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8 A/K/A “FRAUDITOR TROLL” AND 14693663 CANADA INC.

9 **UNITED STATES DISTRICT COURT**
10 **NORTHERN DISTRICT OF CALIFORNIA**
11 **SAN FRANCISCO DIVISION**

12 CHRISTOPHER J CORDOVA

13 Plaintiff,

14 vs.

15 JONATHAN HUNEALT A/K/A
16 “FRAUDITOR TROLL”, and 14693663
17 CANADA INC.

18 Defendant.

No. 5:25-cv-04685-VKD

Honorable Judge: Virginia K. DeMarchi

**DECLARATION OF JONATHAN
HUNEALT IN SUPPORT OF MOTION
TO DISMISS FAC CLAIMS TWO,
THREE AND FOUR.**

HEARING

Date: December 30, 2025

Time: 10:00

Place: 280 South 1st Street,

Courtroom: 2 (5th Floor), San Jose, CA 95113.

*[Filed concurrently with proposed order,
notice of motion, and motion of memorandum
of points and authorities]*

21 **DECLARATION**

22 I, Jonathan Huneault hereby declare as follows:
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- 1 1. I have personal knowledge of the following, and if called to testify, I would competently
2 testify as follows:
- 3 2. I am the owner of the *Frauditor Troll* YouTube channel and the defendant in this action.
- 4 3. My channel is a parody website that pokes fun at Auditors who consume public resources
5 and seek to humiliate law enforcement in an attempt to build content for their YouTube
6 channels.
- 7 4. My videos are carefully edited with memes, sound effects, commentary and altered Audio
8 as well as original music.
- 9 5. The copyright video at issue in this case has a total of 33 audio or visual transformations on
10 top of the cuts to trim down the length of the video.
- 11 6. The other video recently registered, we asked to see it but opposing counsel refused to share
12 it, but it likely has the same level of parody and transformation.
- 13 7. The original video was over 48 minutes long and I cut it down to 30 minutes, which
14 includes my numerous transformations.
- 15 8. I only took the parts that were relevant to my audience and nothing more. The confrontation
16 between the citizen and the auditor in this video was very lengthy but with my cuts and 33
17 audio and visual transformations the video has been transformed into something else
18 entirely. A parody of Plaintiff's work.
- 19 9. Instead of being an informational video depicting an interaction between a first amendment
20 auditor and the police (which targets a pro-auditor anti-police audience) while my channel
21 advances a pro-police anti-auditor audience (a different audience).
- 22 10. Here is a factual overview of the efforts made to transform the video at issue into a new
23 work (Step One of the four fair use factors):
- 24 11. Here is a link to the videos at issue:
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1 Defendant video: <https://youtu.be/I8VDpVDN-T4>

2 Plaintiff video: https://youtu.be/bhgHsPl4Mr0?si=03VZ2Hqr_pu1DDzQ

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4 **TRANSFORMATION ELEMENTS: FAIR USE FACTOR ONE**

5 **1- 0:00** - introduction of the video, the first part is missing because of the wayback machine
6 but plaintiff should have the missing part.

7 **2- 0:56** - Meme of Tom cruise laughing to illustrate how ridiculous the situation is.

8 **3- Commentary** - snarky commentary about how plaintiff is covering for the suspects.

9 **4- 2:39** - Star wars meme to show how the plaintiff's behavior is stupidity that has not been
10 seen in a long time

11 **5- Commentary** - discussion about the law and how stricter laws will be enacted because of
12 people like this (For example, the Florida Halo law). The Florida Halo Law requires individuals
13 to stay 25 feet away from first responders when asked, protecting law enforcement, firefighters,
14 and emergency medical personnel. The law's purpose is to prevent interference, harassment, and
15 safety risks.

16 **6- 4:04** - Meme of a comedian asking if he is *seriously that stupid?*

17 **7- Commentary** - I comment and critique him wasting resources.

18 **8- 6:05** – A character added to the video that I designed myself.

19 **9- Commentary** - I am approving the job of the officer and hype up the viewer by saying
20 *action is about to happen.*

21 **10- 6:55** – A SpongeBob meme is added to show the passage of time

22 **11- 7:30** - Audio manipulation created in power director to make the plaintiff sound like a
23 chipmunk for parody purposes.

24 **12- 7:33** – Added Meme of frauditors depicting them as babies dressed as police officers.
25 Additional Commentary - I criticize the plaintiff for calling every single officer a tyrant.

1 **13- 8:16** - Meme of Michael Jordan laughing.

2 **14- Commentary** - I criticize the plaintiff for making assumptions about why the police
3 arrested the suspect, he had no idea what he was talking about and the officer clarified that the
4 suspect had a warrant.

5 **15- 9:46** – Added Star trek meme referencing DMA (Denver Metro Audits) as being an
6 *Asshole*.

7 **16- Commentary** - I comment on and criticize the Plaintiff's hypocrisy as he is making
8 assumptions that the police officer is a wife beater.

9 **17- 10:43** - Meme of a crazy person playing with a rock. Commentary - I give my opinion
10 that the individual that is confronting the plaintiff is unhinged but that the plaintiff is scared and I
11 hype up the viewers by saying that things are about to get hilarious.

12 **18- 13:35** - Video clip meme of men reacting to brutal roasting to show that the plaintiff
13 has been thoroughly roasted.

14 **19- 13:42** - Image of my avatar in a post office that I have created myself and added to the
15 video.

16 **20- Commentary** - I criticized the plaintiff calling him a hypocrite for claiming that
17 officers are not in charge of his safety, but yet in this video he is demanding the officer protect
18 him.

19 **21- 15:23** - Video clip of a news anchorman laughing uncontrollably to show how
20 ridiculous the situation is adding to the parody.

21 **22-** I narrate the video and tell my viewers how I almost fell out of my chair laughing and
22 I point out the hypocrisy of plaintiff asking for help as it goes against everything he has said on his
23 channel.

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1 **23- 17:32** - Added a Meme from the show “House” showing approval of the officers
2 behavior as illustration.

3 **24- Commentary** - I add factual narration and tell my audience that district 6 of the
4 Denver metro police department does not play with frauditors and that District 4 and 5 should
5 takes notes.

6 **25- 18:40** - Added Meme of Steve Carell talking gibberish in a movie to criticize the
7 plaintiff about how he is not making sense.

8 **26- 20:00** – Added Meme of British YouTuber explaining that if you don't want people to
9 harass you maybe you should not harass them first.

10 **27- Commentary** - I provide further narration explaining that police officers would help
11 him if a fight started and point out the hypocrisy that he says that he is in charge of his own safety
12 but then cries to the police when confronted.

13 **28- 23:35** – Added Meme of a Baby crying and asking for a name, frauditors are always
14 asking for names and badge numbers of the officers, and that is why I chose to include this meme

15 **29- Commentary** - I mock the plaintiff as he is painting himself as a victim. I also add
16 commentary that he doesn't stay here he could leave.

17 **30- 27:52** – I selected and inserted a different meme of a baby crying.

18 **31-Commentary** I hype up the viewers by saying that the plaintiff is about to cry another
19 river, commenting on his activities.

20 **32- 30:01** - I thank my members who are contributing to the channel with an image added.

21 **33-** I create and add the outro which declares this video the most hilarious situation between
22 the plaintiff and a citizen that I have ever seen.

23 **31- 30:05** - I play my outro jingle that has been created from scratch in 2022 with my Audio
24 production software FL Studio and my video editing software Power Director

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1 12. Market harm (the fourth fair use factor): The Auditor community and the anti
2 Frauditor community are two distinct audiences and markets. Plaintiff mentioned this
3 on air with me on a show where he stated he had no problem with what I was doing
4 because we have different audiences See **Exhibit “A”** to this declaration which is a
5 true and correct transcript of the show he did with me where he consented to me
6 making my videos, as I interpreted it.
7

8 13. Per my YouTube analytics (see **Exhibit “B”** for a true and correct copy of a printout
9 from my channel, the 15 channels that my audience watches the most and theirs genre
10 are:

- 11 • 1st Amendment Shenanigans (Anti-Frauditor)
- 12 • Van Balion (Bodycam Reaction Channel)
- 13 • Dr Dave Frauditor Terminator (Anti-Frauditor)
- 14 • The John Ligato Show (Anti-Frauditor)
- 15 • BlackHart Knight (Anti-Frauditor)
- 16 • Lucid’s Lair (Anti-Frauditor)
- 17 • Kfarr Reacts (Anti-Frauditor & Bodycam React)
- 18 • NCR News Network (Anti-Frauditor)
- 19 • Frauditor Sheriff Badge 314 (Anti-Frauditor)
- 20 • Ragical the Unhallowed Knight (Bodycam React)
- 21 • Old Squishy Gardener (Courtoom Cam React)
- 22 • Lord Pelie (Anti-Frauditor)
- 23 • Law Talk With Mike (Lawyer Channel)
- 24 • Spice and Gfaz Show (Anti-Frauditor)
- 25 • Dr. Dave Debunker of Frauditor (Anti-Frauditor)
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14. The evidence is clear, my audience does not watch Auditors on their channels because they are not interested in that type of content.

15. I posted my video in December of 2022 and the plaintiff's video continued to garner view at a similar rate and finished at 66,623 views to this date. It garnered 20,109 views since I posted my video which is a rate of 628 views/month over 32 months.

16. My parody video did not negatively affect the plaintiff's original video, if anything, his video actually performed better with my video on the platform than without.

17. I did not misrepresent anything in submitting my counternotice to their takedown. I claimed fair use which I clearly believe to be the case.

18. On the counter notification form provided by YouTube it specifically says that you must use your legal name and not your business name and that is why I put my name (Jonathan Huneault) in the form.

19. I am one of the owners of the corporation and therefore I am authorized to sign a counter notification form on behalf of the corporation.

20. The plaintiff is alleging that I used a fictitious address in New York in my counter notification form. The reason why I used a mail forwarding address is because the plaintiff is known for maliciously doxing individuals he does not like.

21. In the past Plaintiff has doxed a bounty hunter's phone number and a citizen's full address (See **Exhibit "C"** to this declaration which is a true and correct copy of this dangerous doxing done by Plaintiff). I did not want to risk my safety.

22. For that reason I used a mail forwarding service located at 99 wall street.

23. In August of 2023, I received mail from an individual even though that individual was not provided a suite number. A suite number was not necessary for receiving mail at

1 this address, the only reason why the plaintiff was not able to serve me at this address
2 is because he waited nearly 2 and half years to file a claim.

3 24. I discontinued the mail forwarding service in early 2025 and that is the only reason
4 why he was not able to serve me paperwork at that address. Nowhere in the counter
5 notification form does it say I need to maintain that address in perpetuity.
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7 25. The plaintiff is alleging that I am using *boilerplate* responses in my counter
8 notification, that is false. I claimed fair use, plain and simple.

9 26. The YouTube system is flawed, unfortunately, because once a video has been taken
10 down by a DMCA takedown the defendant no longer has access to the video. So it is
11 impossible to give a detailed analysis with timestamps as there is no way to view the
12 video. Especially in this case where the plaintiff waited months after discovering the
13 video to file the DMCA takedown, the original file was long gone from my hard drive.
14

15 27. So I detailed how I transform the video from memory which is by adding memes,
16 commentary and sound effects all of which is true.

17 28. The plaintiff claims that I lied in the counter notification about retaining an attorney.
18 That is not true, in 2023 I consulted with a Canadian copyright attorney, and they
19 advised me about copyright law. I do not recall the name of the firm as it has been
20 several years but regardless they advised me that I should hire an attorney based in
21 California if I was ever sued which is exactly what I did with this case.
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23 29. As for circumvention technological protection measures, to the best of my knowledge
24 and memory at the time of recording the videos in question (2022-2023) I was using
25 the screen recording feature in the app Power Director by Cyberlink. I subscribed to
26 power director in 2021 and the screen recording feature in power director allows you to
27 capture a portion or the entirety of your screen, with sound and without a loss of
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1 picture quality. It is a very quick process and can record a 40-minute video in 40
2 minutes without needing to download any video whatsoever. It is worth mentioning
3 that with this screen recorded application I was screen recording the parts of the video I
4 was planning on reacting to and nothing more.
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6 30. As additional proof of what I am saying, I was able to find an email from 2022
7 between myself and a viewer and in that email I am telling my viewer that I use
8 Cyberlink screen recorded to record videos. (See **Exhibit “D”** which is a true and
9 correct copy of this email).

10 31. Plaintiff also consented to my using his videos. He did this on a show that he appeared
11 on with me when we were friendly. He stated both that he was okay with what I was
12 doing since we have different audiences. He also said he would not sue me.
13

14 32. This is the transcript of the relevant part:

15 “dude you know, I don’t know. I did talk to my attorney about it and we do need to get his
16 last name so we can do a cease-and-desist and I was like ok that’s fine uhm I don’t know I
17 haven’t really been talking to him about it so...he said we need to get your last name and
18 that’s the last I heard. I don’t think I am going to pursue it and you said you only sold 2
19 shirts and it was only me and you.”

20
21 “I kinda lost my way a little bit because I preach a lot on my spiritual channel that what
22 you resist persist right? That fighting for peace is like shouting for silence so...uhm as far
23 as like as like going against you and being like ah I’m going to sue you and all that kind of
24 stuff its just that’s just perpetuating it and making everything worst I feel like so. **I don’t**
25 **have a problem with what you guys do you guys do your own thing you guys have**
26 **your followers that disagree with what we do and that’s fine uhm and I don’t have**
27 **anything against you guys you know you guys do what you do and I do what I do.”**
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I declare under penalty of perjury under the Laws of the United States of America that the foregoing is true and accurate to the best of my knowledge.

Executed this 24th day of November 2025.

Jonathan Hudon-Huneault

Jonathan Huneault, Declarant