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Attorneys for defendant Twin Galaxies, LLC

SUPERIOR COURT OF THE STATE OF CALIFORNIA  
COUNTY OF LOS ANGELES

WILLIAM JAMES MITCHELL,

Plaintiff,

v.

TWIN GALAXIES, LLC; and Does 1-10,

Defendants.

Case No. 19STCV12592

Assigned to: Hon. Gregory W. Alarcon  
[Dept. 36]

**DECLARATION OF ROBERT MRUCZEK  
ISO SPECIAL MOTION TO STRIKE OF  
DEFENDANT TWIN GALAXIES, LLC  
[CCP § 425.16]**

*[Filed concurrently with: (1) Declaration of  
Steven Kleisath; (2) Declaration Chris Glead;  
(3) Declaration of Carlos Pineiro; (4)  
Declaration of Dwayne Richard; (5)  
Declaration of Jason Hall; (6) Objections to  
Evidence; and (7) Reply]*

**Hearing**

Date: July 6, 2020

Time: 9:00 a.m.

Place: Department 36

RESERVATION ID: 095658146502

Action Filed: 4/11/2019

**DECLARATION OF ROBERT MRUCZEK**

I, Robert Mruczek, declare that:

1. I am an individual of the age of majority, and I make this declaration in support of the special motion to strike of Twin Galaxies, LLC ("Twin Galaxies"). The matters declared to herein are known to me personally to be true, and if called to testify to these facts, I could and would do so.

2. I am a video game hobbyist and have been associated with Twin Galaxies as a referee and otherwise since the early 2000s.

3. As a Twin Galaxies referee, I adjudicated Billy Mitchell's 1,047,200 (the King of Kong "tape") score performance in January 2006. The adjudication method was by videotape submission. This means that I was tasked with watching the entire videotape of the performance as submitted by Billy Mitchell to determine if the performance meets the Twin Galaxies criteria to have the score placed on the Donkey Kong arcade leaderboard. I did indeed watch the entirety of the performance and I am familiar with it. The result of my adjudication at the time was that the score should be placed on the leaderboard. I personally entered Billy Mitchell's 1,047,200 score into the Twin Galaxies database

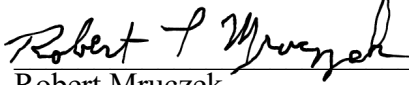
4. I have viewed the copy of Billy Mitchell's 1,047,200 (the King of Kong "tape") score performance that was posted in the Mitchell Score Dispute Claim Thread on March 23, 2018 as post number 2188 which can be found at the following Internet link: <https://www.twingalaxies.com/showthread.php/176004-Dispute-Jeremy-Young-Arcade-Donkey-Kong-Points-Hammer-Allowed-Player-Billy-L-Mitchell-Score-1-062-800?p=959129&viewfull=1#post959129>.

5. I can say with absolute certainty that the videotape performance that I adjudicated in 2006 is the exact same performance that appears in the Mitchell Score Dispute Claim Thread as post number 2188.

6. Footage from the Billy Mitchell's 1,047,200 (the King of Kong "tape") score performance video tape was used in the documentary *King of Kong: A Fistful of Quarter*; and the

1 same footage was displayed on a television screen next to me during a recorded interview I did  
2 with MTV in 2006.

3 I swear, under penalty of perjury of the laws of the State of California, that the foregoing  
4 is true and correct. Executed this 26<sup>th</sup> day of June, 2020 at New York, New York.

5   
6 Robert Mruczek

**PROOF OF SERVICE**  
Case No. 19STCV12592

I am a resident of the State of California, over the age of eighteen years, and not a party to the within action. My business address is **TASHROUDIAN LAW GROUP, APC**, located 5900 Canoga Ave, Suite 250, Woodland Hills, CA 91367-5017. On June 26, 2020, I served the herein described document(s):

**DECLARATION OF ROBERT MRUCZEK ISO SPECIAL MOTION TO STRIKE OF  
DEFENDANT TWIN GALAXIES, LLC [CCP § 425.16]**

by transmitting via facsimile the document(s) listed above to the fax number(s) set forth below on this date before 5:00 p.m.

by placing the document(s) listed above in a sealed envelope with postage thereon fully prepaid, in the United States mail at Woodland Hills, California addressed as set forth below.

X E-File - by electronically transmitting the document(s) listed above to jeg@manningllp.com pursuant to an agreement of the parties.

by personally delivering the document(s) listed above to the person(s) at the address(es) set forth below.

by overnight courier of the document(s) listed above to the person(s) at the address(es) set forth below.

James E. Gibbons (State Bar No. 130631)  
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Attorneys for Plaintiff  
WILLIAM JAMES MITCHELL

I am readily familiar with the firm's practice of collection and processing correspondence for mailing. Under that practice it would be deposited with the U.S. Postal Service on that same day with postage thereon fully prepaid in the ordinary course of business. I am aware that on motion of the party served, service is presumed invalid if postal cancellation date or postage meter date is more than one day after date of deposit for mailing in affidavit.

I declare under penalty of perjury under the laws of the State of California that the above is true and correct. Executed on June 26, 2020 at Woodland Hills, California.



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Mona Tashroudian