

# Greenberg Traurig

Matthew Hayes  
Tel. 310.586.3871  
Fax 310.586.0571  
hayesm@gtlaw.com

February 14, 2008

## VIA ELECTRONIC AND U.S. MAIL

Scott Jennings  
3178 Summit Square Drive  
Oakton, Virginia 22124

**Re: *Debonneville v. Pierce*, (Central District CA Case No. CVO07-3776 R (MANx))  
(VIOLATION OF FEDERAL COURT ORDER SEALING COMPLAINT)**

Dear Mr. Jennings:

We represent Brock Pierce in the above lawsuit. It has come to our attention that you have made postings on the website [www.brokentoys.org](http://www.brokentoys.org) that violate the United States District Court's Order sealing the Complaint in that case.

On September 17, 2007, in connection with granting a motion to strike certain allegations from the Complaint filed against Mr. Pierce, United States District Court Judge Manuel Real explicitly ordered that "Plaintiffs' Complaint be sealed." For your reference, a copy of that Order has been enclosed herewith.

Thereafter, on January 30, 2008, you posted an article on the website [www.brokentoys.org](http://www.brokentoys.org) entitled "Pierce To Yantis To Evers To Chance: The Rise And Fall Of IGE." In violation of the Court's sealing Order, that article publicizes, discusses and quotes the allegations in the sealed Complaint.

To avoid further harm resulting to our client from the violation of the Court's sealing Order, we hereby demand that by no later than the close of business tomorrow (February 15, 2008) you: (1) take down your January 30, 2008 article discussing the allegations in the sealed document and (2) send our office all copies of the Complaint in your possession, custody or control.

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PHOENIX  
ROME\*  
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\* Strategic Alliance  
Tokyo Office/Strategic Alliance

PHI 316,283,473v1 106417.010100

Greenberg Traurig, LLP | Attorneys at Law | Los Angeles Office | 2450 Colorado Avenue | Suite 400E | Santa Monica, CA 90404  
Tel 310.586.7700 | Fax 310.586.7800

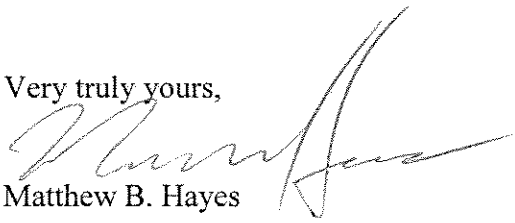
[www.gtlaw.com](http://www.gtlaw.com)

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Nothing set forth herein shall be deemed a waiver, relinquishment or limitation of any of our client's rights, causes of action or remedies with respect to this matter, all of which are hereby expressly reserved. If you have any questions regarding this letter, please call me at (310) 586-3871.

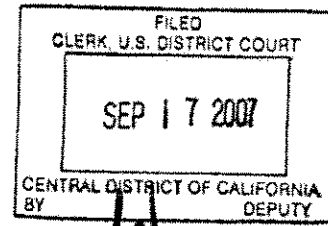
Very truly yours,

  
Matthew B. Hayes

Enclosure

1 GREENBERG TRAUIG, LLP  
2 John M. Gatti (SBN 138492)  
3 David A. Theaker (SBN 217432)  
4 2450 Colorado Avenue, Suite 400E  
5 Santa Monica, California 90404  
6 Telephone: (310) 586-7700  
7 Facsimile: (310) 586-7800

*psen*



SCANNED

8 Attorneys for Defendant Brock Pierce

LODGED

2007 JUL 31 PM 4:44  
CLERK U.S. DISTRICT COURT  
CENTRAL DISTRICT OF CALIF  
LOS ANGELES

9 UNITED STATES DISTRICT COURT  
10 CENTRAL DISTRICT OF CALIFORNIA

11 ALAN DEBONNEVILLE,

12 Plaintiff,

13 v.

14 BROCK PIERCE,

15 Defendant.

CASE NO.: CV07-3776 R (MANx).

[Assigned to the Honorable Manuel L. Real, Room 218]

**[PROPOSED] ORDER GRANTING  
DEFENDANT BROCK PIERCE'S  
MOTION TO STRIKE PURSUANT  
TO FED. R. CIV. P. 12(f)**

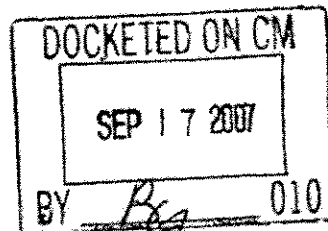
17 DATE: September 17, 2007

18 TIME: 10:00 a.m.

19 PLACE: Courtroom of the Honorable  
20 Manuel L. Real, Room 218

21 DATE FILED: June 11, 2007

22 TRIAL DATE: None



*19*

[PROPOSED] ORDER GRANTING DEFENDANT BROCK PIERCE'S MOTION TO STRIKE

1 Defendant Brock Pierce's motion pursuant to Federal Rule of Civil Procedure  
2 12(f) for an order striking certain allegations of the complaint of Plaintiff Alan  
3 Debonneville ("Plaintiff") came on for hearing on September 4, 2007 before this Court in  
4 Courtroom 218, the Honorable Manuel L. Real, United States District Court Judge,  
5 presiding. The court reviewed the moving, opposition and reply papers, including all  
6 supporting papers submitted therewith, and considered only admissible and competent  
7 supporting evidence.

8 IT IS HEREBY ORDERED that:

9 The Motion is GRANTED. The following allegations in Plaintiff's Complaint are  
10 hereby stricken:

- 11 1. Paragraphs 4, 5, 7, 15, 16, and 19-27;
- 12 2. The section titles in the Fact section of the Complaint entitled "The Luring  
13 In" (at p. 6); "Pierce's Greed Manifests Itself" (at p. 14); "Pierce's Bait and Switch" ( at  
14 p. 15); "Pierce's Great Cover-Up" (at p. 22); "Pierce's Deception Is Discovered" (at p.  
15 25); "Pierce Reveals His Master Plan" (at p. 26); and "The Trading Arm Heist" (at p. 29);
- 16 3. All references to "Bait and Switch" and "Fiduciary True-Up" in the  
17 Complaint.

18 IT IS FURTHER ORDERED that:

19 ~~Plaintiffs' Complaint be sealed and Plaintiff is required to file an amended~~  
20 ~~complaint consistent with the Court's order within 10 days of the date of entry of this~~  
21 ~~order.~~

22 DATED: Sept. 17, 2007

  
23 U.S. DISTRICT COURT JUDGE