



SILVERMAN|THOMPSON|SLUTKIN|WHITE
ATTORNEYS AT LAW

SILVERMCKENNA

The Internet and Privacy Law Group of STSW

26th Floor
201 North Charles Street
Baltimore, Maryland 21201

June 3, 2015

Anne T. McKenna, Group Chair
www.silvermckenna.com
Main Phone: 410-385-2225
Direct Dial: 443-909-7496
Fax: 410-547-2432
amckenna@silvermckenna.com

FILED VIA CM/ECF

The Honorable J. Frederick Motz
United States District Court
for the District of Maryland
101 W. Lombard Street
Baltimore, Maryland 21201

RE: *GiveForward, Inc. v. Kena Hodges, et al.*, Case No. 1:13-cv-01891-JFM

Dear Judge Motz:

In the potentially dispositive cross-motions for summary judgment on the Communications Decency Act (“CDA”), which are currently pending before the Court in the above-referenced case, the Parties (Plaintiff, GiveForward, Inc., and Defendants/Third-Party Plaintiffs, Kena Hodges and KDH) characterize differently the underlying actions and role of Third-Party Defendant, Kimani Johnson (“Mr. Johnson”) with respect to the KDH Fundraisers on GiveForward’s website (the “KDH GiveForward Fundraisers”).

Because of its potential relevance in this case and to the pending motions, we write respectfully to inform the Court that on May 22, 2015 (after the Parties completed briefing the CDA summary judgment cross-motions), Mr. Johnson entered a plea of guilty in the Circuit Court for Prince George’s County, Maryland, to *Attempted Theft with a value at least \$10,000 but less than \$100,000* for his associated role in the 2013 KDH GiveForward Fundraisers. Mr. Johnson was represented by legal counsel in this criminal matter. If the Court so chooses, it may consider notice of this evidence pursuant to Rule 803(22) of the Federal Rules of Evidence. This information was obtained via Maryland’s Public Records Case Search:

<http://casesearch.courts.state.md.us/casesearch/inquiryDetail.jis?caseId=CT141696X&loc=65&detailLoc=PG>

If the Court requires any additional information or wishes the Parties to further brief this matter by way of supplementation to the briefs in the pending motions, please advise counsel and we will immediately address whatever the Court requests.

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Thank you in advance for your time and your consideration. We greatly appreciate it.

Respectfully submitted,

A handwritten signature in black ink, appearing to read 'Anne T. McKenna', with a long horizontal flourish extending to the right.

Anne T. McKenna

cc: All counsel (*via* CM/ECF)