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Keren E Gesund
Nevada Bar No. 10881
GESUND & PAILET, LLC
7464 West Sahara Ave
Las Vegas, NV 89117
Telephone: (702) 300-1180
Facsimile: (504) 265-9492
Email: keren@glolawfirm.com

Thomas Maniotis, Esq. (Florida Bar No. 122414)
Equity Legal, PLLC
5201 Blue Lagoon Drive, Floor 8
Miami, FL 33126
Telephone: (321) 313-8642
Email: tamaniotis@equitylegal.net
Pro Hac Vice Pending
Attorneys for Non-Party Nicholas Thomas

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEVADA

ANTHONY MITHCELL,
Plaintiff,

vs.

EMORY ANDREW TATE III, et al.,
Defendants.

Case No.: 2:26-cv-00720-JAD-BNW

**DECLARATION OF KEREN E GESUND
IN SUPPORT OF NON-PARTY
NICHOLAS THOMAS' MOTION TO
QUASH SUBPOENAS AND FOR
PROTECTIVE ORDER**

I, Keren E. Gesund, declare as follows:

1. I am counsel for Non-Party Nicholas Thomas (“Thomas”) in connection with the subpoenas issued to GoDaddy.com, LLC and Domains By Proxy, LLC and filed as ECF No. 29 in the above-captioned action.



Keren Gesund <keren@glolawfirm.com>

Meet and Confer - Anthony Mitchell vs. Emory Andrew Tate III, et al Case No. 2:26-cv-00720

2 messages

Keren Gesund <keren@glolawfirm.com>
To: realanthonymitchell@gmail.com

Mon, May 25, 2026 at 11:05 AM

Dear Mr. Mitchell,

I am counsel for Mr. Nicholas Thomas. While he does not concede that he is Doe Defendant 1 or subject to personal jurisdiction in Nevada, he would (through counsel) like to discuss two subpoenas served on GoDaddy.com, LLC and Domains by Proxy, LLC.

As you know, on May 5, 2026, the Court granted your request to conduct limited discovery "for the sole purpose of obtaining information that may identify Doe Defendant 1." ECF No. 26. However, the subpoenas you served on GoDaddy.com, LLC and Domains By Proxy, LLC exceed that request. You requested "1. Registrant name, address & email from Jan 16, 2025 (ordinary course records). 2. Creation date; dates of identity changes." ECF No. 29.

These subpoenas seek more than current service information; therefore, they exceed the scope of the Court's order. We would like to discuss modifying the subpoenas. We would also like to discuss execution of a protective order to protect against the dissemination of any confidential information.

Please advise of a good time to meet and confer to discuss this matter, preferably by end of day May 26, 2026. I apologize for the short notice, but if we cannot resolve this discussion informally, we will need to file a motion to quash or for a protective order by May 28, 2026.

Thanks,

Keren

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Gesund & Paillet, LLC
Keren E Gesund
7464 West Sahara Ave
Las Vegas, NV 89117
Direct: 702-300-1180
Fax: 504-265-9492
keren@glolawfirm.com
Licensed to practice law in Louisiana, Nevada and California

* Please note my new email address is keren@glolawfirm.com

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Anthony Mitchell <realanthonymitchell@gmail.com>
To: Keren Gesund <keren@glolawfirm.com>

Mon, May 25, 2026 at 7:59 PM

Dear Ms. Keren,

Thank you for your email.

As a pro se plaintiff, I am unable to unilaterally modify subpoenas issued by the Clerk of Court. The subpoenas to GoDaddy.com, LLC and Domains by Proxy, LLC were proposed by me but issued under the Court's authority pursuant to ECF No. 26 and signed by the Clerk. I do not have the authority to narrow or modify them outside of a court order.

The requests, registrant name, address, and email as of January 16, 2025, along with creation date and dates of identity changes, are squarely within the Court's authorization to obtain "information that may identify Doe Defendant 1." Historical

identity changes are directly relevant to that purpose, particularly given the domain transfer that occurred after the subpoenas were served, which is the subject of my pending motion at ECF No. 41.

I also note that Mr. Thomas's appearance through counsel in response to subpoenas directed to third-party registrars, while declining to concede he is Doe Defendant 1 is itself a matter I intend to bring to the Court's attention.

If Mr. Thomas wishes to challenge the scope of the subpoenas, the appropriate mechanism is a motion to quash filed with the Court. I am not in a position to agree to modifications informally.

Respectfully,
Anthony Mitchell
Pro Se Plaintiff
618 Painted Opus Pl
North Las Vegas, Nevada 89084
702-884-0472
RealAnthonyMitchell@gmail.com

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