

Henry L. Self III, State Bar No. 223153
HARDER STONEROCK LLP
6300 Wilshire Boulevard, Suite 640
Los Angeles, California 90048
Telephone: (424) 203-1600
Facsimile: (424) 203-1601
HSelf@HarderStonerock.com

Attorneys for Respondent
RONALD J. RADKE

SUPERIOR COURT OF THE STATE OF CALIFORNIA

COUNTY OF LOS ANGELES

RONALD RADKE

Plaintiff,

vs.

BRITTANY FURLAN

Defendant

Case No.: 26STRO00192

Hon. Kimberly Repecka
Department 65

**PERSONAL DECLARATION OF
MATTHEW R. WALSH re: EXPERT
WITNESS TESTIMONY**

I, Matthew R. Walsh declare:

1. have been retained in this matter as an expert forensic digital investigator, and expert witness.
2. I am a neutral party who has never met Mr. Radke, nor do I know him in any capacity.
3. My testimony is wholly devoid of bias in this matter and is based entirely on my professional observations.
4. I have personal knowledge of the following facts and, if called as a witness, I could and would testify competently thereto.

- 23 5. I submit this declaration in support of Mr. Radke's Temporary Restraining Order and
24 any other such causes in this matter in which Mr. Radke or Counsel finds it useful.

25 **I. QUALIFICATIONS**

- 26 1. I am a professional software engineer and systems architect with 26 years of professional
27 experience, including complex software engineering work across more than twenty (20)
28 programming and scripting languages in both the private and government sectors
29 including LA County and Homeland Security.
- 30 2. I have authored published security tools beginning at age 14 that have been recognized by
31 Microsoft, McAfee, Trend Micro, Symantec, Sophos, and others, and my work has been
32 featured in multiple magazines.
- 33 3. My professional work is primarily focused on large, highly complex networked systems,
34 including authentication mechanisms, logging systems, digital fingerprints and footprints,
35 and extends to user and account attribution as is relevant in this matter.
- 36 4. **METADATA EXTRACTION** - I have experience in forensic data extraction (including
37 but not limited to metadata). Along with the analysis, and review of platform-specific
38 artifacts.
- 39 5. **METADATA ANALYSIS** - I have extensive experience analyzing metadata, account
40 access patterns, IP-based attribution, and digital communications for purposes of
41 determining account control, access, and use.
- 42 6. **SOCIAL MEDIA** - I have designed and developed multiple social media platforms and
43 cloud-based account systems, giving me direct familiarity with their internal logical
44 operation and data structures.

- 45 7. **INVESTIGATIONS** - I have practical experience conducting technical investigations
46 involving impersonation, defamation, shadow accounts, online harassment, and third-
47 party attribution across digital platforms both in and outside of litigation matters.
- 48 8. **TECHNICAL LOGS** - I am familiar with subpoenaed platform records, device
49 metadata, and the technical analysis and reconstruction of server-side access logs
50 commonly relied upon in digital attribution investigations.
- 51 9. **DIGITAL RECONSTRUCTION** – I have extensive experience in reconstructing
52 digital images, artifacts and data from incomplete or partial datasets.
- 53 10. **MOTION CAPTURE AND ANIMATION** – I am a published video game developer
54 with titles(s) licensed by Nintendo®, Sony® and Valve®. I own and operate Winteryear
55 Studios, a game, film, 3D, VR, animation studio. I am qualified in all aspects of
56 production including expert knowledge of motion capture, facial recognition and deep
57 fake technology.
- 58 11. **TRACKING** - I have experience analyzing digital-communication-based telemetry and
59 tracking users/messages/locations and structured communication data, including system-
60 generated records used to correlate activity across devices, accounts, and platforms.

61 **II. FORENSIC LITIGATION EXPERIENCE**

- 62 12. **FORENSICS** - I have conducted forensic analysis in adversarial litigation environments,
63 including matters involving obfuscated records, incomplete disclosures, metadata
64 inconsistencies, analyzing the technical authenticity of sworn declarations and digital
65 documents [including authorship indicators, signatures, execution timing] and
66 inconsistencies between asserted and actual creation or signing events. and contradictory
67 sworn representations in multiple Court cases.

13. **TIMELINES** - I have experience correlating multi-source digital evidence across platforms, including temporal alignment of metadata, access patterns, declarations, and third-party records, in order to assess attribution and credibility.

14. **DISCOVERY** - I have experience identifying evidentiary gaps and defining precise discovery requirements necessary to complete attribution and access determinations.

III. SCOPE AND RELEVANCE OF OPINION

15. In January, 2025, I was recommended to Mr. Radke who contacted me and asked me to review available materials relating to Snapchat account(s) that communicated with Brittany Furlan.

16. I was asked to analyze the available evidence for indicators of (a) fraudulent evidentiary matter and; (b) digital fingerprints and footprints which may lead to either the true identity or reasonable inference of identify of the “catfish” suspect. Further, I was asked to assess whether any technical evidence supports involvement by Mr. Radke in the operation, access, or use of those account(s).

17. My opinions are based on my professional experience, accepted industry-standard methodologies in digital forensics and computer systems analysis, and the materials reviewed to date. They, and myself, meet the standards of Daubert.

IV. PRELIMINARY EXPERT OPINION

18. Based on all materials reviewed to date, it is my expert opinion that **no evidence demonstrates, suggests, or supports**—directly or indirectly—that Mr. Radke was ever involved in the operation, access, or use of the Snapchat account(s), Instagram Account(s), Video(s), Audio recording(s), communication(s) or phone number(s) at issue.

19. **THE LOCAL PHONE NUMBER IS NOT MR. RADKE’S** – Several images were provided to me which contained a phone number which was partially obscured by hand in each image -- purportedly by Mrs. Furlan. Using standard image overlaying techniques, red color removal and font-hinting; I have identified a full phone number of (626) 427-7287

a. When googling, the phone number does in Fact return a single result as belonging to Mr. Radke, along with approximately 12 other phone numbers. It is worth noting, this phone number was reported to only one consumer-level reporting site: FastPeopleSearch.

i. The association of this number was performed at an unknown date. Likely recently.

ii. Sites including but not limited to MyPeopleSearch, FastPeopleSearch, BeenVerified, Spokeo get information from (a) common/shared data brokers and; (b) web scraping each others and; (c) aggregators and; (d) collection from users.

iii. Typically, the association of a phone number will always span multiple aggregate sites given enough time for scrapers/aggregators to catch up, in this case, it does not. It remains solitary on a singular site, indicating not enough time has passed since it’s reporting for propagation to occur beyond this isolated seeding. FastPeopleSearch states as much [*“We provide a database of public records and **publicly available sources of information aggregated for your convenience.**”*] and [*“Information is often obtained by third parties.”*]

iv. Of significant import, FastPeopleSearch is not a CRA defined by the FCRA and carries no legal evidentiary weight.

v. The company themselves disclaims any accuracy and warn about relying on the data: [*“Users should **use extreme caution** when interpreting search results.”*]

vi. The information provided on sites such as this is user-reported and is almost never verified by the provider.

b. There is a conjunction of material fact, however. Agreeably the last two digits of the number (xx87) in fact do match the last two digits of the Thai number (xx87) used on both Instagram and WhatsApp. In my expert opinion, this seems to be by later design as an apparent attempt to build a three-link evidentiary bridge to associate Mr. Radke to **(a)** the local 626 number and; **(b)** the Thai WhatsApp number and by inherent extension; **(c)** the SnapChat user ‘jub_tip’. I do not find this bridge persuasive or foundational in any way.

c. In my expert opinion, it is concretely established, the number in question does not belong to Mr. Radke. I placed a call to the number solely to confirm ownership, during which it became apparent, the number belongs to a Hispanic woman whom:

i. Does not speak English in any capacity.

ii. Appeared to have family in the immediate background speaking clearly across some distance and still within earshot, indicating it may be a landline; *(due to the general higher sensitivity and increased surface area of landline microphone components)*

- 136 iii. Was highly confused at my inquiry into the phone number when I spoke
137 with her directly first attempted in English, and then in Spanish.

138 **20. THE THIRD PARTY MRS. FURLAN SPOKE WITH IS NOT MR. RADKE** - The

139 evidence as presently available at this time, indicates that the individual who
140 communicated with Ms. Furlan appears to be:

- 141 a. An unaffiliated third-party with no ties to Mr. Radke, digital or otherwise.
142 b. Not a primary English speaker.
143 c. A Thai national with domicile or familial ties to Thailand.
144 **d. A female.**
145 e. A person who I believe I have identified by full legal name, to be revealed later
146 by the Plaintiff's Counsel should they choose.

147 **21. THE SNAPCHAT USER IS NOT MR. RADKE** – The SnapChat username Mrs.

148 Furlan had been communicating with is “*jub_tip*”. The evidence thus far suggests:

- 149 a. Is a highly uncommon and specific username to one individual across multiple
150 social media platforms.
151 b. Has a recently-scrubbed digital footprint spanning ~10 years.
152 c. Has a feminine Thai-specific meaning combined of the word “*kiss*” inclusive
153 with a shortened personal name.
154 d. Uses a “*display name*” of [“*jujib*”] which is a slang for “*kiss kiss*” in Thai.
155 e. Has a history of following international celebrities almost wholly.
156 f. Of most significant import and reflected in Ms. Furlans own evidence, is tied to a
157 partial WhatsApp phone number which resolves to Thailand (country code +66),
158 last digits (--87).

159 **22. THE INSTAGRAM USER IS NOT MR. RADKE –**

- 160 a. Further Evidence provided by Mrs. Furlan clearly shows that the Instagram forgot
161 password returns a phone number which ends in -87. She contends this is Mr.
162 Radke as she also contends a local phone number ending in -87 belongs to Mr.
163 Radke, a sentiment that I have found to wholly lack foundation.
- 164 b. The phone number as shown in Mrs. Furlan’s evidence clearly shows a two digit
165 Country code prefix. The United States has a single digit Country code (+1).

166 **23. THE INSTAGRAM USER IS THE SNAPCHAT USER –** Instagram user “jub_tip”
167 and SnapChat user “jub_tip” according to Mrs. Furlan’s own evidence shows the partial
168 phone numbers in question are both of non-U.S. origin and match the Thai number
169 retrieved. It is of my expert opinion they are precisely the same person.

170 **24. THE VIDEOS OF MR. RADKE ARE NOT ACTUALLY MR. RADKE –** I have
171 analyzed two videos provided by Mrs. Furlan which purport to be Mr. Radke:

172 **a. Dancing full bodied on screen**

- 173 i. Contains a watermark from a Tik-Tok user “@dont_be_a_mitch”, not
174 “@ronnieradke”. The account “@dont_be_a_mitch” is an amateur
175 comedian/content creator; indicating *he* is the author of this video and the
176 third party simply took it from his page and distributed it to Mrs. Furlan.
- 177 ii. Suffer from numerous facial abnormalities including a smile which is not
178 consistent with Mr. Radke’s smile in almost any reference video.
- 179 iii. The full-body blackout tattoos stop at the wrists, Mr. Radke’s continue
180 onto his hands.
- 181 iv. The video lacks finger tattoos which Mr. Radke has.

b. **Speaking directly to the viewer** - This video suffers from multiple defects which were determined by **(first)** overlaying multiple videos of Mr. Radke in similar filming positions looking downward at the device (as seems to be his brand) and **(second)** clear visual analyses **(third)** audio analyses.

i. The ‘deepfake’ appears to be consistent with those generated by a tool called DeepFaceLab based on numerous markers.

ii. The metadata reveals the source of the video is srcCopy (screen buffer), not a camera. Further the video resolution is 886x1200. There is no phone in existence with that resolution indicating the video was not recorded by a camera, but instead from within an app.

iii. Metadata shows the video was fully created on an Apple iPhone and overlaid with audio (Author: ReplayKitRecording)

iv. The creator of the video would have been better served if they had drawn facial marker dots typical in motion capture as the facial overlay slightly lags during movement by about two to four frames (called low temporal coherence).

v. The video contains a soft, blurry facial region, edge bleeding around the jawline, mouth desynchronization during movement, “dead eyes”.

vi. The two tattoos around the eyes and feather tattoo on the right sideburn are missing.

vii. The length of the nose is decreased by 25%.

viii. The top teeth show a small gap which Mr. Radke does not have

- ix. The lower teeth show a straightened row where Mr. Radke has imperfections.
- x. The facial makeup lacks age-progressed lines such as those Mr. Radke possesses, typical in poorly made deepfakes.
- xi. The eyelids in the video, while pronounced, appear to not be “rigged” to the underlying facial geometry and do not move naturally. The lack of eyelid movement in the video is consistent with those of epicanthic folds (with those found commonly in Asian or Nordic cultures). This suggests the underlying facial geometry is incompatible with Mr. Radke’s.
- xii. The upward point of the under-chin tattoo is located much farther back than that of Mr. Radke
- xiii. The Audio of Mr. Radke’s Voice Was Digitally Created:
1. Digital analyses of the audio contained within the video shows a normalized waveform. The audio as recorded follows a standardized volume throughout with no peaks reaching beyond clearly defined limits. To have compressed or normalized waveform is not typical in human speech. It is most consistent in digitally processed or AI created audio. In all videos studied of Mr. Radke, audio peaks increase upwards of 1.8x beyond nominal limits while he speaks.
 2. There is no white or ambient noise in the recordings which is not typical outside of digital creations, highly processed audio or professional recording environments.

- 227 3. In all of Mr. Radke's videos studied there is significant ambient
228 and white noise, whereas the audio provided in the manufactured
229 clips contains perfect silence between words and phrases,
230 consistent with that of entirely machine generated audio.

231 **25. FINAL CONCLUSION –**

- 232 a. I have performed my own inquiries against both the evidence and against Mr.
233 Radke and have come to the conclusion based on my expert analysis and
234 investigations, that the account(s), video, audio and phone number(s) in question
235 do not belong to or originate from Mr. Radke.
- 236 b. No technical, physical or empirical evidence has demonstrated in any capacity
237 that Mr. Radke had any involvement with the account(s), phone number(s) or
238 communications in question in regard to Mrs. Furlan.
- 239 c. The videos purporting to be Mr. Radke are definitively not him.
- 240 d. The audio purporting to be Mr. Radke is entirely computer generated.
- 241 e. I find no evidence or reasonable possibility that Mr. Radke has any relation to the
242 events Mrs. Furlan has described and find that her own evidence belies the record
243 I have presented.

244 **V. DISCOVERY LIMITATION**

245 26. At this time, the evidentiary matter, while highly suggestive is preliminary and not
246 dispositively definitive unless the Court deems it so.

247 27. Additional discovery is anticipated, requiring subpoenaed records which include
248 platform-side data, access logs, phone numbers, e-mail addresses, historical account and
249 IP routing data and other various methodologies to model and triangulate the location and

identity of the John (or Jane) Doe, would be required to make a final and fully precise attribution determination.

28. However, nothing uncovered to date alters or undermines the opinions stated above.

VI. DECLARATION

I declare under penalty of perjury under the laws of the United States of America that the foregoing is true and correct.

Executed this 12 of January, 2025 in Santa Clarita, California

A handwritten signature in black ink, appearing to read "Matthew R. Walsh", is written over a horizontal line.

Matthew R. Walsh
expert-legal@winteryear.com