdensome in that it is not limited in time or scope. Responding Party further objects to this request to the extent that it calls for the production of materials protected from disclosure by the right to privacy. Responding Party further objects to the extent this request calls for information that was prepared in anticipation of litigation or trial.

REQUEST FOR PRODUCTION NO. 7:

Any and all documents, including electronic communications, you [Breaking Code Silence, California entity C472 136] have received from the United States Patent and Trademark Office.

RESPONSE TO REQUEST FOR PRODUCTION NO. 7:

Responding Party incorporates by reference each of the above general objections to document requests as if set forth in full herein. Responding Party further

1 objects to this Request to the extent that it seeks information that is not likely to lead
2 to relevant evidence, and to the extent that this unlimited request is overbroad and
3 publicly available.

4 Without waiving and subject to the foregoing objections, Responding Party
5 responds as follows: Responding party will produce all relevant communications
6 regarding BCS related trademarks, non-privileged documents within its possession,
7 custody or control. Responding Party has not withheld documents in its possession
8 based on the above objections. Investigation and discovery are continuing.

9 **REQUEST FOR PRODUCTION NO. 8:**

10 Any and all documents, including electronic communications, received by
11 Katherine McNamara from the United States Patent Office.

12 **RESPONSE TO REQUEST FOR PRODUCTION NO. 8:**

13 Responding Party incorporates by reference each of the above general
14 objections to document requests as if set forth in full herein. Responding Party further
15 objects to this Request to the extent that it seeks information that is not likely to lead
16 to relevant evidence, and to the extent that this unlimited request is overbroad and
17 burdensome in that it is not limited in time or scope. Responding Party further objects
18 to this request to the extent that it calls for the production of materials from non-parties
19 and therefore is not in Responding Party's possession or control.

20 Without waiving and subject to the foregoing objections, Responding Party
21 responds as follows: Responding party will produce all relevant communications
22 regarding BCS related trademarks, non-privileged documents within its possession,
23 custody or control. Responding Party has not withheld documents in its possession
24 based on the above objections. Investigation and discovery are continuing.

25 **REQUEST FOR PRODUCTION NO. 9:**

26 Any and all documents, including electronic communications, received by
27 Katherine McNamara individually or you from the Hilton Foundation.

RESPONSE TO REQUEST FOR PRODUCTION NO. 9:

Responding Party incorporates by reference each of the above general objections to document requests as if set forth in full herein. Responding Party further objects to this Request to the extent that it seeks information that is not likely to lead to relevant evidence, and to the extent that this unlimited request is overbroad and burdensome in that it is not limited in time or scope. Responding Party further objects to this Request to the extent that it seeks confidential information which, if disclosed, would invade the privacy rights of third parties. Responding Party further objects to this request to the extent that it calls for the production of materials from non-parties and is not in Responding Party's possession or control.

Without waiving and subject to the foregoing objections, Responding Party responds as follows: Responding party will produce all relevant communications regarding any financial support and/or grant, non-privileged documents within its possession, custody or control. Investigation and discovery are continuing.

DATED: December 27, 2021

PROCOPIO, CORY, HARGREAVES &
SAVITCH LLP

By: s/Tiffany Salayer
Lisel M. Ferguson
Tiffany Salayer
Attorneys for Breaking Code Silence

CERTIFICATE OF SERVICE

I am a resident of the State of California, over the age of eighteen years, and not a party to the within action. My business address is PROCOPIO, CORY, HARGREAVES & SAVITCH LLP, 525 "B" Street, Suite 2200, San Diego, California 92101. On **December 27, 2021**, I served the forgoing document.

- ☒ **BY ELECTRONIC SERVICE** based upon court order or an agreement of the parties to accept service by electronic transmission, by electronically mailing the document(s) listed above to the e-mail address(es) set forth below, or as stated on the attached service list and/or by electronically notifying the parties set forth below that the document(s) listed above can be located and downloaded from the hyperlink provided.

Michael Jacobs mjacobs12@gmail.com
Andrew Stilwell as@contreraslawfirm.com
Janine Menhennet jmenhennetlaw@gmail.com

- ☐ *(Federal)* **BY CM/ECF NOTICE OF ELECTRONIC FILING** by causing such document(s) listed above to be served through this Court's electronic transmission facilities via the Notice of Electronic Filing (NEF) and hyperlink, to the parties and/or counsel who are determined this date to be registered CM/ECF Users set forth in the service list obtained from this Court on the Electronic Mail Notice List.

- ☒ *(Federal)* I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

Executed on December 27, 2021, at **San Diego**, California.

s/Tiffany Salayer
Tiffany Salayer

Exhibit 6

Law Offices of Michael W. Jacobs

11353 Meadow View Rd.
El Cajon, CA 92020
(619) 277-0461
MJacobslaw12@gmail.com

June 29, 2021

Jennifer Claire Robison

1721 Johnson Street

Medford, OR 97501

jenn.c.robison@gmail.com

Re: Breaking Code Silence

Date	Task	Time spent
May 19, 2021	Telephone call with Jennifer Robinson re: lawsuit; Review court filings and documents and e mails from Client.	.8
May 20-26, 2021	Review documents from client; e mail exchange with same and attorney Furgeson re: issues.	.5
June 6, 2021	Continued analysis of complaint, emails, exhibits, client notes, to determine proper pleading response.	1.5
June 11, 2021	Begin preparation of answer.	0.4
June 14, 2021	Prepare answer, research affirmative defenses; file; prepare notice of appearance.	4.5
June 17-25, 2021	E mail and telephone calls with Ferguson and attorney Stilwell re: Motion to Dismiss and Amended Complaint; Review Motion to Dismiss.	1.2

Total Hours billed:	8.9
Billable rate:	\$350.00
Total fees due this invoice:	<u>\$3,115.00</u>

Law Offices of Michael W. Jacobs

11353 Meadow View Rd.
El Cajon, CA 92020
(619) 277-0461
MJacobslaw12@gmail.com

August 3, 2021

Jennifer Claire Robison

1721 Johnson Street

Medford OR 97501

jen.c.robison@gmail.com

Re: Breaking Code Silence

Date	Task	Time spent
7/9/21	Research chambers rules; review multiple emails; research federal rules; prepare objection to SAC.	1.4
7/12/21	Review filings; t conf w Stilwell.	0.4
7/13/21	Further review of plaintiff filings; t call w Stilwell; prepare objection, declarations and exhibits; research joinder.	1.8
7/15/21	initial work on 12b6 motion to SAC.	1.0
7/20/21	Emails re motion to dismiss.	0.3
7/22/21	Draft Initial Disclosures and discovery plan.	0.7
7/26/21	Draft ENE Statement.	1.2
7/27/21	Attend telephonic Rule 26(f) Conference.	0.7
7/28/21	Emails/ t call re motion to dismiss.	0.3
7/31/21	Research; further prep of motion to dismiss.	1.2

8/1/21	Further prep of 12b6.	3.3
8/2/21	Prepare notice of motion, declaration, proposed order, request for judicial notice, revise and finalize 12b6; file.	3.0

Total Hours billed:	15.3
Billable rate:	\$350.00
Total fees due this invoice:	<u>\$5,355.00</u>
Remaining Retainer:	\$385.00
Total Due:	<u>\$4,970.00</u>

Law Offices of Michael W. Jacobs

11353 Meadow View Rd.
El Cajon, CA 92020
(619) 277-0461
MJacobsLaw12@gmail.com

September 30, 2021

Jennifer Claire Robison
[REDACTED]
[REDACTED]
[REDACTED]

Re: Breaking Code Silence

Date	Task	Time spent
8/6/21	Revise ENE Statement and Initial Disclosures; e mail to all counsel; draft e mail to court re: ENE procedures.	1.0
9/6/21	Review Opposition to 12(b)(6) motion; draft and file Reply to 12(b)(6) motion.	2.6
9/28/21	Telephone call with Stilwell; Telephone call with client re: ENE.	.5
9/229/21	Draft issues and points memo for ENE; telephone call with Stilwell; telephone call with client; prepare for ENE.	1.3
9/30/21	Attend ENE hearing.	1.5

Total Hours billed:	6.9
Billable rate:	\$350.00
Total fees due this invoice:	<u>\$2,415.00</u>

Law Offices of Michael W. Jacobs

11353 Meadow View Rd.
El Cajon, CA 92020
(619) 277-0461
MJacobslaw12@gmail.com

November 30, 2021

Jennifer Claire Robison
[REDACTED]
[REDACTED]
[REDACTED]

Re: Breaking Code Silence

Date	Task	Time spent
November 8, 2021	Draft responses to discovery - RFP, RFA, interrogatories.	2.5
November 12, 2021	Telephone call with USTO attorney re: revival; telephone call with client re: same; review docs from client and revise responses.	.7
November 15, 2021	Finalize discovery responses and prepare for service.	.4
November 23, 2021	Draft RFAs, RFPs, and interrogatories to plaintiff; draft e mail to client.	2.3
November 24, 2021	Finalize discovery and draft POS and service e mail.	.5

Total Hours billed:

6.4

Billable rate:

\$350.00

Total fees due this invoice:

\$2,240.00

Law Offices of Michael W. Jacobs

11353 Meadow View Rd.
El Cajon, CA 92020
(619) 277-0461
MJacobslaw12@gmail.com

January 14, 2022

Jennifer Claire Robison
[REDACTED]
[REDACTED]
[REDACTED]

Re: Breaking Code Silence

Date	Task	Time spent
December 2, 2021	Review meet and confer letter; draft response Letter and supplemental responses; telephone Call with client.	1.8
December 13, 2021	Review public statements; telephone call with Client.	.5
December 20, 2021	Prepare for telephone conference with court re: Discovery issues.	.8
December 27, 2021	Review discovery responses; telephone call with Client.	.5
January 3, 2022	Telephone call with client; draft email to Salayer Re: dismissal.	.3
January 5, 2022	Conduct meet and confer with Salayer re: discovery.	1.0

Total Hours billed:	4.9
Billable rate:	\$350.00
Total fees due this invoice:	\$1,715.00

Law Offices of Michael W. Jacobs

11353 Meadow View Rd.
El Cajon, CA 92020
(619) 277-0461
MJacobslaw12@gmail.com

March 31, 2022

Jennifer Claire Robison
[REDACTED]
[REDACTED]
[REDACTED]

Re: Breaking Code Silence

Date	Task	Time spent
January 9, 2022	Review USTPO website re: BCS marks.	.4
January 11, 2022	Review emails from Salayer re: meet and confer; Telephone call with court clerk re: staying discovery Issues.	.5
January 28, 2022	Review settlement emails.	.3
February 11, 2022	Review Order of Dismissal; telephone call with client; Telephone call with Stilwell.	.8
February 12, 2022	Review Joint Motion to Dismiss; draft email to Ferguson and Salayer.	.7
February 13, 2022	Review lengthy email from "Dr." Hughes; draft response To Salayer.	.7
February 14, 2022	Review Scarpuzzi/Greta Proctor emails; review bad faith Abuse of process authorities.	1.3
February 15, 2022	Review discovery responses re: Scarpuzzi emails; review and	

	Respond to emails from Ferguson re: same.	.5
March 7, 2022	Review OSC Order; telephone call with client.	.3
March 10, 2022	Draft settlement demand; exchange emails with client re: same.	1.0
March 15, 2022	Review authorities for attorney's fees.	2.0
March 31, 2022	Review Dismissal without prejudice; email with client.	.7

Total Hours billed:	9.2
Billable rate:	\$350.00
Total fees due this invoice:	<u>\$3,220.00</u>

Law Offices of Michael W. Jacobs

11353 Meadow View Rd.
El Cajon, CA 92020
(619) 277-0461
MJacobslaw12@gmail.com

April 5, 2022

Jennifer Claire Robison
[REDACTED]
[REDACTED]
[REDACTED]

Re: Breaking Code Silence

Date	Task	Time spent
April 4, 2022	Begin drafting motion for attorney's fees; review prior Emails and pleadings; calculate fees paid; Continue drafting fee motion, prepare exhibits.	4.9
April 5, 2022	Review and revise, finalize motion; draft declaration; Prepare exhibits and draft email to Salayer re: settlement.	3.6

Total Hours billed:	8.5
Billable rate:	\$350.00
Total fees due this invoice:	<u>\$2,975</u>