

EXHIBIT 57

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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.)

)

_____)

BLIZZARD ENTERTAINMENT, INC.,)

and VIVENDI GAMES, INC.)

)

Third-Party Plaintiffs,)

)

vs.)

)

MICHAEL DONNELLY,)

)

)

Third-Party Defendant.)

_____)

Case No.: CV06-02555-PHX-DGC

AFFIDAVIT OF FRITZ KRYMAN

The Honorable David G. Campbell

1 I, Fritz Kryman, 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 Senior Director, Anti-Piracy and Government Affairs at VG. I
11 have been employed by VG since 2002, and have held my current position for the
12 past four years. In this position, I have responsibility for various aspects of VG's
13 properties. My involvement with the World of Warcraft® computer game ("World
14 of Warcraft" or WoW") includes preventing and addressing software piracy, cheat
15 technologies and similar issues.

16 3. On the morning of October 25, 2006, Shane McGee (outside counsel
17 for VG and Blizzard) and I visited Michael Donnelly in Phoenix, Arizona.

18 4. A private investigator accompanied us to act as a witness to the
19 conversation with Mr. Donnelly.

20 5. At the time of our visit, Mr. Donnelly lived in a high-rise
21 condominium.

22 6. Before entering the building, we rang Mr. Donnelly using the intercom
23 near the building's main entrance. When Mr. Donnelly answered the intercom, we
24 explained exactly who we were, who we represented, and the purpose for our visit.
25 Mr. Donnelly "buzzed us in" and invited us up to his condo.

26 7. After we knocked on his door, Mr. Donnelly showed us in and sat us at
27 his kitchen table.
28

8. Our visit with Mr. Donnelly was very cordial. We encouraged Mr. Donnelly to contact an attorney at any time during the conversation if he had any questions.

9. Mr. McGee and I explained to Mr. Donnelly that Glider was damaging WoW, and causing WoW players to complain and even leave the game. We explained that VG and Blizzard had to act to stop Glider to preserve the integrity of the game.

10. We explained to Mr. Donnelly that we had flown to Arizona in an effort to negotiate a settlement, but that we were prepared to litigate against him if necessary to stop the damage that Glider was doing to WoW.

11. We spoke with Mr. Donnelly for about 30 minutes. Once Mr. Donnelly indicated that he would like to contact an attorney, we left and agreed to pick up our conversation later that day with Mr. Donnelly's attorney.

12. We never spoke directly with Mr. Donnelly again until his deposition. Mr. McGee and I stayed in Phoenix until the next day trying to arrange a meeting with Donnelly's attorney but were unsuccessful.

EXECUTED this 22nd day of April, 2008, at Seattle, Washington.

FRITZ KRYMAN

Subscribed and sworn to before me this 22 day of April, 2008.

Dane N Pri
Notary Public

My Commission Expires:

10.31.01

