



# EMERGENCY MOTION FOR TEMPORARY RESTRAINING ORDER

## Public-Safety Preservation, Forensic Quarantine, and Anti-Spoilation Relief

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

In re: Case No. 1:25-mc-00098-JMF  
Before: Hon. Jesse M. Furman

Movant seeks emergency preservation relief to prevent destruction, migration, dilution, anonymization, or loss of digital evidence relating to LimeWire, CBS Interactive / CNET / Download.com, MediaDefender records, cloud-storage metadata, and successor-platform monetization pathways identified in the accompanying exhibits.

*Preserve first. Trace next. Adjudicate later.*

### I. This Is Not a Fishing Expedition

Movant is not asking for open-ended discovery. For more than fifteen years, Movant has maintained CBSYOUSUCK.com as a public repository concerning CBS/CNET/Download.com, LimeWire, MediaDefender, and related platform evidence. The request is preservational: named files, mapped pathways, known custodians, and specific volatile records at risk.

### II. The SDNY Predicate Already Exists

The foundational LimeWire adjudication occurred in this District before Judge Kimba Wood. The emergency now concerns downstream records showing distribution, promotion, tracking, cloud-storage retention, monetization, successor revival, and evidence dilution.

### III. CBSi / CNET / Download.com

Movant alleges CBS Interactive / CNET / Download.com functioned as a mainstream distribution and amplification layer. Submitted exhibits include editorial transcripts, public-facing software reviews, DRM-circumvention discussions, and monetization pathways requiring immediate preservation.

### IV. Public-Safety Preservation

Movant does not seek republication or public dissemination of illegal material. Any alleged CSAM-related evidence must be handled only through sealed, lawful, forensic, metadata-based, and law-enforcement-compatible protocols. Preservation targets include hashes, filenames, moderation logs, deletion histories, cloud metadata, IP logs, and archival records.

### V. Evidence Dilution and Merger Risk

Restructuring activity, platform migration, successor monetization, cloud-system decay, and media consolidation create imminent risk that responsive records may be lost or diluted. The TRO seeks only preservation and quarantine pending judicial review.

### VI. Emergency Relief Requested

Movant requests immediate restraint against deletion, alteration, migration, anonymization, purging, consolidation, merger integration, or destruction of responsive records by any identified custodian, affiliate, vendor, or entity acting in concert with them. Movant further requests sworn preservation declarations within seven days and an expedited case-management conference.

**Conclusion.** The Court need not decide final liability today. The immediate issue is preservation before evidence disappears through deletion, migration, restructuring, or cloud expiration.

# EVIDENCE BUNDLE AND PRESERVATION PATHWAYS

## Addendum to Emergency TRO - Organized by Evidence Layer, Custodian Type, and Pathway

This addendum is not offered as a merits finding. It shows that the requested TRO is tied to identified files, platform nodes, known custodians, and volatile records.

Layer	Core Evidence / Custodians	Records to Preserve
1. SDNY predicate	Judge Kimba Wood LimeWire opinion; SDNY LimeWire record.	Judicial record, financial-transfer issues, successor records.
2. Distribution layer	CBSi, CNET, Download.com; LimeWire/LuckyWire/TuneByte transcripts.	Listings, redirects, reviews, ratings, videos, scripts, workflows.
3. Metadata layer	MediaDefender hash/index materials and trigger lists.	Hashes, filenames, archive indexes, IP logs, deletion histories.
4. Cloud layer	Dropbox/shared links and cloud-storage custodians.	Upload/download logs, shared folders, public links, versions.
5. Monetization layer	CBSi ad-tech, referral traffic, affiliate/download revenue.	Ad metrics, ledgers, bundled-installer data, revenue allocation.
6. Successor layer	UMG/Vivendi/LimeWire revival; Ackman/UMG restructuring.	Licensing, investor files, data rooms, accounting conversion.
7. Media pressure layer	Guardian, Daily Mail, WSJ, Washington Post, TMZ.	Drafts, source communications, legal review, analytics, takedowns.
8. Asset-provenance layer	Alpha Nero, Harmonia, Hologram/PORTL/Proto.	Banking, insurance, receivership, liquidation, court records.

### Core Preservation Pathway

**LimeWire adjudication -> Download.com distribution -> CNET editorial inducement -> MediaDefender tracking -> cloud metadata -> CBSi monetization -> UMG/LimeWire revival -> merger/restructuring dilution risk.**

### Emergency Custodian Categories

CBS Interactive / CNET / Download.com; P2P software and DRM-circumvention custodians; MediaDefender or related index custodians; Dropbox and cloud providers; ad-tech, referral, and payment vendors; UMG/Vivendi/LimeWire successor custodians; Pershing/Ackman/UMG restructuring custodians; media entities with relevant takedown, source, draft, and traffic records; asset-provenance custodians for Alpha Nero, Harmonia, and hologram/PORTL/Proto records.

### Court-Facing Line

The evidence bundle is not speculative. It is organized by original files, platform nodes, known custodians, and preservation pathways. The requested TRO does not seek merits findings; it seeks to freeze the records necessary to test the pathway before deletion, migration, merger integration, or cloud expiration destroys the chain of custody.

**Respectfully submitted,**

**/s/ Alkiviades David**  
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