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7	Attorneys for Defendants Ted Entertainment, Inc., Teddy Fresh, I	Inc	
8	Ethan Klein and Hila Klein	me.	
9			
10	UNITED STATE	S DISTRICT COURT	
11	CENTRAL DISTR	ICT OF CALIFORNIA	
12			
13	TRILLER FIGHT CLUB II LLC, a		
14	Delaware limited liability company,	Case No.: 2:21-cv-03942-JAK-KS	
15	Plaintiff,	DECLARATION OF LINCOLN D. BANDLOW IN SUPPORT OF	
16		DEFENDANTS' MOTION TO DISMISS PLAINTIFF'S SECOND	
	V.	AMENDED COMPLAINT	
17	TED ENTERTAINMENT, INC., a California corporation; TEDDY	PURSUANT TO F.R.C.P. 12(b)(6)	
18	FRESH, INC., a California corporation; ETHAN KLEIN, an	[Notice of Motion and Motion; Declaration of Ethan Klein; Compendium	
19	individual; HILA KLEIN, an	of Exhibits; Notice of Lodging and	
20	individual; and DOES 1-10	Request for Judicial Notice filed concurrently herewith]	
21	Defendants.	A 14 II I A . IZ 14	
22		Assigned to: Hon. John A. Kronstadt	
23		Date: November 22, 2021	
24		Time: 8:30 a.m. Place: Courtroom 10B	
25		Place. Courtiooni 10b	
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	DANIDLOW DECLARATION (GO	DECENDANTS, WOLLON TO DISMES	
	BANDLOW DECLARATION ISO DEFENDANTS' MOTION TO DISMISS		

I, Lincoln D. Bandlow, do hereby state and declare as follows:

- 1. I am an attorney at law, duly licensed to practice law in the State of California and the United States District Court for the Central District of California. I am the founder of the Law Offices of Lincoln Bandlow, P.C. and attorney of record for defendants Ted Entertainment, Inc. ("TEI"), Teddy Fresh, Inc. ("Teddy Fresh"), Ethan Klein ("Ethan") and Hila Klein ("Hila") (collectively, "Defendants"). I have personal knowledge of the facts contained in this Declaration and, if called and sworn as a witness, I could and would competently testify thereto. I make this Declaration in support of Defendants' Motion to Dismiss Plaintiff's Second Amended Complaint Pursuant to F.R.C.P. 12(b)(6) (the "Motion").
- 2. A true and correct copy of the May 6, 2021 order of the Honorable Percy Anderson that was entered in the United States District Court for the Central District of California case entitled *Triller*, *Inc.* v. *Filmdaily.com et al.* (Case No. 2:21-cv-03502-PA-RAO) (the "Filmdaily Action") is attached to Defendants' Compendium of Exhibits and incorporated herein as **Exhibit A**.
- 3. A true and correct copy of Triller, Inc.'s initial complaint that was filed in the Filmdaily Action is attached to Defendants' Compendium of Exhibits and incorporated herein as **Exhibit I**.
- 4. A true and correct copy of Judge Anderson's April 28, 2021 Order to Show Cause that was entered in the Filmdaily Action is attached to Defendants' Compendium of Exhibits and incorporated herein as **Exhibit H**.
- 5. A true and correct copy of the April 29, 2021 First Amended Complaint of Triller Fight Club II, LLC ("Triller") that was filed in the Filmdaily Action is attached to Defendants' Compendium of Exhibits and incorporated herein as **Exhibit K**.
 - 6. A true and correct copy of Triller's May 5, 2021 Response to Order to

Show Cause Dated April 28, 2021 that was filed in the Filmdaily Action is attached to Defendants' Compendium of Exhibits and incorporated herein as **Exhibit L**.

- 7. On June 29, 2021, I sent a meet and confer letter to Triller's Counsel, Farhad Novian, Esq., Michael O'Brien, Esq. and Alexander Gura, Esq. (collectively, "Triller's Counsel"), setting forth: (1) how each claim set forth in Triller's First Amended Complaint ("FAC") was fatally defective as a matter of law; (2) how the FAC would be subject to dismissal under Federal Rule of Civil Procedure ("F.R.C.P.") Rule 12(b)(6); (3) how the FAC was a Strategic Lawsuit Against Public Participation and the Conversion Claim of the FAC would be dismissed pursuant to California Code of Civil Procedure Section 425.16; (4) that Triller was in violation of F.R.C.P. Rule 11(b) because the FAC contained materially false allegations of fact and law; and (5) Triller's prior correspondence contained materially false statements of fact and law. A true and correct copy of my June 29, 2021 meet and confer letter is attached to Defendants' Compendium of Exhibits as **Exhibit M** and is incorporated herein.
- 8. On July 12, 2021, Triller's Counsel submitted a Proposed Second Amended Complaint for review. A true and correct copy of Triller's Proposed Second Amended Complaint for the present action is attached to Defendants' Compendium of Exhibits as **Exhibit N** and is incorporated herein. Counsel for the parties agreed to meet and confer telephonically about the FAC and the Proposed Second Amended Complaint on July 14, 2021.
- 9. On July 14, 2021, in a telephonic conference, my associate, Rom Bar-Nissim, and I explained to Triller's Counsel how the Proposed Second Amended Complaint failed to address the defects present in the FAC. To avoid burdening this Court with an Anti-SLAPP motion and addressing three claims that Triller effectively conceded lacked merit, Defendants stipulated to the filing of the SAC. *See* Dkt. No. 22. As memorialized in the stipulation, the parties have already met

1	and conferred telephonically about the grounds for this Motion.	
2	10. On July 19, 2021, Triller's parent company, Triller, LLC, filed a	
3	complaint in Los Angeles Superior Court against Defendants that alleged various	
4	tortious interference claims in an action entitled Triller, LLC v. Ted Entertainment,	
5	Inc. et al. (Case No. 21SMCV01225) (the "Tortious Interference Complaint").	
6	The Tortious Interference Complaint targeted statements made in various podcasts	
7	produced by TEI that commented upon and critiqued Triller, Triller's parent	
8	company, its majority owner, Ryan Kavanaugh, and the social media app called	
9	"Triller." A true and correct copy of the Tortious Interference Complaint Triller,	
10	LLC filed in the Los Angeles Superior Court is attached to Defendants'	
11	Compendium of Exhibits and incorporated herein as Exhibit O . Defendants shall	
12	respond to this complaint by filing a special motion to strike the complaint	
13	pursuant to California Code of Civil Procedure Section 425.16 (a/k/a Anti-SLAPP	
14	motion) on September 8, 2021.	
15	I declare under penalty of perjury that the contents of this declaration are	
16	true and correct. Executed this 6th day of September, 2021 in Encino, California.	
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19	Lincoln D. Bandlow	
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