

1 **STEPHEN J. JARED**  
2 **517 N. Emerald Drive**  
3 **Orange, CA 92868**  
4 **(714) 534-4569**

5 Defendant IN PRO PER

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8 **SUPERIOR COURT OF THE STATE OF CALIFORNIA**  
9 **IN AND FOR THE COUNTY OF ORANGE**  
10 **CENTRAL JUSTICE CENTER**

11 **PALLORIUM, INC., a Texas Corporation,**

12 **Plaintiff,**

13 **vs.**

14 **STEPHEN J. JARED, also known as JOE**  
15 **JARED, individually, and doing business as**  
16 **OSIRUSOFT RESEARCH AND**  
17 **ENGINEERING and OSIRUSOFT; and**  
18 **DOES 1 to 50, inclusive,**

19 **Defendants.**

CASE NO. 03CC09250

Judge David R. Chaffee  
Dept. C25

**DEFENDANT'S RESPONSES TO  
SPECIAL INTERROGATORIES  
(SET ONE)**

20 **PROPOUNDING PARTY: PLAINTIFF PALLORIUM, INC.**

21 **RESPONDING PARTY: DEFENDANT STEPHEN J. JARED**

22 **SET NO.: ONE**

23 **RESPONSE TO SPECIAL INTERROGATORY NO. 1**

24 Responding Party was not notified, nor does Responding Party have any records to  
25 indicate that peoplefinder.net was a problem, nor does Responding Party have any reference to  
26 relays.osirusoft.com's last zone file. Perhaps if an actual IP address was provided, Responding  
27 Party could provide more information. Responding Party requested this information be provided  
28 on several occasions.

**RESPONSE TO SPECIAL INTERROGATORY NO. 2**

2) No internal document suggested any reference to peoplefinder.net. If Responding Party

1 was provided an IP address, as requested on previous occasion from Plaintiff, Responding Party  
2 might be able to answer this interrogatory.

3 **RESPONSE TO SPECIAL INTERROGATORY NO. 3**

4 There was no such assertion, nor was there any reference to peoplefinder.net in any  
5 internal document.

6 **RESPONSE TO SPECIAL INTERROGATORY NO. 4**

7 Responding Party's filtering system for mail works with IP addresses, not domains.  
8 There are occasional references to domains, but no such reference exists. Was peoplefinder.net  
9 ever in Responding Party's local filters?

10 **RESPONSE TO SPECIAL INTERROGATORY NO. 5**

11 Responding Party has no information about Pallorium's disclosed domains. Responding  
12 Party's filter are IP address based. Again, if provided with an IP address, Responding Party  
13 might be able to determine the information.

14 **RESPONSE TO SPECIAL INTERROGATORY NO. 6**

15 Again, Responding Party has no information about Pallorium's domains.

16 **RESPONSE TO SPECIAL INTERROGATORY NO. 7**

17 Again, Responding Party has no information about Pallorium's domains.

18 **RESPONSE TO SPECIAL INTERROGATORY NO. 8**

19 Again, Responding Party has no information about Pallorium's domains.

20 **RESPONSE TO SPECIAL INTERROGATORY NO. 9**

21 Responding Party does not see the relevance of this question, due to the fact that there is  
22 no information showing Plaintiff's network listed. If spam originated from a network, the  
23 originating IP or a cidr mask of such IP was added to his filters. <http://www.spews.org>,  
24 <http://www.spamhaus.org>, <http://spamsites.org>, <http://www.spambusters.com.ar> and others have  
25 documented procedures. The problem with this interrogatory is that I am not sure if the listing to  
26 which Plaintiff is referring relates to Responding Party's personal list or that of a list imported  
27 from another site.

28 ///

**RESPONSE TO SPECIAL INTERROGATORY NO. 10**

Under normal circumstances, Responding Party simply corrected the error.

**RESPONSE TO SPECIAL INTERROGATORY NO. 11**

If a listing was either automatically added or manually added, and was inaccurate, Responding Party simply removed the entry. If it was a remote list that was imported into Responding Party's zone file, Responding Party suggested to the import zone that there was a problem.

**RESPONSE TO SPECIAL INTERROGATORY NO. 12**

Anyone who could successfully access <http://relays.osirusoft.com>

**RESPONSE TO SPECIAL INTERROGATORY NO. 13**

March, 2003, and much of June 2003 to the present.

**RESPONSE TO SPECIAL INTERROGATORY NO. 14**

March, 2003, and much of June 2003 to the present.

**RESPONSE TO SPECIAL INTERROGATORY NO. 15**

An individual from foonet.net created a Trojan that was designed to attack Responding Party's site and others, as can be confirmed by Special Agent E.J. Hilbert of the F.B.I.

**RESPONSE TO SPECIAL INTERROGATORY NO. 16**

Much of the news media and in particular, Special agent E.J. Hilbert of the F.B.I.; <http://search.yahoo.com/search?p=%2Bosirusoft+%2Bdos&ei=UTF-8&fr=fp-tab-web-t&cop=ms&tab=> might indicate that Plaintiff and its counsel were on another planet when it happened.

**RESPONSE TO SPECIAL INTERROGATORY NO. 17**

Yes.

**RESPONSE TO SPECIAL INTERROGATORY NO. 18**

March, 2003, and much of June 2003 to the present.

**RESPONSE TO SPECIAL INTERROGATORY NO. 19**

March, 2003, and much of June 2003 to the present.

**RESPONSE TO SPECIAL INTERROGATORY NO. 20**

Yes.

1 **RESPONSE TO SPECIAL INTERROGATORY NO. 21**

2 March, 2003, and much of June 2003 to the present.

3 **RESPONSE TO SPECIAL INTERROGATORY NO. 22**

4 March, 2003, and much of June 2003 to the present.

5 **RESPONSE TO SPECIAL INTERROGATORY NO.23**

6 The hyperlinks were not necessary to monitor. At best, they only generated email, which  
7 could not be accessed anyway due to the dos attack.

8 **RESPONSE TO SPECIAL INTERROGATORY NO.24**

9 The hyperlinks were not necessary to monitor. At best, they only generated email, which  
10 could not be accessed anyway due to the dos attack.

11 **RESPONSE TO SPECIAL INTERROGATORY NO.25**

12 March, 2003, and much of June 2003 to the present.

13 **RESPONSE TO SPECIAL INTERROGATORY NO.26**

14 March, 2003, and much of June 2003 to the present.

15 **RESPONSE TO SPECIAL INTERROGATORY NO.27**

16 Responding Party is unclear what is meant by "separate?" Responding Party had mirrors  
17 on other sites, but they were not operational during the same time as relays.osirusoft.com was not  
18 operational, because Osirusoft's Parent DNS servers were ddos'd. This is how the ddos attack  
19 was designed, to destroy Osirusoft's network.

20 **RESPONSE TO SPECIAL INTERROGATORY NO.28**

21 March, 2003, and much of June 2003 to the present.

22 **RESPONSE TO SPECIAL INTERROGATORY NO. 29**

23 Many people harassed Responding Party by voice over listings not entered by Responding  
24 Party. What may be confusing to understand, is that other than open relays, the only list  
25 maintained was that of a personal list, which had no reference to the Plaintiff and was roughly  
26 5% of the size of the other import zones.

27 **RESPONSE TO SPECIAL INTERROGATORY NO. 30**

28 March, 2003, and much of June 2003 to the present.

1 **RESPONSE TO SPECIAL INTERROGATORY NO. 31**

2 Such information is unavailable, as Responding Party no longer has that data because  
3 after Responding Party shut down the system on August 26, 2003, he deleted all the data.

4 **RESPONSE TO SPECIAL INTERROGATORY NO. 32**

5 Responding Party built relays.osirusoft.com to complement his own personal use of his  
6 mail servers, so that he could personally filter incoming unsolicited email AKA "spam". Others  
7 simply accessed the same data Responding Party did, or downloaded the zone file and used local  
8 servers to reduce the load from Responding Party's already overloaded system.

9 **RESPONSE TO SPECIAL INTERROGATORY NO. 33**

10 Responding Party recalls that it was demanded that he remove your company's alleged  
11 listing, to which he replied that he could not access his system, due to a dos attack. At this point,  
12 he was told Plaintiff was going to sue him, so Responding Party saw no point in continuing the  
13 conversation. At the point prior to hanging up, Responding Party may have said, "See you in  
14 court".

15 **RESPONSE TO SPECIAL INTERROGATORY NO. 34**

16 Responding Party designed his system to take input data from text files either locally  
17 generated or downloaded from other sites, and from his open relay database to provide answers  
18 via DNS for a given IP A.B.C.D. If D.C.B.A.relays.osirusoft.com or other subzones returned a  
19 127.0.0.X value, his own mail servers would reject email from that site.

20 Responding Party does not know what others were doing with the data, but assumes  
21 others used it for similar purposes, or simply to flag email as potential Spam. At no time did  
22 Responding Party either grant permission or deny access to the data from his name servers, and at  
23 no time was anyone charged for access to his servers, nor was there any business relationship with  
24 said individuals and companies. Relays.osirusoft.com was a hobby well before the existence of  
25 OsiruSoft Research & Engineering and is actually a completely separate non-entity. At one time,

26 ///

27 ///

28 ///

1 <http://www.osirusoft.com> ( <http://68.167.168.130/osirusoft> ) had mention of [relays.osirusoft.com](http://relays.osirusoft.com)  
2 but only to redirect individuals to the correct site.

3

4 DATED: July 23, 2004

Stephen J. Jared IN PRO PER

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**DEFENDANT'S RESPONSES TO  
REQUESTS FOR ADMISSION  
(SET ONE)**

20 PROPOUNDING PARTY: PLAINTIFF PALLORIUM, INC.

21 RESPONDING PARTY: DEFENDANT STEPHEN J. JARED

22 SET NO.: ONE

23 **RESPONSE TO REQUEST FOR ADMISSION NO. 1**

24 Deny.

25 **RESPONSE TO REQUEST FOR ADMISSION NO. 2**

26 Admit.

27 **RESPONSE TO REQUEST FOR ADMISSION NO. 3**

28 Admit.

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**RESPONSE TO REQUEST FOR ADMISSION NO. 4**

Deny.

**RESPONSE TO REQUEST FOR ADMISSION NO. 5**

Deny.

**RESPONSE TO REQUEST FOR ADMISSION NO. 6**

Deny.

**RESPONSE TO REQUEST FOR ADMISSION NO. 7**

Admit.

**RESPONSE TO REQUEST FOR ADMISSION NO. 8**

Deny.

**RESPONSE TO REQUEST FOR ADMISSION NO. 9**

Deny.

**RESPONSE TO REQUEST FOR ADMISSION NO. 10**

Deny.

**RESPONSE TO REQUEST FOR ADMISSION NO. 11**

Deny.

**RESPONSE TO REQUEST FOR ADMISSION NO. 12**

Deny.

**RESPONSE TO REQUEST FOR ADMISSION NO. 13**

Deny.

**RESPONSE TO REQUEST FOR ADMISSION NO. 14**

Deny.

**RESPONSE TO REQUEST FOR ADMISSION NO. 15**

Deny.

**RESPONSE TO REQUEST FOR ADMISSION NO. 16**

Deny.

**RESPONSE TO REQUEST FOR ADMISSION NO. 17**

Deny.



**RESPONSE TO REQUEST FOR ADMISSION NO. 18**

Deny.

**RESPONSE TO REQUEST FOR ADMISSION NO. 19**

Deny.

**RESPONSE TO REQUEST FOR ADMISSION NO. 20**

Deny.

**RESPONSE TO REQUEST FOR ADMISSION NO. 21**

Admit, but with exception to the term "blacklist".

**RESPONSE TO REQUEST FOR ADMISSION NO. 22**

Deny.

**RESPONSE TO REQUEST FOR ADMISSION NO. 23**

Admit, due to the dos attack.

**RESPONSE TO REQUEST FOR ADMISSION NO. 24**

Deny.

**RESPONSE TO REQUEST FOR ADMISSION NO. 25**

Deny.

**RESPONSE TO REQUEST FOR ADMISSION NO. 26**

Admit, but with exception to the term "blacklisting".

**RESPONSE TO REQUEST FOR ADMISSION NO. 27**

Admit, but Responding Party could not do anything about the problem until he regained access to my systems over the internet. Responding Party was in Memphis at the time.

**RESPONSE TO REQUEST FOR ADMISSION NO. 28**

Deny.

**RESPONSE TO REQUEST FOR ADMISSION NO. 29**

Deny.

**RESPONSE TO REQUEST FOR ADMISSION NO. 30**

Deny.

///

1 **RESPONSE TO REQUEST FOR ADMISSION NO. 31**

2 Deny, but with exception to the term "blacklist".

3 **RESPONSE TO REQUEST FOR ADMISSION NO. 32**

4 Deny.

5 **RESPONSE TO REQUEST FOR ADMISSION NO. 33**

6 Deny.

7 **RESPONSE TO REQUEST FOR ADMISSION NO. 34**

8 Deny.

9 **RESPONSE TO REQUEST FOR ADMISSION NO. 35**

10 Deny.

11  
12 DATED: July 23, 2004

13 Stephen J. Jared, IN PRO PER

**VERIFICATION (C.C.P. 446 AND 2015.5)****STATE OF CALIFORNIA, COUNTY OF ORANGE**I have read the foregoing RESPONSES TO SPECIAL INTERROGATORIES (SET ONE)

\_\_\_\_\_ and know its contents.

☒ **CHECK APPLICABLE PARAGRAPHS**☒ I am a party to this action. The matters stated in the foregoing document are true of my own knowledge, except as to those matters which are stated on information and belief, and as to those matters, I believe them to be true.☐ I am ☐ an officer ☐ a partner \_\_\_\_\_ a \_\_\_\_\_ of \_\_\_\_\_, a party to this action, and am authorized to make this verification for and on its behalf, and I make this verification for that reason.☐ I am informed and believe and on that ground allege that the matters stated in the foregoing document are true.☐ The matters stated in the foregoing document are true of my own knowledge, except as to those matters which are stated on information and belief, and as to those matters, I believe them to be true.☐ I am one of the attorneys for \_\_\_\_\_, a party to this action. Such party is absent from the county of aforesaid where such attorneys have their offices, and I make this verification for and on behalf of that party for that reason. I am informed and believe and on that ground allege that the matters stated in the foregoing document are true.Executed on (date) July 23, 2004, at Orange, California.

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

STEPHEN J. JARED

Type or Print Name

\_\_\_\_\_  
Signature**PROOF OF SERVICE**

CCP 1013a(3) Revised 5/1/88

**STATE OF CALIFORNIA, COUNTY OF ORANGE**

I am employed in the County of \_\_\_\_\_, State of California. I am over the age of 18 and not a party to the within action; my business address is \_\_\_\_\_

On (date) \_\_\_\_\_, \*\*I served the foregoing document described as \_\_\_\_\_ on \_\_\_\_\_ in this action

☐ by placing the true copies thereof enclosed in sealed envelopes addressed as stated on the attached mailing list;☐ by placing ☐ the original ☐ a true copy thereof enclosed in sealed envelopes addressed as follows:☐ **BY MAIL**☐ \*I deposited such envelope in the mail at \_\_\_\_\_, California. The envelope was mailed with postage thereon fully prepaid.☐ As follows: 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 at \_\_\_\_\_, California 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.

Executed on (date) \_\_\_\_\_, at \_\_\_\_\_, California.

I declare under penalty of perjury under the laws of the State of California that the above is true and correct.

\_\_\_\_\_  
Type or Print Name\_\_\_\_\_  
Signature

\* (BY MAIL, SIGNATURE MUST BE OF PERSON DEPOSITING ENVELOPE IN MAIL SLOT, BOX OR BAG)

\*\*FOR PERSONAL SERVICE, SIGNATURE MUST BE THAT OF MESSENGER)

**VERIFICATION (C.C.P. 446 AND 2015.5)****STATE OF CALIFORNIA, COUNTY OF ORANGE**I have read the foregoing RESPONSES TO REQUESTS FOR ADMISSION (SET ONE)

\_\_\_\_\_ and know its contents.

☒ **CHECK APPLICABLE PARAGRAPHS**☒ I am a party to this action. The matters stated in the foregoing document are true of my own knowledge, except as to those matters which are stated on information and belief, and as to those matters, I believe them to be true.☐ I am ☐ an officer ☐ a partner \_\_\_\_\_ a \_\_\_\_\_ of \_\_\_\_\_

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**VERIFICATION (C.C.P. 446 AND 2015.5)****STATE OF CALIFORNIA, COUNTY OF ORANGE**I have read the foregoing RESPONSES TO DOCUMENT DEMANDS (SET ONE)

\_\_\_\_\_ and know its contents.

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