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**UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEVADA**

RIGHTHAVEN LLC, a Nevada limited-liability)
company,)

Plaintiff,)

v.)

THOMAS A. DIBIASE, an individual,)

Defendant.)

THOMAS A. DIBIASE, an individual,)

Counterclaimant,)

v.)

RIGHTHAVEN LLC, a Nevada Limited-)
Liability Company,)

Counter-defendant.)

CASE NO.: 2:10-cv-1343 RLH PAL

**DECLARATION OF KURT OPSAHL IN
SUPPORT OF MOTION FOR JUDGMENT
DEBTOR EXAMINATION AND
ORDERING PRODUCTION OF
DOCUMENTS**

DECLARATION OF KURT OPSAHL

1
2 1. I am an attorney of record for the Defendant and Judgment Creditor, Thomas A.
3 DiBiase, in this matter and a member in good standing of the State Bar of California, and am
4 admitted to practice before this Court *pro hac vice*. I have personal knowledge of the matters stated
5 in this declaration. If called upon to do so, I am competent to testify to all matters set forth herein.

6 2. On July 27, 2011, costs in this matter were taxed in the amount of \$939.50 and were
7 included in the judgment in favor of Mr. DiBiase and against Judgment Debtor Righthaven LLC.
8 On November 2, 2011 the Court entered another judgment in favor of Mr. DiBiase and against
9 Righthaven, awarding fees in the amount of \$116,718.00 and costs in the amount of \$2,770.00.

10 3. The total judgment amounts to \$120,427.50, plus interest as allowed by law (the
11 “Judgment”).

12 4. On November 3, 2011, I emailed Righthaven’s counsel, Shawn Mangano, to ask if
13 Righthaven willing to discuss ways to get to a resolution of this Judgment. On November 4, Mr.
14 Mangano informed me that he would relay the question to Righthaven and get back to me as soon
15 as possible. Mr. Mangano has not communicated further on this topic.

16 5. Righthaven has not paid any portion of the Judgment, nor obtained a supersedeas
17 bond.

18 6. The last known address of Righthaven is:

19 Righthaven LLC
20 4475 South Pecos Road
21 Las Vegas, Nevada 89121

22 7. I have reviewed public records of the Clark County Assessors Office, and
23 determined that Righthaven’s Chief Executive Officer Steven A. Gibson owns two houses in Clark
24 County, located at located at 7278 Silver Charm Court and 10645 Sunblower Avenue, both with
25 mailing addresses in Las Vegas, Nevada.

26 8. On January 7, 2011, Righthaven’s Chief Administrative Officer Raisha “Drizzle”
27 Gibson sent its initial disclosures pursuant to Rule 26(a)(1)(A). The disclosures were woefully
28 inadequate. For example, Righthaven identified plaintiff’s persons with knowledge simply as
“Person most knowledgeable (“PMK”) of the dispute affiliated with Stephens Media LLC

CERTIFICATE OF SERVICE

Pursuant to Federal Rule of Civil Procedure 5(b) and as provided for under the applicable Local Rules of Civil Practice, I certify that on this 18th day of November, 2011, I caused a true and correct copy of DECLARATION OF KURT OPSAHL IN SUPPORT OF MOTION FOR JUDGMENT DEBTOR EXAMINATION AND ORDERING PRODUCTION OF DOCUMENTS to be served on all counsel properly registered and appearing in this action as listed in the Court's ECF system.

/s/ Kurt Opsahl
KURT OPSAHL

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