

**UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF STETSON**

**OVER-ARMOR, INC., a California
corporation,**

Plaintiff,

v.

**COALITION AGAINST FOOTBALL
CORRUPTION, INC., a Stetson corporation,
and NELLIE KICKWOOD, individually,**

Defendants.

Case No. 14-cv-1311-EKN-EJB

DECLARATION OF PEYTON BRADY

My name is Peyton Brady. I am over eighteen years of age, of sound mind, and competent in all respects to make this declaration. The facts stated herein are within my personal knowledge and are true and correct. I am providing this declaration for use in the above-captioned matter, at the request of Over-Armor, Inc. If called upon to do so, I could and would testify competently as to the matters set forth below.

1. I am process server in the State of Stetson and I have been doing this line of work for over ten years.
2. I am submitting this declaration to supplement the Return of Service on Nellie Kickwood that I signed on November 15, 2014.
3. I discovered that the Defendant Nellie Kickwood uses a Facebook profile KickOverArmorA\$\$\$. I noticed that Kickwood posted a comment in the CAFC thread, "TIME TO GET OVER OVER-ARMOR!!! DON'T LET YOUR KIDS WEAR A BRAND OF SHAME." Specifically, Kickwood states "Good luck finding me. You'll never be able to do it. I'm gone with the wind." On the profile,

Kickwood listed the email address kickwood2@kmail.com in the section entitled, “Contact Information” (using the mobile app, it was in a section entitled, “About”).

4. In the Return of Service, I state that I went to 1234 N. Paring St., Beakman Town, Stetson on five (5) separate occasions, but I actually went six (6) times. I went on the following days and I took the following notes on my iPad:
 - a. November 1, 2014: 9:00 a.m. No one home. No cars in driveway.
 - b. November 5, 2014: 12:33 p.m. No one home. No cars in driveway.
 - c. November 9, 2014: 3:59 p.m. One person home. No cars in driveway.

Spoke to minor child, CJ Kickwood (“CJK”). CJK states that Nellie Kickwood is the mother/father, but is no longer residing there. CJK states that father/mother told CJK that father/mother received a call from Nellie Kickwood on November 2, 2014, during which Nellie Kickwood stated that s/he is planning to avoid service. This will be a difficult job. Might need to see if the Facebook service will stick in this case (NOTE: use new auto extract software, good test run).
 - d. November 11, 2014: 10:00 a.m. No one home. No cars in driveway.
 - e. November 13, 2014: 4:15 p.m. No one answered door. There was a red sedan leaving the driveway as I pulled up, but I could not identify the make or model.
 - f. November 14, 2014: 10:35 a.m. No one home. No cars in driveway.
5. I served Kickwood via Facebook using the following two methods: (1) I converted the entire set of service documents (i.e., summons, complaint) to natural language text using the “Converter” program recently patented by my company; and (2) I sent a

- personal message to Kickwood’s “KickOverArmorA\$\$” Facebook account.
6. I did not send the .pdf to Kickwood’s kmail account because I felt as though the service via Facebook was valid. Even though the “Converter” had never been used before, it has been tested over a thousand times and it has a 96.8% accuracy rate, meaning on average 96.8% of the message is accurately converted. I checked the conversion of the Kickwood service documents, and, in this case, the conversion was 89.9%; specifically, sometimes “Kickwood” was spelled “Kirkwood” and some of the numbers/dates were off (i.e., 2015 was 2014 sometimes).

Pursuant to 28 U.S.C. § 1746, I declare under penalty of perjury that the foregoing is true and correct.

/s/ Peyton Brady
Peyton Brady

9/10/15
Date