

EXHIBIT 54

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Attorneys for Defendants

Vivendi Games, Inc.

and Blizzard Entertainment, Inc.

UNITED STATES DISTRICT COURT

DISTRICT OF ARIZONA

MDY INDUSTRIES, LLC,

Plaintiff and Counter-Claim

Defendant

vs.

BLIZZARD ENTERTAINMENT, INC.,

and VIVENDI GAMES, INC.

Defendants and

Counter-Claim Plaintiffs.

Case No.: CV06-02555-PHX-DGC

AFFIDAVIT OF GREG ASHE

The Honorable David G. Campbell

BLIZZARD ENTERTAINMENT, INC.,

and VIVENDI GAMES, INC.

Third-Party Plaintiffs,

vs.

MICHAEL DONNELLY,

Third-Party Defendant.

1 I, Greg Ashe, declare as follows:

2
3 1. I submit this affidavit in support of Vivendi Games, Inc. ("VG") and
4 Blizzard Entertainment, Inc.'s ("Blizzard") Responses to Plaintiff's Statement of
5 Facts in Support of Summary Judgment filed in the case of MDY Industries LLC v.
6 Blizzard Entertainment and Vivendi Games. I submit this affidavit based upon my
7 own personal knowledge and my familiarity with the matters recited herein. I could
8 and would testify to the same under oath should I be called as a witness before the
9 Court.

10 2. I am Manager, Technical Research, at Blizzard Entertainment, Inc.
11 ("Blizzard"). I have been employed by Blizzard since October 2004, and have held
12 my current position for the past one year and five months. In this position, I have
13 responsibility for various aspects of the World of Warcraft® computer game
14 ("World of Warcraft" or WoW"), including creating and implementing programs and
15 technology to stop cheating.

16 3. After the initial rollout of scan.dll, MDY did not instruct users to
17 bypass the scan.dll file on their hard drive, but instead analyzed scan.dll and
18 modified Glider such that Glider could conceal itself from scan.dll's detection
19 measures.

20 4. Glider continues to function after level 70, and permits users to
21 continue accumulating reputation points, wealth and items just as it does prior to
22 level 70.

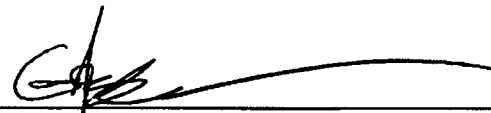
23 5. Users can accumulate more gold using Glider after level 70 than they
24 could before, because rewards that were awarded as experiences points prior to level
25 70 are, after level 70, awarded in gold.

26 6. Glider allows its users several advantages, including the ability to
27 perceive of and react to creatures through walls and other terrain, and the ability to
28

1 react to situations with the speed and reliability of a computer instead of using
2 human judgment and human reflexes.

3 7. Glider may run for days at a time – or even longer – and continue to
4 accumulate gold, reputation points and in-game items the entire time.

5
6 EXECUTED this 23rd day of April, 2008, at Irvine, California.

7
8 
9 _____
GREG ASHE

10 Subscribed and sworn to before me this ____ day of April, 2008.

11
12
13 _____
Notary Public

14
15 My Commission Expires:
16 _____
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CALIFORNIA ALL-PURPOSE ACKNOWLEDGMENT

State of California

County of Orange

On Apr 23, 2008 before me,

Denise R. Lopez, Notary Public
Here Insert Name and Title of the Officer

personally appeared

Greg Ashe
Name(s) of Signer(s)

who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/~~she~~they executed the same in his/~~her~~their authorized capacity(ies), and that by his/~~her~~their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

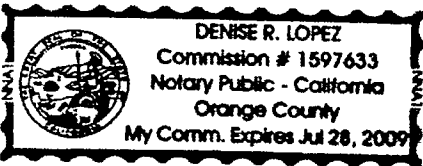
I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.

Signature

Denise R. Lopez
Signature of Notary Public

Place Notary Seal Above:



OPTIONAL

Though the information below is not required by law, it may prove valuable to persons relying on the document and could prevent fraudulent removal and reattachment of this form to another document.

Description of Attached Document

Title or Type of Document: Affidavit

Document Date: 4.23.08

Number of Pages: 3

Signer(s) Other Than Named Above: _____

Capacity(ies) Claimed by Signer(s)

Signer's Name: Greg Ashe

☒ Individual

☐ Corporate Officer — Title(s): _____

☐ Partner — ☐ Limited ☐ General

☐ Attorney in Fact

☐ Trustee

☐ Guardian or Conservator

Other: _____

Signer Is Representing: _____

**RIGHT THUMBPRINT
OF SIGNER**
Top of thumb here

Signer's Name: _____

☐ Individual

☐ Corporate Officer — Title(s): _____

☐ Partner — ☐ Limited ☐ General

☐ Attorney in Fact

☐ Trustee

☐ Guardian or Conservator

Other: _____

Signer Is Representing: _____

**RIGHT THUMBPRINT
OF SIGNER**
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