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6 UNITED STATES DISTRICT COURT
7 WESTERN DISTRICT OF WASHINGTON
8 AT SEATTLE

9 AMAZON CONTENT SERVICES LLC, a
10 Delaware corporation, PENGUIN RANDOM
11 HOUSE LLC, a Delaware corporation, LEE
12 CHILD, SYLVIA DAY, JOHN GRISHAM, C.J.
13 LYONS, DOUG PRESTON, JIM
14 RASENBERGER, T.J. STILES, R.L. STINE,
15 MONIQUE TRUONG, SCOTT TUROW,
16 NICHOLAS WEINSTOCK, AND STUART
17 WOODS,

18 Plaintiffs,

19 v.

20 KISS LIBRARY d/b/a KISSLY.NET,
21 WTFFASTSPRING.BID, LIBLY.NET, and
22 CHEAP-LIBRARY.COM, RODION
23 VYNNYCHENKO, ARTEM
24 BESSHAPOCHNY, JACK BROWN, and
25 DOES 1-10,

26 Defendants.

NO. 2:20-cv-01048-MJP

SUPPLEMENTAL ARTEM KRYKUN-
TRUSH DECLARATION REGARDING
SERVICE OF DEFENDANT RODION
VYNNYCHENKO

27 I, Artem Krykun-Trush, declare as follows:

1. I am an Associate at DLA Piper (“DLA”) in Kyiv, Ukraine, and am local representative for Davis Wright Tremaine LLP acting on behalf of Plaintiff Publishers Amazon Content Services LLC and Penguin Random House LLC, and Plaintiff Authors Lee Child, Sylvia Day, John Grisham, C.J. Lyons, Doug Preston, Jim Rasenberger, T.J. Stiles, R.L. Stine, Monique Truong, Scott Turow, Nicholas Weinstock, and Stuart Woods (collectively,

1 “Plaintiffs”) in this matter. I make this declaration based on personal knowledge and records
2 my firm keeps in the regular course of business, and I could testify competently to the same.

3 2. In Ukraine, service of process for overseas pleadings is conducted by official
4 court hearing after the government identifies the party’s residence and effects service of
5 documents through the local courts. As part of the service, the Ministry of Justice of Ukraine,
6 its territorial departments, and Ukrainian courts require original, signed copies of all
7 documents. In light of the COVID-19 pandemic, postal service of court documents and all mail
8 experienced significant delays.

9 3. In their Request for Service Abroad of Judicial Documents under the Hague
10 Convention, Plaintiffs provided the following address for Defendant Rodion Vynnychenko,
11 which was connected to his online activities, Individual Entrepreneur registration, and
12 registrations for the Mirror Websites: 3 Milutenka Street, Apartment 1, Kyiv, Ukraine 02156.

13 4. On August 21, 2020, the Ministry of Justice of Ukraine received translated
14 copies of the Complaint and Summons, the Motion, and TRO Order (the “Service
15 Documents”), for process of service on Defendant Vynnychenko.

16 5. On September 9, 2020, the Ministry’s clerk received the Service Documents
17 after COVID-19 related delays, processed them, and forwarded them to the Ministry’s
18 territorial department in Kyiv.

19 6. On September 15, 2020, the Ministry’s territorial department in Kyiv received
20 the Service Documents, and on September 23, 2020, forwarded them for service to
21 Desnyanskyi District Court of Kyiv.

22 7. On October 1, 2020, the Desnyanskyi District Court of Kyiv received the
23 Service Papers. As part of that transfer, the Desnyanskyi District Court set a hearing for
24 October 13, 2020, to confirm service.

25 8. On October 13, 2020, I attended the court hearing at the Desnyanskyi District
26 Court to verify service on Defendant Vynnychenko. Neither Defendant Vynnychenko nor his
27 counsel appeared, and the Court established that Defendant Vynnychenko had deregistered his

1 previous address after Plaintiffs initiated this suit. As such, the Court found that it needed to
2 request Defendant's new registered address from the State Migration Service of Ukraine in
3 order to summon him again and reschedule the court hearing.

4 9. On November 4, 2020, I again attended a court hearing on Plaintiffs' behalf at
5 the Desnyanskyi District Court, to verify service on Defendant Vynnychenko. Again, neither
6 Defendant Vynnychenko nor his counsel appeared, and the State Migration Service of Ukraine
7 informed the Court that Vynnychenko had not yet registered a new address. In light of this
8 fact, the Court decided to return the Service Documents to the Ministry's territorial department
9 in Kyiv.

10 10. On January 8, 2021, the Ministry's territorial department in Kyiv received the
11 Service Documents from the Court, after a significant delay due to COVID-19 issues and the
12 holiday season.

13 11. On January 15, 2021, the Ministry's territorial department in Kyiv established
14 that Defendant Vynnychenko had registered a new address in Kropyvnytskyi, Kirovograd
15 region—outside of Kyiv. The Ministry then forwarded the documents to the Eastern
16 Interregional Department of Justice, the intermediate territorial department of the Ministry for
17 Eastern regions of Ukraine.

18 12. On January 18, 2021, the Eastern Interregional Department of Justice received
19 the Service Documents and on January 28, 2021, forwarded them to the Ministry's territorial
20 department in Kirovograd Region.

21 13. On February 3, 2021, the Ministry's territorial department in Kirovograd Region
22 received the Service Documents and forwarded them for service to the Kirovskyi District Court
23 of Kirovohrad the same day.

24 14. As part of that transfer, the Kirovskyi District Court of Kirovohrad set a hearing
25 for March 4, 2021, at 11:10 a.m., for the purpose of confirming service on Defendant
26 Vynnychenko.

