

**PX**  
**6**

**DECLARATION OF YULIN SHI  
PURSUANT TO 28 U.S.C. § 1746**

I, Yulin Shi, 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 Santa Ana, California.

2. Last year, I was interested in purchasing a machine that would mine Bitcoins and make a profit. I did research on Butterfly Labs' website, and according to the specifications on their website, I decided to purchase a Butterfly Labs machine.

3. On April 20, 2013 I purchased a 5 gigahertz Bitcoin mining machine from Butterfly Labs for \$308. I paid for this order partially through PayPal and partially with a Bank of America credit card; \$170.22 to PayPal and \$137.78 to the card. On May 28, 2013 I purchased a 2 gigahertz upgrade from Butterfly Labs via PayPal for \$100. At the time of the purchase, I expected delivery within three months of my purchase, according to the Butterfly Labs forum. A true and correct copy of the order confirmation showing both of these transactions is appended hereto as **Attachment A**.

4. In or around October 2013, because I still had not received my order, I looked at the forums on Butterfly Labs' website. On these forums, I read about many consumers who had ordered much earlier than I did but had still not received their machine. This made me worried that I would never receive my machine. On or around October 10, 2013 I e-mailed Butterfly Labs to request a refund. A true and correct copy of this e-mail is appended hereto as **Attachment B**.

5. On or around October 17, 2013 a representative of Butterfly Labs named Abbey replied to my refund request via e-mail. The e-mail states: "According to the terms you agreed to on checkout, all sales are final. Now that shipping of orders has begun, refunds will not be

processed.” I do not remember reading this in any terms related to Butterfly Labs. A true and correct copy of this e-mail from Butterfly Labs is appended hereto as **Attachment C**.

6. After I unsuccessfully demanded a refund from Butterfly Labs, I contacted Bank of America, my credit card issuer, to obtain a chargeback for my Butterfly Labs purchase. I successfully obtained a refund of \$137.78 through this chargeback. However, I could not obtain a refund of the \$270.22 I spent with PayPal because the 45-day chargeback period for PayPal had ended.

7. After I obtained the chargeback from Bank of America, my order status on the Butterfly Labs website changed to “Partially Refunded,” even though I never obtained a refund directly from Butterfly Labs. A true and correct copy of my “dashboard” on the Butterfly Labs website showing this order status, improperly crediting Butterfly Labs with a “partial refund,” is appended hereto as **Attachment D**.

8. On or around December 18, 2013 I emailed Butterfly Labs to request a refund for the balance left on my order after the Bank of America chargeback. True and correct copies of the e-mails with Butterfly Labs related to this second refund request are appended hereto as **Attachment E**.

9. On or around January 4, 2014 a Butterfly Labs representative named Zach responded to my refund request via e-mail. In his e-mail, Zach stated that I had a \$100 credit in my account toward future purchases with Butterfly Labs. *See Attachment E*.

10. When I received this e-mail, I knew from accessing the Butterfly Labs website that there were better Bitcoin mining machines on the market than what Butterfly Labs was offering. Furthermore, because Butterfly Labs refused to refund my original purchase, I no longer trusted them as a business.

11. I did not want the \$100 credit offered by Zach because I had no interest in purchasing a machine from Butterfly Labs in the future. On or around January 11, 2014, I responded to Zach via e-mail. In my e-mail, I insisted on a full refund in lieu of a credit. *See Attachment E.*

12. In January 2014, my order from Butterfly Labs could not have competed with other more current Bitcoin mining machines and would therefore not have been economically viable for mining Bitcoins.

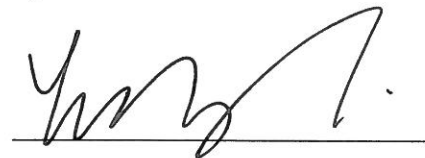
13. As of November 2014, I have not received my order or a refund from Butterfly Labs.

14. If I received my original order from Butterfly Labs within the next few weeks, I would have no use for the machine because it is outdated technology. I would prefer a monetary refund to receiving the machine.

15. Certain confidential information has been redacted from the attachments to this declaration.

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

Executed this 07 day of November, 2014, in Santa Ana, California

A handwritten signature in black ink, appearing to read 'Yulin Shi', is written over a horizontal line.

Yulin Shi

# **ATTACHMENT A**



**BUTTERFLYLABS**

10770 El Monte  
Leawood, KS 66211  
United States of America

**Order #100044460**

Order Date: April 20, 2013

**Shipping Address**

yulin shi

[Redacted]

SANTA ANA, California, [Redacted]

United States

T: [Redacted]

**Billing Address**

yulin shi

[Redacted]

SANTA ANA, California, [Redacted]

United States

T: [Redacted]

**Shipping Method**

Standard Shipping - Only

**Payment Method**

PayPal

**Payer Email:**

[Redacted]

**Items Ordered**

PRODUCT NAME	SKU	PRICE	QTY	SUBTOTAL
<b>5 GH/s Bitcoin Miner</b>	BF0005G	\$274.00	Ordered: 1	\$274.00
<b>2 GH/s Upgrade</b>	BF0002U	\$100.00	Ordered: 1	\$100.00

Subtotal	\$374.00
Shipping & Handling	\$34.00
<b>Grand Total</b>	<b>\$408.00</b>
Amount due	\$0.00

# **ATTACHMENT B**

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**Refund on Order 100044460**

"史昱林" [REDACTED]

收件人: office@butterflylabs.com

时 间: 2013-10-10 18:19:07

附 件:

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Dear Customer service of BFL,

Since you could not ship my order for months after the ordering date, I now request a cancellation and full refund of my order 100044460. Thank you for your understanding.

Yulin

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# ATTACHMENT C

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**Re: Refund on Order 100044460**

"ButterflyLabsINC ." <office@butterflylabs.com>

收件人: "史昱林" [REDACTED]

时 间: 2013-10-17 16:24:14

附 件:

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Hi Yulin,

Thank you for contacting Butterfly Labs. According to the terms you agreed to on checkout, all sales are final. Now that shipping of orders has begun, refunds will not be processed.

For more information on our refund policy please visit our FAQ: [www.butterflylabs.com/faq](http://www.butterflylabs.com/faq)

We are no longer able to make exceptions. You may want to consider selling your order, which is now available from your dashboard.

Thank you for your patience and understanding.

Sincerely,

Abbey

BF Labs, Inc.

For Jody's Customer Service Blog, and more, please visit our new BFL Forums at  
<[https://forums.butterflylabs.com/blogs/bfl\\_jody/](https://forums.butterflylabs.com/blogs/bfl_jody/)>

On Wed, Oct 9, 2013 at 2:19 PM, 史昱林 [REDACTED] wrote:

Dear Customer service of BFL,

Since you could not ship my order for months after the ordering date, I now request a cancellation and full refund of my order 100044460. Thank you for your understanding.

Yulin

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# ATTACHMENT D



BUTTERFLYLABS

- Home
- Products
- Drivers
- Consulting
- FAQ
- Support Forums
- Jobs

MY ACCOUNT

Account Dashboard

- Account Information
- My Orders
- My Wishlist
- RMA
- Upgrade to 28 nm
- Order Transfers
- Record Transfer
- Newsletter Subscriptions
- My Credit Cards

My Dashboard

Hello, **yulin shi**

From your My Account Dashboard you have the ability to view a snapshot of your recent account activity and update your account information. Select a link below to view or edit information.

Account Information

Contact Information

yulin shi

Change Password

Newsletters

You are currently not subscribed to any newsletter.

EDIT

Address Book

Default Billing Address

yulin shi

SANTA ANA, California, United States

T: [REDACTED]

Default Shipping Address

yulin shi

SANTA ANA, California, United States

T: [REDACTED]

MY CART

You have no items in your shopping cart.

Recent Orders

ORDER #	DATE	SHIP TO	VIEW ALL
100044460	4/20/13	yulin shi	

ORDER TOTAL	STATUS	VIEW Order
\$408.00	Partially Refunded	

Support

Type a question or keywords into the search box to find answers to the most common questions or issues

Please type your question here

SEARCH

View Tickets

Submit a Ticket

Knowledgebase

# **ATTACHMENT E**

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**Re: Contact Form**

"ButterflyLabsINC ." <office@butterflylabs.com>

收件人: "yulin shi" [REDACTED]

时 间: 2014-1-4 23:32:00

附 件:

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Hello Yulin,

You now have a \$100 credit in your account to apply towards future purchases. When you want to use this credit, please send us an email (referencing order #100044460) before placing your new order.

Thank you for your time and patience.

Sincerely,

Zach

BF Labs, Inc.

Customer Service

On Wed, Dec 18, 2013 at 5:58 PM, yulin shi <[henry\\_shi@163.com](mailto:henry_shi@163.com)> wrote:

Name: yulin shi

E-mail: [REDACTED]

Telephone: [REDACTED]

Comment: Hi,

Would you fully refund my order 100044460 please?

Thank you very much!

Sincerely,

Yulin

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**Re:Re: Contact Form**

"史昱林" [REDACTED]

收件人: "ButterflyLabsINC ." <office@butterflylabs.com>

时 间: 2014-1-11 21:29:13

附 件:

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Hi, Zach,

Thank you very much for your response. However, I insist and really appreciate if you can refund the rest of the order in the amount of \$270.22 to my paypal account henry\_shi@163.com. This is amount is calculated as \$408 - \$137.78 (Charge back of Credit card).

Thank you very much.

Best wishes,

Yulin Shi

At 2014-01-04 07:32:00, "ButterflyLabsINC ." <office@butterflylabs.com> wrote:  
Hello Yulin,

You now have a \$100 credit in your account to apply towards future purchases. When you want to use this credit, please send us an email (referencing order #100044460) before placing your new order.

Thank you for your time and patience. Sincerely, Zach

BF Labs, Inc. Customer Service On Wed, Dec 18, 2013 at 5:58 PM, yulin shi [REDACTED] wrote:

Name: yulin shi

E-mail: [REDACTED]

Telephone: [REDACTED]

Comment: Hi,

Would you fully refund my order 100044460 please?

Thank you very much!

Sincerely,

Yulin