

FILED
2016 MAR 18 A 10:36
SUSAN Y. SOONG
CLERK, US DISTRICT COURT
NO. DIST. OF CA.

Specially appearing defendant
Gaogao Han, hanshan.info, hanshan.co
Building 38, Suite B111
Dongbazhonglu, District Chaoyang
Beijing, P. R. China
Telephone: (010) 6545-8221
SELF-REPRESENTED

**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA**

DONGXIAO YUE

Plaintiff,

v.

GAOGAO HAN,
Hanshan.co, hanshan.info

Defendants.

_ CASE NUMBER: 315-cv-03463-JCS

**- DECLARATION OF DEFENDANT GAOGAO
HAN IN SUPPORT OF MOTION TO SET
ASIDE DEFAULT, TO QUASH SERVICE,
AND TO DISMISS THE ACTION**

Date: April 22, 2016

Time: 9:30 AM

Place: Court Room G, 15th Floor

Judge: The Honorable Joseph C. Spero

I, Gaogao Han, declare as follows:

1. I am not a lawyer and is proceeding *pro se* in this matter.
2. The social media website hanshan.co opened to public on October 1, 2014, and shut down thoroughly on October 19, 2014.
3. The social media website hanshan.info opened to public on October 19, 2014. Hanshan.info had no relations to Plaintiff's code at all.
4. Plaintiff threat to Defendant on June 14&15, 2015 to force Defendant to release web user private information such as IP and email without a normal and legally delivered court subpoena. *See* Exhibit A.
5. Plaintiff still continued to send subpoena and various threats to defendants through all means, including web private message, email, electronic pictures and so on, *see* an example on Exhibit B.

- 1 6. Both hanshan.co and hanshan.info have **not** been **rely on** email as means of communication,
2 they have never used email to communicate with users at all.
- 3 7. Defendants never communicated with plaintiff by email, there was **NO correspondence**
4 between Plaintiff and Defendants before this action.
- 5 8. I used to be an administrator for website hanshan.co during October 1, 2014 to October 19,
6 2014.
- 7 9. I am non-residency of California and never have any meaningful contacts with the State of
8 California. I have not been in the State of California in the last 15 years and never have any
9 interests for or against the State of California.
- 10 10. Defendants have never paid any attention to Plaintiff except as a website ID, and knew
11 nothing about Plaintiff's personal information until after this law suit was filed.
- 12 11. Before Defendants were informed by the Internet provider Goddady.com (October 11, 2015)
13 that one piece of code obtained from internet in hanshan.co was copyrighted by Plaintiff,
14 Defendants had never known the code was copyrighted, and had no intention to use the
15 copyrighted code.
- 16 12. Both hanshan.co and hanshan.info are non-commercial social media websites with a group
17 of active users averagely less than 10 people in total.

18
19
20 I declare under penalty of perjury under the laws of the State of California and the federal laws
21 that the foregoing is true and correct to my best knowledge.

22 This declaration was executed on March 13, 2016 in Beijing, P. R. China.

23
24 

25 Gaogao Han
26
27
28

EXHIBIT A



YDX

Dear Hanshan.info, You may email the data to dxyue@yahoo.com or fax to 510-291-2237.

Failure to comply with the subpoena may result in contempt proceedings against you. You are advised to consult a lawyer on this.

Dongxiao Yue

2015-6-14 11:50



YDX

I will give you two more days, after two days, you will become a defendant.

2015-6-15 22:21



B A

EXHIBIT B









	Dongxiao Yue	admin@hanshan.info	Registered: Subpoena	Wed 6/17/201...	569 KB
	RPost Registered Email <http://www.rpost.com/images/EN_REG.gif>			This is a Registered Email ©	
	Dongxiao Yue	admin@hanshan.info	Registered: Subpoena	Wed 6/17/201...	569 KB
	RPost Registered Email <http://www.rpost.com/images/EN_REG.gif>			This is a Registered Email ©	
	Dongxiao Yue	proxy4783195@1and1-private-regi...	Registered: Civil Subpoena f...	Wed 6/17/201...	573 KB
	RPost Registered Email <http://www.rpost.com/images/EN_REG.gif>			This is a Registered Email ©	
	Dongxiao Yue	proxy4783195@1and1-private-regi...	Registered: Civil Subpoena f...	Wed 6/17/201...	569 KB
	RPost Registered Email <http://www.rpost.com/images/EN_REG.gif>			This is a Registered Email ©	
	Don Yue	proxy4783195@1and1-private-regi...	Re: Civil Subpoena for HANS...	Tue 6/16/2015 ...	13 KB
	civil subpoena <http://zzwave.com/pics/serv/subpoena-hanshan-scan_Page_1.jpg>				
	Don Yue	proxy4783195@1and1-private-regi...	Re: Civil Subpoena for HANS...	Tue 6/16/2015 ...	12 KB
	civil subpoena <http://zzwave.com/pics/serv/subpoena-hanshan-scan_Page_1.jpg>				
	D.X. Yue	汉山网	Subpoena for Hanshan.info ...	Fri 6/12/2015 1...	567 KB
	Dear HANSHAN.INFO, See attached subpoena. Dongxiao Yue, Ph.D. <end>				
	D.X. Yue	汉山网	Subpoena for Hanshan.info ...	Fri 6/12/2015 1...	567 KB
	Dear HANSHAN.INFO, See attached subpoena. Dongxiao Yue, Ph.D. <end>				
	Don Yue	proxy4783195@1and1-private-regi...	Civil Subpoena for HANSHAN...	Fri 6/12/2015 1...	567 KB
	Dear HANSHAN.INFO, See attached.				
	Don Yue	proxy4783195@1and1-private-regi...	Civil Subpoena for HANSHAN...	Fri 6/12/2015 1...	566 KB
	Dear HANSHAN.INFO, See attached.				

EXHIBIT C



Search or Enter a Tracking Number

- Quick Tools
- Mail & Ship
- Track & Manage
- Postal Store
- Business
- International
- Help

USPS Tracking®

- Customer Service > Have questions? We're here to help.
- Get Easy Tracking Updates > Sign up for My USPS.

Tracking Number: 7011200000048245370



In-Transit

Expected Delivery Day: Thursday, October 1, 2015

Product & Tracking Information

Postal Product: First-Class Mail®
 Features: Certified Mail™, Return Receipt
 See tracking for related item: 9590952106150169313209

Available Actions

DATE & TIME	STATUS OF ITEM	LOCATION
September 30, 2015, 8:38 pm	Departed USPS Facility	KEARNY, NJ 07099
Your item departed our USPS facility in KEARNY, NJ 07099 on September 30, 2015 at 8:38 pm. The item is currently in transit to the destination.		
September 29, 2015, 10:45 pm	Arrived at USPS Facility	KEARNY, NJ 07099
September 29, 2015, 1:08 pm	Departed Post Office	SOMERVILLE, NJ 08876
September 29, 2015, 10:26 am	Acceptance	SOMERVILLE, NJ 08876

Track Another Package

Tracking (or receipt) number

Manage Incoming Packages

Track all your packages from a dashboard. No tracking numbers necessary.
 Sign up for My USPS >



- HELPFUL LINKS
- Contact Us
 - Site Index
 - FAQs

- ON ABOUT.USPS.COM
- About USPS Home
 - Newsroom
 - USPS Service Updates
 - Forms & Publications
 - Government Services
 - Careers

- OTHER USPS SITES
- Business Customer Gateway
 - Postal Inspectors
 - Inspector General
 - Postal Explorer
 - National Postal Museum
 - Resources for Developers

- LEGAL INFORMATION
- Privacy Policy
 - Terms of Use
 - FOIA
 - No FEAR Act EEO Data

Copyright © 2015 USPS. All Rights Reserved.



Search or Enter a Tracking Number

EXHIBIT D

Dongxiao Yue
 2777 Alvarado St.
 Suite C
 San Leandro, CA 94577 _____

Wenbin William Yang
 123-5863 Leslie Street
 Toronto, Ontario M2H 1J8
 Canada, XX 00000 _____

**Superior Court of California, County of Alameda
 Hayward Hall of Justice**

Yue <p align="center">Plaintiff/Petitioner(s)</p> VS. Yang <p align="center">Defendant/Respondent(s) (Abbreviated Title)</p>	No. <u>HG15773556</u> Order Motion To Deem Deft served process under Hague Service Convention Denied
--	--

The Motion To Deem Deft served process under Hague Service Convention filed for Dongxiao Yue was set for hearing on 03/09/2016 at 02:30 PM in Department 522 before the Honorable Dennis Hayashi. The Tentative Ruling was published and was contested.

The matter was argued and submitted, and good cause appearing therefore,

IT IS HEREBY ORDERED THAT:

The tentative ruling is affirmed as follows: The Motion of Plaintiff Dongxiao Yue for an Order Establishing that Specially Appearing Defendant Wenbin Yang is Deemed to Have Been Properly Served in Accordance with the Hague Convention and/or that Defendant Yang has Made a General Appearance through his Voluntary Participation in these Proceedings is DENIED.

Plaintiff's motion is denied because he has not identified a statutory basis for the requested relief. In addition, Plaintiff's motion is denied because he did not properly serve it on Defendant Yang. Plaintiff is permitted to serve Defendant by electronic mail only if Defendant has agreed to accept such service. See CCP § 1010.6(a)(2). Finally, even if the Court were to allow service by electronic mail, Plaintiff did not give Defendant adequate notice of the hearing pursuant to CCP § 1005(b). Plaintiff's proof of service indicates that he sent the papers to Defendant by electronic mail on February 15, 2016. Plaintiff, however, was required to add two (2) court days to the notice period. See CCP § 1010.6(a)(4).

Dated: 03/10/2016



 Judge Dennis Hayashi

EXHIBIT E

Dongxiao Yue
 2777 Alvarado St.
 Suite C
 San Leandro, CA 94577

Wenbin William Yang
 123-58631 Leslie Street
 Toronto, XX 00000

**Superior Court of California, County of Alameda
 Hayward Hall of Justice**

Yue <p style="text-align: center;">Plaintiff/Petitioner(s)</p> <p style="text-align: center;">VS.</p> Yang <p style="text-align: center;">Defendant/Respondent(s) (Abbreviated Title)</p>	No. <u>HG15773556</u> Order Motion Denied
--	--

The Motion filed for Dongxiao Yue was set for hearing on 09/30/2015 at 02:30 PM in Department 522 before the Honorable Dennis Hayashi. The Tentative Ruling was published and was contested.

The matter was argued and submitted, and good cause appearing therefore,

IT IS HEREBY ORDERED THAT:

The tentative ruling is affirmed as follows: The Motion of Plaintiff Dongxiao Yue for an Order Authorizing Plaintiff to Serve Defendant Wenbin Yang with the Summons and Complaint by Electronic Mail is DENIED.

The appropriate methods for Plaintiff's service of process are set forth in the Code of Civil Procedure. See CCP § 415.10 et seq. Plaintiff has not provided the Court with any authority to support his assertion that the Court can deem Plaintiff's service of process by email message effective under the law.

Dated: 10/01/2015



Judge Dennis Hayashi