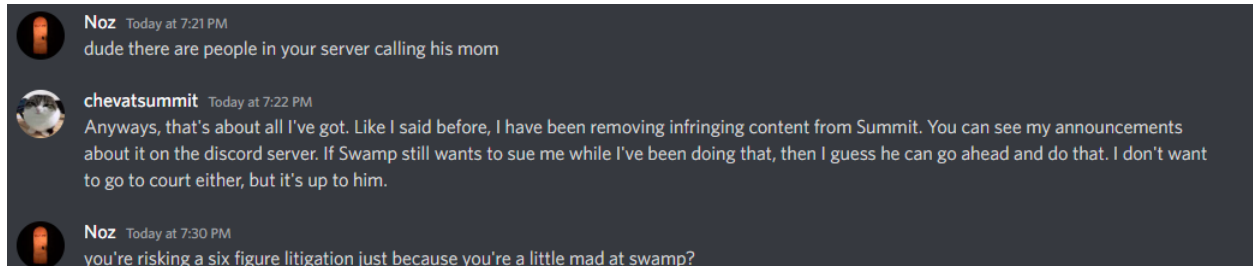


September 29, 2022

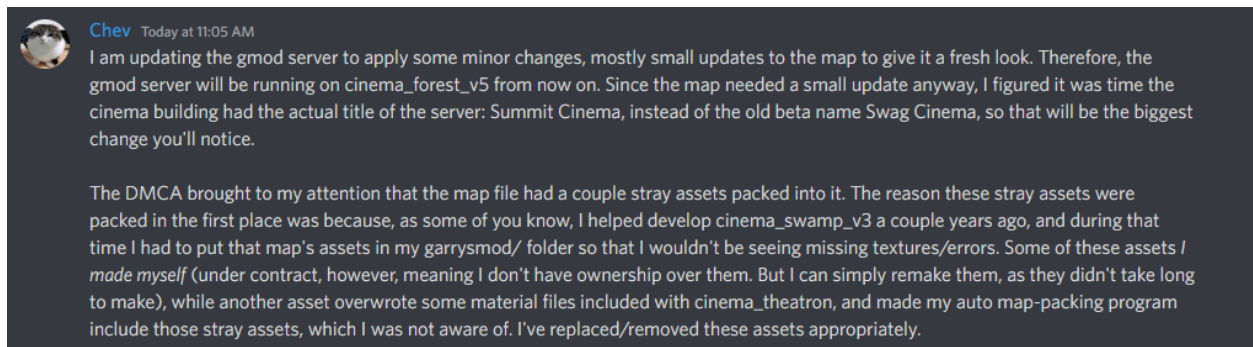
Incriminating Statements Posted by McKelvey/Associates

07/01/22



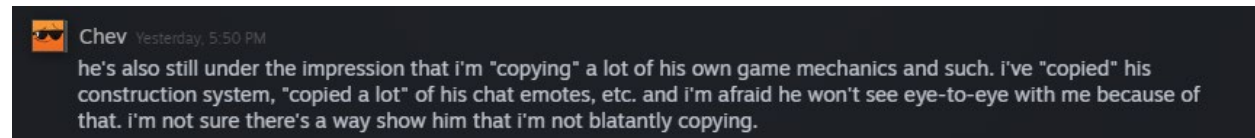
McKelvey (“chevatsummit”) states (after receiving our DMCA takedown request) that he has “been removing infringing content from Summit”, which is an admission that Summit contained infringing content at the time of writing. McKelvey made a very minimal effort to address the infringement, only removing a few minor elements.

06/30/22



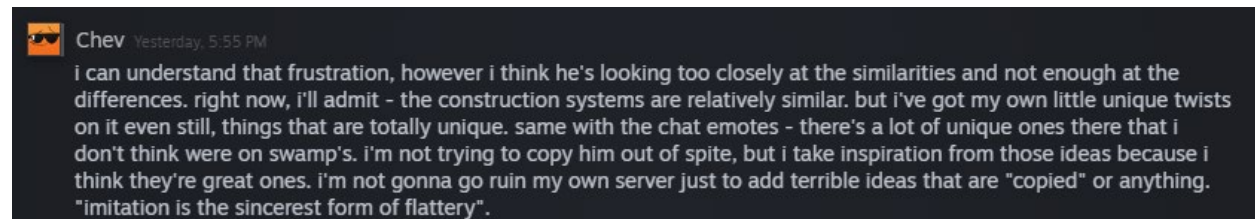
McKelvey (“Chev”) announcing how, after his contracted work for Swamp terminated, he kept a copy of Swamp’s proprietary content, and then used it in his competing project.

03/29/22

A screenshot of a Discord message from a user named Chev. The message is on a dark background and contains the following text: "he's also still under the impression that i'm 'copying' a lot of his own game mechanics and such. i've 'copied' his construction system, 'copied a lot' of his chat emotes, etc. and i'm afraid he won't see eye-to-eye with me because of that. i'm not sure there's a way show him that i'm not blatantly copying." The user's name "Chev" and the time "Yesterday, 5:50 PM" are visible at the top left of the message box.

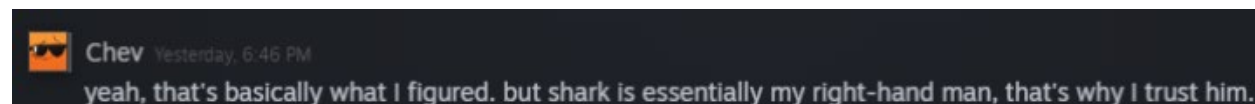
Chev Yesterday, 5:50 PM
he's also still under the impression that i'm "copying" a lot of his own game mechanics and such. i've "copied" his construction system, "copied a lot" of his chat emotes, etc. and i'm afraid he won't see eye-to-eye with me because of that. i'm not sure there's a way show him that i'm not blatantly copying.

A statement from McKelvey (“Chev”) admitting copying of Swamp’s chat emotes and construction system. This statement was made to a Swamp Servers contractor during an attempt to cause Swamp’s developers to end their working relationship with Swamp Servers.

A screenshot of a Discord message from Chev. The message text is: "i can understand that frustration, however i think he's looking too closely at the similarities and not enough at the differences. right now, i'll admit - the construction systems are relatively similar. but i've got my own little unique twists on it even still, things that are totally unique. same with the chat emotes - there's a lot of unique ones there that i don't think were on swamp's. i'm not trying to copy him out of spite, but i take inspiration from those ideas because i think they're great ones. i'm not gonna go ruin my own server just to add terrible ideas that are "copied" or anything. "imitation is the sincerest form of flattery". The user's name "Chev" and the time "Yesterday, 5:55 PM" are visible at the top left.

Chev Yesterday, 5:55 PM
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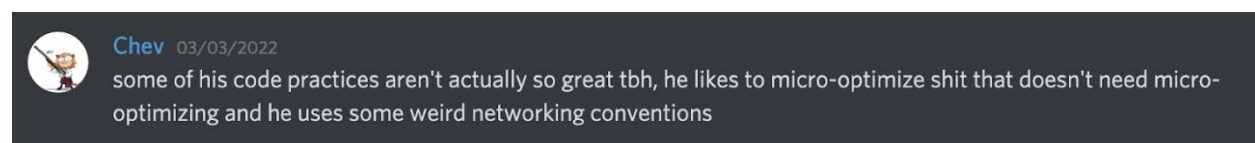
McKelvey states, in reference to his copying of Swamp, “imitation is the sincerest form of flattery”. He also admits that the construction systems are “relatively similar”.

A screenshot of a Discord message from Chev. The message text is: "yeah, that's basically what i figured. but shark is essentially my right-hand man, that's why i trust him." The user's name "Chev" and the time "Yesterday, 6:46 PM" are visible at the top left.

Chev Yesterday, 6:46 PM
yeah, that's basically what i figured. but shark is essentially my right-hand man, that's why i trust him.

A statement from McKelvey describing Farrell as his “right hand man”. Refer to the 12/03/21 message.

03/03/22

A screenshot of a Discord message from Chev. The message text is: "some of his code practices aren't actually so great tbh, he likes to micro-optimize shit that doesn't need micro-optimizing and he uses some weird networking conventions". The user's name "Chev" and the time "03/03/2022" are visible at the top left.

Chev 03/03/2022
some of his code practices aren't actually so great tbh, he likes to micro-optimize shit that doesn't need micro-optimizing and he uses some weird networking conventions

A statement from McKelvey on his Discord about the coding style of Cannon (Swamp Servers’ primary developer). This is evidence that he actively reads Swamp’s code, which suggests that he copies it.

