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10 Attorneys for Plaintiff
Twitch Interactive, Inc.

11
12 UNITED STATES DISTRICT COURT
13 NORTHERN DISTRICT OF CALIFORNIA
14 SAN FRANCISCO DIVISION

15
16 TWITCH INTERACTIVE, INC., a
Delaware corporation,

17 Plaintiff,

18 v.

19 JOHN AND JANE DOES 1–100,
20 individuals,

21 Defendants.

Case No. 19-cv-03418-WHO

**DECLARATION OF CARL HESTER IN
SUPPORT OF PLAINTIFF TWITCH
INTERACTIVE, INC.'S EX PARTE
APPLICATION FOR LEAVE TO SERVE
THIRD PARTY SUBPOENAS PRIOR TO A
RULE 26(f) CONFERENCE**

[Civil L. R. 7-10]

1 I, Carl Hester, declare as follows:

2 1. I am the Senior Security Incident Response Engineer at Twitch Interactive, Inc. I
3 make this declaration based on personal knowledge, and if called as a witness I could and would
4 competently testify thereto.

5 2. Beginning on May 25, 2019, Twitch observed an influx of pornographic and other
6 prohibited streams in the Artifact game directory, <https://www.twitch.tv/directory/game/Artifact>.
7 The next day, that activity continued and included a re-broadcast of the March 2019 Christchurch
8 mosque attack. The streams included pornographic, violent, terrorist, and copyrighted content, all
9 in violation of Twitch's Terms of Service.

10 3. Twitch immediately investigated the accounts streaming the gross material in
11 order to identify those it believed to be responsible for the attacks.

12 4. Through Twitch's investigation of the offending accounts, Twitch identified a
13 Twitch user, Skel (also known on Twitch as /skelytal or /skelytal_), who has violated Twitch's
14 Terms of Service in the past. In December 2018, /skelytal was banned from Twitch for setting up
15 and sharing porn streams via a script he calls "tos.py." Twitch believes that Skel shared this
16 script with other users in late-May 2019. Around this same time, Twitch started seeing a large
17 volume of prohibited content flooding the "Artifact" directory on Twitch.

18 5. "Tos.py" is associated with a Twitter account, <https://twitter.com/TwitchToS>.
19 Twitch identified a second Twitter account associated with Skel: <https://twitter.com/Skeltaly>.
20 @Skeltaly was the first person to follow @TwitchToS.

21 6. The following two email addresses are associated with Skel, and /skelytal, and
22 /skelytal_'s Twitch.tv accounts: skelthade@gmail.com and jfernandes423@hotmail.com.

23 7. Twitch identified two IP addresses connected to Skel, /skelytal, and /skelytal_'s
24 Twitch.tv accounts.

25 8. Twitch identified a website, www.artifactstreams.com, that Defendants used to
26 coordinate their attack on Twitch.

27 9. Twitch identified thousands of IP addresses associated with the Twitch accounts
28 streaming the prohibited content.

1 10. Twitch has servers located in California that were accessed by Defendants during
2 the attacks.

3 11. Twitch identified several Discord servers Defendants used to discuss their attack
4 on Twitch. The unique numbers associated with those servers are: 582392244875689994,
5 582430029829636097, 488259366990905347, 583023804595437599, 582461142522396683,
6 and 523031973191614503.

7
8 I declare under penalty of perjury under the laws of the United States that the foregoing is true
9 and correct.

10 Twitch HQ
11 350 BUSH ST.
12 Executed at SAN FRANCISCO, California this 27th day of June, 2019.

13 

14 Carl Hester