Request to Present a Expert Witness

Respectfully, I would like to request the Board admit independent third party expert witness testimony regarding the following three items:

Evidence 1: "Work file templates for both triangular and circular mountain designs dated 8/16/2019 – 3/6/2020" - as presented on March 1st, 2025.

This evidence is not simply an alteration or tweaking of existing evidence. It is a complete fabrication, as if someone showed you a copy of your driver's license dated before you became of driving age.

I hold pre-publication copyright registrations for the circle artworks seen in this evidence predating my registration by over a year. Failing to challenge the validity of this evidence threatens my copyrights to the artworks altogether.

Since the day this set of "templates" was shared with me it had set the tone for me to expect the very worst behavior from respondents. I regret having to bring this item up yet again, but I believe expert testimony on this submission from early in the proceeding would properly set up the lens through which subsequent submissions be seen through. If expert testimony had been available to indicate early bad-faith, I believe at least a conference might have been granted in my previous request.

Evidence 2: **Docket #128 - "Engagement Letter".** I have reached out to the lawyers on the letterhead regarding this document multiple times without success. The board stated in its order denying request for conference related to bad-faith that the signatures *"reflect common practices for use of the same scanned image of a signature"* and that *"The fact a signature is digitally scanned does not make it a forgery"*. To which I am in absolute agreement.

However, many other indicators of fraud exist, for example the digitally signed "Author" of the PDF is "convert-jpg-to-pdf.net" a free online app of dubious origin, unlikely to be utilized by any law firm, as uploading privileged documents to such an app would be highly inappropriate. Additionally the document can be seen to be numbered inconsistently, skipping from page 3 to page 5. Furthermore, a sister document "termination letter" provided with the supposed email forward, bears an appropriate Author of "Clerk" and originates from legitimate Microsoft Office software; and appears in all previous ways to be legitimate. providing a stark contrast to the pdf in question.

I believe that an expert would be able to testify to at least the inadmissibility of the "Engagement Letter", and the significance of the findings I have so far uncovered.

Evidence 3: Forwarded Email from admin@myers.law sent by Raymond Harper on June 18th, 2025 to the Board. Visually, this email appears to be a forwarded conversation between the respondent and the law firm. The digital headers of the email however, lack the digital markers of an authentic email, missing domain authentication headers for the email's domain of "myers.law" and corroborating timestamps from the forwarded actual content. An expert would be able to testify to the significance of this and more.

To allow respondents to present false documents as fact without impediment severely prejudices me as the claimant as I must then contest my case against a party which has no real constraints. Considering that since the March 1st, 2025 receipt of clearly (clear to me, experientially) falsified files, I have had no choice but to view all incoming statements and documents from the respondents with suspicion. This has already made my side of the proceeding far more burdensome.

As I prepare my reply testimony which is due on July 7th, 2025, it has been exceedingly difficult to navigate my statement between my experiential truth and what the Board might expect to be discarded or irrelevant.

I believe that independent expert testimony on these three items will properly establish the pattern of conduct that has been occurring, and put me on even footing with the Board as to the baseline perceptions of the respondents and evidence presented.

I understand that the CCB strongly discourages introducing expert witnesses to proceedings. But I assert that this proceeding cannot move forward fairly without expert testimony, and that if my allegations are true, systematic submission of fabricated evidence across multiple cases and multiple parties while under oath presents an extraordinary circumstance which merits the allowance of expert testimony into an otherwise streamlined process.

I have conferred with two potential experts to provide testimony, with knowledge in the requisite technical areas for effective analysis and commentary on the evidence.

- Forensic Discovery (https://forensicdiscovery.expert) of Phoenix, Arizona
- Proven Data digital forensics services (https://www.provendata.com/) of Grand Rapids, Michigan

Expenses for the scope of the testimony necessary have been quoted to be between $2,500 and $3,500. Which I believe is proportionate to the requested damages of $26,035.47 in my party statement. I believe if a rebuttal witness is necessary it should be in a similar range and will not unnaturally encumber the respondents.

Regarding whether the respondents have agreed to the request, I chose strategically not to ask them ahead of time, as it would invite opportunity for the integrity of the underlying evidence to be compromised. For what it's worth, on March 3rd, when respondents' requested removal of evidence, Raymond Harper stated *"If the claimant wishes to conduct a third-party forensic review of his own materials, he is welcome to do so"*, with reference to the Exhibit 3 piece of evidence.

The timeliness of the report should not be a major issue, as both potential experts report ability to conduct the analysis and provide a statement before my July 7th, 2025 reply testimony deadline.

Clarification about withdrawal of evidence

In the Board's order denying request for conference related to bad-faith conduct (docket #193) The board states:

"Moreover, the respondents have not submitted the supposedly altered Raymond Harper documents as evidence, are not relying on those documents in their written testimony, and expressly sought to remove them from discovery, They also present no basis to find bad-faith conduct."

While the respondents Dominick Mattiello and Raymond Harper both made email requests for removal of "Exhibit 3" on March 3rd 2025 at 4:56 PM EST and 4:58 PM EST, no email or docket record of the Board approving the removal/withdrawal of evidence exists, though a follow-up email asking for clarification was sent by the Board on March 5th, 2025.

Additionally, the Board states *"They present no basis to find bad-faith conduct"* regarding the request to remove evidence. To which I present the following arguments supporting bad-faith conduct:

- The requests were roughly only two hours after my March 3rd, 2025 3:53 PM EST email to the board with subject: "*24-CCB-0231 - Recent Development, Evidence of Potentially Fraudulent Documentation*", where I outline the serious issue of fraudulent evidence and describe one manner in which the fraud could be verified. The timing of the removal request before any acknowledgement from the Board demonstrates an unusual urgency to remove evidence.
- Though the request to remove evidence was not granted by the Board. The offending files were removed anyways as seen in docket #121 (reference to link on page 1 of docket #93 named "Exhibit 3")
- In the respondents' signed interrogatories, they reference the evidence in question 5a and 5b by date, as dated proof of art creation. One would think proof of art creation would be the central pillar for defense against copyright infringement allegations, and not something easily set aside for "spirit of efficiency"
- The respondents' rationale for requesting removal of evidence demonstrates bad-faith conduct, as their stated justifications were pretextual and not presented in earnest to the Board. The timing and circumstances of the withdrawal request would be a more likely motive behind their request.
    - Rationale #1: "It is not necessary to establish our claim", is false because such evidence of creation ought to be central to their claim.
    - Rationale #2: "Ensure the proceedings remain efficient and on schedule", is likely false because the pattern of filings by respondents demonstrate the very opposite of efficient and on schedule.

- Both the interrogatories and discovery evidence, though not “submitted” to the Board officially, were submitted via email to both the Board and me under oath “that the produced documents are genuine and unaltered to the best of my knowledge”. Expert testimony would reveal the extent to which bad-faith has been present in these proceedings.

Objection to withdrawal of evidence from March 1st, 2025 named “Exhibit 3”

I officially object to allowing the removal of “Exhibit 3” from the evidentiary record for the following reasons.

- The spirit of discovery is to make clear to all parties the nature of the dispute and what position each party would take so both parties have even footing factually and can prepare their cases with full knowledge of the evidence. To allow the respondents to remove evidence without consequence or valid explanation prejudices the proceedings against me as the claimant by creating an imbalance where respondents can selectively withdraw problematic evidence while I must rely on the incomplete record they choose to present.
- My submitted party and witness statements were written utilizing and with the understanding that respondents’ signed interrogatories and the full set of evidence presented during discovery was available to me for analysis and rebuttal. Removal having not been explicitly granted, I relied on this evidence in crafting my legal arguments, identifying contradictions in respondents' positions, and structuring my case presentation. Allowing withdrawal of this evidence significantly prejudices the proceeding against my party statement by removing the basis upon which my statements were made.

- As no request was made by the respondents to withdraw or amend their signed interrogatories which reference by fact and date the evidence requested for withdrawal, a withdrawal creates an internal contradiction in respondents' own discovery responses. The interrogatories stand as sworn testimony under penalty of perjury that specifically incorporates and relies upon the very evidence respondents sought to remove from the record.

Procedural request

I respectfully request and recommend that moving forward, future evidentiary and non-procedural content submitted via email to the board be disregarded and that only signed and submitted statements and evidence, made under penalty of perjury, be allowed for consideration in this proceeding.

I declare under penalty of perjury that the foregoing is true and correct to the best of my knowledge and belief.

Peter Chang