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**DECLARATION OF JARROD LAROCCO
PURSUANT TO 28 U.S.C. § 1746**

I, Jarrod LaRocco, hereby state that I have personal knowledge of the facts set forth below and am competent to testify about them. If called as a witness, I could and would testify as follows:

1. I am over 18 years old. I live in Long Beach, California.
2. On April 10, 2013, I purchased a Bitcoin mining machine from Butterfly Labs for \$1533. At the time of my order, the Butterfly Labs website indicated that the machine was going to be shipped in April or May 2013.
3. I purchased this machine from Butterfly Labs to use it to make a profit by mining Bitcoins. If I had known that the actual delivery date was going to be later than May 2013, I would not have made this purchase from Butterfly Labs because the potential profit generated by Bitcoin mining machines decreases substantially over time.
4. In or around August 2013, I still had not received my order from Butterfly Labs. Because of this, on or around August 21, 2013, I sent an e-mail to Butterfly Labs in which I requested an order cancellation and full refund.
5. On or around September 2, 2013, I received an e-mail response from Butterfly Labs. In this e-mail, the Butterfly Labs representative stated that I could not receive a refund because all sales are final.
6. I sent another e-mail to Butterfly Labs on or around October 16, 2013 to request a refund. I had read in various Bitcoin-related forums that citing the Fair Credit Reporting Act in e-mail communications with Butterfly Labs could improve my chances of obtaining a refund. Because of this, I cited the Fair Credit Reporting Act in this e-mail to Butterfly Labs.

7. On or around October 25, 2013, I received an e-mail from Butterfly Labs in response to this second refund request. This e-mail also denied my refund request and was identical to Butterfly Labs' e-mail from September 2013.

8. Despite my requests to cancel my order, the machine I ordered from Butterfly Labs was delivered on or around November 13, 2013. This was six months later than my expectation for delivery from when I originally placed my order.

9. Because of this six-month delay, this Butterfly Labs machine had become useless for mining Bitcoin because the mining difficulty had grown substantially over time. As such, this machine was no longer powerful enough to turn a profit.

10. I attempted to use this Butterfly Labs machine to mine Bitcoin by running it continuously for approximately 9 months. Throughout this time, I mined a total of one Bitcoin, which is worth approximately \$352 as of November 6, 2014. Since I paid Butterfly Labs \$1533 for the machine, I incurred an overall financial loss of \$1181 because of Butterfly Labs' delay in shipping my order.

11. I would have preferred to receive a monetary refund instead of the delivery of this machine, especially since it arrived so long after the promised delivery date that the machine was useless to me when it finally arrived.

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

Executed this 15th day of November, 2014, in Long Beach, California


Jarrod LaRocco