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Attorney for Applicant Starship Entertainment Co., Ltd.

UNITED STATES DISTRICT COURT

NORTHERN DISTRICT OF CALIFORNIA

SAN JOSE DIVISION

<i>In re Ex Parte</i> Application of)
) Case Number: 23-mc-80147-BLF
Starship Entertainment Co., Ltd.,	
) DECLARATION OF KYONGSOK
Applicant.) CHONG IN SUPPORT OF STARSHIP
) ENTERTAINMENT CO., LTD.'S
) REQUEST FOR PERMISSION TO ISSUE
) NEW SUBPOENA TO GOOGLE LLC
)
)
)
)

- I, Kyongsok Chong, declare as follows:
- 1. I am more than 21 years of age, am competent to testify on the matters stated in this declaration, and, except as may be otherwise stated in this declaration, have personal knowledge of the matters stated in this declaration.
- I am an attorney licensed to practice law in the Republic of Korea, and I am the 2. Executive Partner at the LIWU Law Group in Seoul, Republic of Korea.
- 3. In Korean civil cases, to proceed with the civil case and to enforce a judgement, a party must be identified and confirmed by his or her name, address, and date of birth.
- A Korean civil case may be filed against an anonymous party where the identity of the party is unknown, but the case must be amended with the name, address, and date of birth during the course of the case; otherwise, the civil lawsuit will be dismissed by the court.

- 5. Pursuant to the discovery provided by Google LLC (hereinafter "Google") in this case, Starship Entertainment Co., Ltd. (hereinafter "Applicant") has obtained names and addresses that were registered to an associated AdSense account.
- 6. The names "park jimin" and "박주아" ("park joo-ah" in English) that were obtained through the discovery are very common names in Korea, and there may be many people with these same names.
 - 7. The AdSense account also contained two physical addresses.
- 8. It is unclear whether either of the foregoing two individuals reside at the two addresses.
- 9. While the Applicant may attempt to serve the complaint in the Korean civil case at the addresses, and even if park jimin or park joo-ah reside at the addresses provided, if those individuals deny that they are the owners or operators of the YouTube channels at issue (the individuals may simply say that their names are coincidentally the same, and that their addresses were misused), then it will be impossible for the Applicant to prove that the individuals are the owners or operators of the YouTube channels, without the dates of birth of the individuals.
- 10. The most important information to identify a party in a Korean civil case is the name of the individual and the date of birth of the individual, with the address being of less importance.
- 11. If the Applicant can obtain the names and dates of birth of the anonymous individuals, then the Applicant can seek a court order to obtain the registered address of the anonymous individual from the local government using the names and dates of birth, because every person in Korea is required to register their residential address with the local government.
- 12. On the other hand, with only a name and address, the court may issue an order for the local government to disclose the identity of the person; however, the local government will be unable to disclose the registered information of the person if there are multiple individuals in Korea with the same name or if the addresses were misused, incorrect, or do not exist.

- 13. At times, people in Korean may not update their registered address with the local government in order to hide their true address; therefore, if the address is the individual's old address or someone else's address, then the service of the complaint will fail.
- 14. If the Applicant can obtain the telephone number or bank information (bank name and account number) of the anonymous individuals through discovery in this case, then the Applicant can seek the dates of birth of the anonymous individuals from the Korean telecommunication company or bank pursuant to a court order.
- 15. The discovery of the dates of birth and banking information of the anonymous individuals are not unduly intrusive, because this information is narrowly tailored to discover the true identities of the anonymous individuals at issue, and is not seeking irrelevant information.
- 16. Based upon the foregoing, the information and documents sought from Google is highly relevant and crucial to the Applicant's civil lawsuit in the Republic of Korea and is narrowly tailored and limited to the discovery of information necessary to identify the true identities of the anonymous individuals against whom the civil case was filed.

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

Executed on August , 2023.

KYONGSOK CHONG