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7 **UNITED STATES DISTRICT COURT**
DISTRICT OF OREGON AT PORTLAND

8 Atlantic Recording Corporation, a) No. CV 05-933 AS
9 Delaware corporation; Priority Records,)
10 LLC, a California limited liability) Declaration of Tanya Andersen in
company; Capitol Records, Inc., a) Support of Motion to Fix Amount of
11 Delaware corporation; UMG Recordings,) Attorney's Fees
Inc., a Delaware corporation; and BMG)
12 Music, a New York general partnership,)
)
13 Plaintiffs,)
14 v.)
)
15 Tanya Andersen,)
)
16 Defendant.)

17 I, Tanya Andersen, hereby declare and state as follows:

18 1. I am the defendant in this case. I have personal knowledge of the facts contained
19 in this declaration.

20 2. When I was first threatened with suit by the RIAA, I searched but was unable to
21 find a lawyer in the Portland area who had any knowledge of the type of copyright infringement
22 case that the RIAA was threatening to file against me.

23 3. I started contacted lawyers in the Portland area after receiving the first
24 threatening letter from the RIAA's lawyer in Los Angeles. I didn't know where to start to find
25 someone to help me. I looked in the phone book and contacted a lawyer in Tigard named Oram
26

1 Nell. Mr. Nell told me this was a new type of law and there wasn't really anyone in Oregon that
2 knew much about it yet. Mr. Nell told me to call a certain law firm in West Linn to see if they
3 could give me any information. Mr. Nell told me that if anyone would know anything, it would
4 be this office.

5
6 4. The law firm that Mr. Nell referred me to suggested that I wait until I was
7 served, let the record companies take a judgment against me, then file bankruptcy. I responded
8 that it wasn't fair to have to file bankruptcy for something I didn't do. I was told that it was not
9 fair but "it is just the way things are. It is big business against the little guy." I was also told
10 that it would be very expensive to fight and just to get started would require thousands of
11 dollars as a retainer. I barely had money to make rent and feed my daughter.

12
13 5. After I was served with the record companies' complaint, not knowing what to
14 do and not finding very much information in the rest of my research, I reluctantly did schedule
15 an appointment to talk with a bankruptcy attorney in Salem. I went in for an appointment and
16 his paralegal met with me. She had no idea what the complaint was, and had never seen one
17 before. She didn't even know what the office could do. She told me that before I could even
18 file bankruptcy, I would have to pay for legal research to understand the complaint at the rate of
19 \$200 an hour. I was told that extensive research would be needed in order to sort out what the
20 claims in the pleading even meant. I left that office feeling extremely frustrated and upset. I
21 didn't want to file bankruptcy because of the RIAA's false accusations and extortion attempts.

22
23 6. I located another lawyer in Portland listed in the phone book that supposedly
24 worked in copyright law. When I explained what had happened to me to someone in the
25 lawyer's office, they knew nothing about what I was talking about. I was again terribly
26 discouraged at being unable to find any lawyer in my area that was able and willing to assist

1 me. I was terrified.

2 7. I also called Senator Ron Wyden's office during this time to plead for some
3 assistance. The lady who answered the phone made me feel like I made no sense, and she knew
4 nothing about these issues with the record companies. I later wrote to Senator Wyden and to
5 Congressman David Wu. They each advised me that the threats against me were a private civil
6 matter and there was nothing they could do to help me. Attached to this declaration are letters I
7 wrote in an attempt to get legal assistance with this case, and the responding letters in which I
8 was told that help was unavailable.
9

10 8. At this point, I had absolutely no idea what to do. I kept doing research on the
11 internet and came across Ray Beckerman's blog and decided to write to him, but he could not
12 assist me because he was in New York and not licensed in Oregon. Eventually, I was able to
13 find Lory R. Lybeck, an Oregon State attorney who had an office in Mercer Island, Washington.
14 He was the only attorney that was willing to help me. I have suffered great emotional and
15 physical harm because of the false accusations and harassment of me for years. Still, I avoided
16 a bankruptcy that would have followed me for my entire life.
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20 I declare under penalty of perjury under the laws of the State of Oregon that the
21 foregoing is true and correct to the best of my knowledge and belief.

22 DATED at Tualatin, Oregon, this 11th day of March, 2008.

23 
24 Tanya Andersen
25
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