

Exhibit 3

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF NEW YORK**

Bot M8 LLC,

Plaintiff,

v.

SONY CORPORATION OF AMERICA, SONY
CORPORATION, and SONY INTERACTIVE
ENTERTAINMENT AMERICA LLC,

Defendants.

Civil Action No. 1:19-cv-07529-DLC

DECLARATION OF GEORGE CACIOPPO

I, George Cacioppo, declare as follows:

1. I am Senior Vice President of Network Platform & Services Engineering at Sony Interactive Entertainment LLC (“SIE LLC”). I am responsible for network platform and services engineering initiatives at SIE LLC, and I focus on the planning, coordinating, directing, and designing of engineering activities of the engineering organization in support of the PlayStation® Network Platform. I have been employed by SIE LLC or its predecessors-in-interest since 2013. I am familiar with the facts set forth herein and could testify competently thereto.

2. I submit this Declaration in support of SIE LLC’s motion to transfer this case due to improper venue.

3. The facts set forth in this Declaration were true as of August 12, 2019 and remain true at present.

4. I have been informed that the plaintiff in this case has made the following assertion in its Complaint:

Sony operates the PlayStation Network on PlayStation game servers, powerful computers used to store files including user account information, social network information, gaming programs, and gaming results. Sony's PlayStation game servers are located throughout the United States, including in Bronx, New York.

As I explain below, this assertion requires several corrections.

5. The PlayStation® Network handles user account creation, maintenance, and sign in features, game play and social community services, and online store purchases on third-party servers provided via a contractual arrangement with a third-party cloud services provider, not on the servers of SIE LLC. A small number of backend supporting services for the PlayStation® Network, primarily related to security and business operations and reporting, are provided via servers of SIE LLC, but none of these servers are located in the State of New York.

6. The PlayStation® Network also handles storage and execution of video game programs for PlayStation® Now via servers of SIE LLC. These servers are located at several facilities in the United States, including in Milpitas, California. None of these servers are located in the State of New York.

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

Executed on October 2, 2019


George Cacioppo