

1 DURIE TANGRI LLP  
RAGESH K. TANGRI (SBN 159477)  
2 rtangri@durietangri.com  
MARK A. LEMLEY (SBN 155830)  
3 mlemley@durietangri.com  
EUGENE NOVIKOV (SBN 251316)  
4 enovikov@durietangri.com  
217 Leidesdorff Street  
5 San Francisco, CA 94111  
Telephone: 415-362-6666  
6 Facsimile: 415-236-6300

7 Attorneys for Defendant  
INDIEGOGO, INC.

8  
9 IN THE UNITED STATES DISTRICT COURT  
10 FOR THE NORTHERN DISTRICT OF CALIFORNIA  
11 SAN FRANCISCO DIVISION

12 CHARLES CARREON,

13 Plaintiff,

14 v.

15 MATTHEW INMAN; INDIEGOGO, INC.;  
16 NATIONAL WILDLIFE FEDERATION;  
AMERICAN CANCER SOCIETY; AND DOES  
17 1-100,

18 Defendants.

Case No. 3:12-cv-03112-EMC

**DECLARATION OF RAGESH TANGRI**

1 I, Ragesh Tangri, declare as follows:

2 1. I am a member of the State Bar of California and counsel of record for Defendant  
3 Indiegogo Inc. in the above-captioned litigation.

4 2. On June 28, 2012, at 4:55 p.m., Plaintiff Charles Carreon served an application for a  
5 temporary restraining order and order to show cause why a preliminary injunction should not issue. A  
6 true and correct copy of the email transmitting Carreon's papers is attached to this declaration as Exhibit  
7 A.

8 3. At 7:02 p.m. that evening, Carreon served a revised version of his supporting declaration  
9 and exhibits. A true and correct copy of the email transmitting those revised papers is attached as Exhibit  
10 B.

11 4. On June 26, I had a phone conversation with Carreon. In that conversation, Carreon said  
12 that he was aware that under Indiegogo's terms and conditions, the funds from the BearLove campaign  
13 could be disbursed at any time between the time of the conversation and Monday July 2.

14 5. On June 29, I was informed that, at Matthew Inman's request, Inman's share of the funds  
15 from the BearLove campaign was sent by check to the American Cancer Society and the National  
16 Wildlife fund, divided equally. That evening, I received an email from Carreon informing counsel for  
17 Inman and Indiegogo that he still had not filed his TRO application. A true and correct copy of that  
18 email is attached as Exhibit G.

19 6. At 12:00 pm the afternoon of June 30, I emailed Carreon to inform him that "[c]onsistent  
20 with its Terms of Service, Indiegogo yesterday transferred the balance of the Bear Love campaign  
21 proceeds." A true and correct copy of that email is attached as Exhibit H. Carreon filed his application  
22 later that afternoon. (Dkt. 20.)

23 7. Attached as Exhibit C to this declaration is a true and correct copy of a post on the website  
24 "The Oatmeal" entitled "What should I do about FunnyJunk.com?," retrieved from  
25 <http://theoatmeal.com/blog/funnyjunk> on June 28, 2012.

26 8. Attached as Exhibit D to this declaration is a true and correct copy of a post on the website  
27 "The Oatmeal" entitled "An update on the FunnyJunk situation," retrieved from  
28 <http://theoatmeal.com/blog/funnyjunk2> on June 28, 2012.

1 9. Attached as Exhibit E to this declaration is a true and correct copy of a portion of the website  
2 “The Oatmeal” as it appeared on June 28, 2012, reproducing what appears to be a letter sent by Charles  
3 Carreon to Matthew Inman. The letter was retrieved from [http://s3.amazonaws.com/theoatmeal-  
5 img/blog/funnyjunk\\_letter/full\\_letter.jpg](http://s3.amazonaws.com/theoatmeal-<br/>4 img/blog/funnyjunk_letter/full_letter.jpg) on that date, and a link to that URL appeared on  
6 [http://theoatmeal.com/blog/funnyjunk\\_letter](http://theoatmeal.com/blog/funnyjunk_letter) on that date.

7 10. Attached as Exhibit F to this declaration is a true and correct copy of a post on the website  
8 “The Oatmeal” entitled “FunnyJunk is threatening to file a federal lawsuit against me unless I pay  
9 \$20,000 in damages,” retrieved from [http://theoatmeal.com/blog/funnyjunk\\_letter](http://theoatmeal.com/blog/funnyjunk_letter) on June 28, 2012.

10 I declare under penalty of perjury under the laws of the United States that the foregoing is true  
11 and correct. Signed on July 1, 2012, in San Francisco, California.

12 \_\_\_\_\_  
13 */s/ Ragesh Tangri*  
14 Ragesh Tangri