

**IN THE HIGH COURT OF JUSTICE
CHANCERY DIVISION
MANCHESTER DISTRICT REGISTRY
BETWEEN:**

- (1) CITY FOOTBALL GROUP LIMITED**
- (2) MANCHESTER CITY FOOTBALL CLUB LIMITED**
- (3) NEW YORK CITY FOOTBALL CLUB LLC**
- (4) CITY FOOTBALL AUSTRALIA PTY LIMITED**
- (5) TERENTI S.A.D.**
- (6) GIRONA FUTBOL CLUB S.A.D.**
- (7) CITY FOOTBALL JAPAN K.K**
- 8) CITY FOOTBALL MIDDLE EAST FZ LLC**
- 9) CITY FOOTBALL SINGAPORE PTE LIMITED**
- 10) MELBOURNE CITY FOOTBALL CLUB PTY LTD**

Applicants

-and-

- 1) HARRY DAVIES**
- 2) HANZA AHMED**
- 3) ALISTAIR LAW**
- 4) ALEXANDER FARRELL**
- 5) KLAUS GUIP**
- 6) RIKKE BREWER**
- 7) ADAM MARR**
- 8) PERSONS UNKNOWN WHO ENTERED THE ETIHAD CAMPUS WITH THE THIRD,
FOURTH, FIFTH AND SIXTH RESPONDENTS ON 29 JULY 2017**
- 9) PERSONS UNKNOWN ENTERING THE APPLICANTS' PROPERTIES LISTED IN
SCHEDULE 3 TO THIS ORDER WITHOUT THEIR EXPRESS OR IMPLIED CONSENT**

Respondents

WITNESS STATEMENT OF JULIAN DIAZ-RAINEY

I, **JULIAN DIAZ-RAINEY** of Pinsent Masons LLP, 3 Hardman Street, Spinningfields, Manchester M3 3AU, **WILL SAY** as follows:

1. I am a solicitor of the Senior Court in England and Wales and a Partner (or, more precisely, a Member) in the firm of Pinsent Masons LLP ("PM"), solicitors for City Football Group Limited ("CFG"). I am duly authorised to make this statement on behalf of both Applicants.
2. Save where stated to the contrary, the facts and matters contained in this witness statement are within my own knowledge (gained whilst acting as a solicitor for the Applicants) and are true. Where facts and matters are outside my knowledge, the source is stated and I believe those facts to be true.
3. During the course of this statement I will refer to certain documents, copies of which are exhibited in a paginated bundle marked 'JDR2' which accompanies this statement.
4. On 19 September 2017, I provided a witness statement in support of the Applicants' application for an interim injunction against the Respondents (the "First JDR Statement"). Mr. Graham Smith, a senior supervisor for CFG, also provided a statement in support of the application (the "GS Statement"). A hearing in respect of that application took place on Friday 22 September 2017 (the "Hearing"). Within this statement, I set out matters referred to during that Hearing that were not contained in either the First JDR Statement or the GS Statement.
5. I refer to the First JDR Statement and adopt the defined terms used therein.

Commercial Enterprise

6. The Respondents' involvement in the First and Second Incidents goes beyond a desire for excitement; there is a business element that underpins their actions. As Mr. Law himself explains, those who upload content to the YouTube platform are paid by the company if their videos are viewed by other users. Mr. Law goes on to state that, until recently, he received £1,000 for every one million views of his videos (see page 1 of JDR2). As maintained in the First JDR Statement, Mr. Law's videos have been viewed, collectively, over 20 million times.
7. Mr. Law states that, as a result of the money he received from YouTube for advert-revenue, he was able to quit his day job (see page 2 of JDR2). Further, in response to a question on Facebook as to how he makes money, Mr. Law states "*A number of revenues online, Licensing my videos to companies, YouTube ad-revenue (Although its terrible atm) selling posters & t-shirts, Patreon etc*" (see page 3 of JDR2).

8. According to its Facebook account, *'Patreon is a way to get paid for creating the things you're already creating - webcomics, videos, songs...'* (see page 4 of JDR2). Fans pay a monthly or one-off fee for exclusive content. It provides tools needed to manage a business and gives its account-holders a consistent revenue stream. Mr. Law requests that users donate money to his account in return for access to videos (which, I assume, are of him climbing buildings / practising parkour).
9. Mr. Brewer also operates a Patreon page; on which he complains about the reduction in money he is receiving via YouTube in the same vein as Mr. Law (see page 5 of JDR2).
10. Mr. Law's business enterprise even extends to selling posters of himself atop various buildings / objects. On the 'products' page of his website, users can purchase an A2 poster of a picture of the Etihad Stadium taken during the Second Incident. Further posters can be purchased of Mr. Law sitting on top of the 'Stealth' and 'The Big One' rollercoasters at Thorpe Park and Blackpool Pleasure Beach respectively. Mr. Law even offers to autograph any of the posters purchased from his website (see pages 6 to 7 of JDR2).

Additional applicants / corporate structure

11. In light of the Hearing, the following parties have been joined as Applicants: New York City Football Club LLC; City Football Australia PTY Limited; Terenti S.A.D.; Girona Futbol Club S.A.D.; City Football Japan K.K; City Football Middle East FZ LLC; Melbourne City Football Club Pty Limited and City Football Singapore Pte Limited. Though CFG is the ultimate holding company for each of these joinder parties, the legal interest in some of the properties outlined at pages 1 to 4 of Exhibit JDR1 of the First JDR Statement is not held by CFG. A revised list of the properties subject to the application, and updated details of the parties in control, is set out at pages 8 to 10 of JDR2. In respect of CFG's corporate structure (Applicants identified in bold):
 - 11.1 Manchester City Football Club:
 - 11.1.1 CFG owns 100% of the shares in Manchester City Limited which, in turn, owns 100% of the shares in **Manchester City Football Club Limited** (which is the football club's corporate vehicle).
 - 11.2 New York City Football Club:
 - 11.2.1 CFG owns 100% of the shares in City Football Club Group USA. This entity controls 80% of City Football US Holdco LLC which, in turn, owns 100% of the shares **New York City Football Club LLC** (which is the football club's corporate vehicle);

11.3 Melbourne City Football Club:

11.3.1 CFG owns 100% of the shares in MHFC Holdings Pty Limited which, in turn, owns 100% of the shares in **Melbourne City Football Club Pty Limited** (which is the football club's corporate vehicle);

11.4 Club Atletico Torque

11.4.1 CFG owns 100% of the shares in **Terenti S.A.D.** (which is the football club's corporate vehicle);

11.5 CFG also owns 100% of the shares in: **City Football Australia PTY Limited; City Football Japan K.K; City Football Middle East FZ LLC; and City Football Singapore Pte Limited.**

Cross-undertaking

12. I can confirm that each of the Applicants is willing to give a cross-undertaking in damages in respect of any losses which may be suffered by the Respondents should the Court subsequently find that the proposed Order should not have been made.

Statement of Truth

13. I believe that the facts stated in this witness statement are true.

Signed



JULIAN DIAZ-RAINEY

Dated: 25.09.2017

IN THE HIGH COURT OF JUSTICE
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Respondents

Exhibit JDR2 to Second Witness Statement of Julian Diaz-Rainey

Website link: <https://www.patreon.com/AllyLaw>

Website link: <https://www.patreon.com/AllyLaw>

Browser address bar: <https://www.patreon.com/AllyLaw>

Page Header: PATREON | Search | Create On Patreon | Explore Creators | Sign Up | Login

Banner: Ally Law is creating Adventure videos

Navigation: Overview | Posts | Community

Buttons: BECOME A PATRON | SHARE | TWEET

Left Sidebar: 6 patrons | FOLLOW | SHARE | GOALS | 6 of 100 patrons

Main Content: I NEED YOUR HELP! | Hey guys, Welcome to my Patreon Page! | First off I just want to say Thanks so much for taking the time to check out my Page! The chances are you found this page through my Social media pages so you know who I am & What I do but for those that Don't know me, I'm a 20 year old English dude who likes to go on adventures around the world & make video's on them to post to my Youtube channel. I had no real idea what I wanted to do with life until I came across the whole platform where I began sharing my adventures & Parkour/Climbing videos with the world.

Right Sidebar: REWARDS | Become a Patron | \$2 or more per month | Access to patron-only feed with exclusive Content | Links to watch all the private videos on my channel, Old vlogs, travel video's & Climbs that I've had to make private due to Legal reasons. | Connect with other Patrons | You'll also get some good karma for being a Legend!! (Can't promise that, If you get ran over by a car it's not my fault) | \$2 MEMBERS | Monthly Digital wallpaper

Taskbar: Windows Start | Ally Law is creatin... | Internet Explorer | Firefox - Alexander... | Document2 - Mic... | W... #3724928V1<AC... | Scan to Me from ... | System tray: 21:13, 22/09/2017

Ally Law is creating Adventure videos
Overview Posts Community

sony A7S (real good footage in the dark) & A drone!

1d 1

Whats the deal?

I'll get straight to the point. I've got to the point where I need help... Last year I had been lucky enough to be able to support myself solely from Youtube ad Revenue & I was able to quit my day job (which I hated) & every second of it has been an absolute crazy ride for me, I was able to get paid to do what I loved, it was amazing! It was great but sadly for the past 6 months now my Channel has been stuck in "the Youtube Ad crisis" with the whole Youtube Algorithm changing which has resulted in ads not being shown to 90% of my viewers which means I've lost 90% of the ad revenue, whereas for most channels, 1000 views would = £1 & 1 Million views = £1000 In the past 6 months my channel has received just over 6 million views which should = £6000, Instead I have actually earned just under £950. It never really bothered me too much as I had some money to continue doing what I was doing & I thought it would get better, right? Sadly it hasn't got any better & I've got to the point where I need to find an alternative to fund making these videos

This is where Patreon comes into it

For you that don't know, Patreon works on a donation/reward system, Where you guys, can directly help to support my channel & content. You are by no means whatever obliged to donate & If you can't donate that is completely fine but If you do think my content is worth something to you & you want to support what I am doing, You can personally help support me & the video's by donating & you will

BECOME A PATRON

monthly digital wallpaper
\$5 or more per month

- I will handpick my favorite snap each month & email it to you
- Includes**
- Access to Patron only posts
 - Access to all my old videos that aren't public anymore

\$5 MEMBERS

Become buddies
\$10 or more per month

- Private Email to contact me directly
- One of my "You've gotta do what makes YOU happy" Wristband's

- Includes**
- Access to Patron only Content
 - Access to my old videos that aren't public anymore
 - Handpicked monthly digital wallpaper

Ally Law @AllyLaw


Like Follow Share ... Watch Video Message

1 share

Write a comment...

Ashley Ranshaw How do you make your money now?
Like - Reply 2 · 11 September at 17:58
View previous replies

Ally Law A number of revenues online. Licensing my videos to companies, YouTube ad-revenue (Although its terrible atm) selling posters & t-shirts, Facebook etc. 😊
Like - Reply 2 · 10 September at 03:07
View more replies

Jez Clements Top effort! Some people suited to 6-5 jobs. You've Definitely chosen the "cut of the world" career! I prefer forklift driving and one and half hrs mountain biking 🙌

Like - Reply 2 · 11 September at 20:26

Jez Clements Fa "your phone's notifications must go nuts with the amount of support you have!! Offer is still there if interested in me teaching you how to wheelie/transect a mountain bike... See more
Like - Reply 1 · 11 September at 20:29 · Edited

Community See all
Invite your friends to like this Page
10,292 people like this
10,682 people follow this

About See All
Typically replies within an hour
Send message
www.AllyLaw.co.uk
Public figure

Pages liked by this Page
TGFbro Like
Fun For Louis Like
Rory Kramer Like

English (UK) English (US) Polish Español - Portuguese (Brazil) +

Privacy Terms Advertising Ad Choices Cookies More Facebook © 2017

Browser window showing the Facebook page for Patreon. The address bar displays https://www.facebook.com/pg/patreon/about/?ref=page_internal. The page title is "Patreon - About".

The Facebook page header includes the name "Patreon" and a search bar. The main content area features the Patreon logo and a "Sign Up" button.

Patreon
@patreon

Home
About
Photos
Videos
Events
Posts
Community
[Create a Page](#)

About [Suggest Edits](#)

BUSINESS INFO

- Founded in May 2013
- Mission**
Support, encourage, and FUND the emerging creative class

CONTACT DETAILS

- <http://www.patreon.com>

MORE INFO

- About**
Patreon helps creators of all kinds get sustainable income and connect with their biggest fans.
<http://www.patreon.com>
- [Website - MediaNews company - Interest](#)

STORY

For creators: Patreon is a way to get paid for creating the things you're already creating (webcomics, videos, songs, whatever). Fans pledge a few bucks per month OR per thing you release, and then you get paid every month, or every time you release something new (whether it's on SoundCloud, YouTube, your own website, or anywhere).

For fans: Patreon is a way to pay your favorite creators for making the stuff you love. Instead of literally throwing money at your screen (trust us, that doesn't work), you can now pledge a few bucks per thing that a creator makes. For example, if you pledge \$2 per video, and the creator releases 3 videos in February, then your card gets charged a total of \$6 that month. This means the creator gets paid regularly (every time she releases something new), and you become a bonafide, real-life patron of the arts.

Footer: [About](#) [Create Advert](#) [Create Page](#) [Developers](#) [Careers](#) [Privacy](#) [Cookies](#) [Ad Choices](#) [Terms](#) [Help](#)

System tray: Search, 21:26, 22/10/2017



Rikke Brewer is creating Climbing videos/vlogs

Overview Posts Community

BECOME A PATRON

2 patrons

\$4 per month

+ FOLLOW SHARE



GOALS

\$4 of \$500 per month

You guys will get exclusive posters and merch... but that's if you all support me.

Thank you!



SHARE TWEET

chYOO guys!

Rikke here, So YouTube is going down hill ATM with their ad sense. they're not cooperating with any of the big company's like sony ECT. This is playing a big impact on my YouTube life and I am really calling out to you guys for some support - If you love my videos and want me to make more please.... go smash my patreon.

All the best.

1 of 1

http://allylaw.bigcartel.com/products Ally Law - Home Ally Law - YouTube Products | Ally Law

File Edit View Favorites Tools Help

Browse8703 - Order by Cr... Google BBC News - Home Manchester Evening New... News, opinions, offers, thi...

X Find: money Previous Next Options

Ally Law

PRODUCTS

Taskbar: Products | Ally La... Vent Items - Alexa... Document2 - Mic... No MFC - suppl... #7824284 - LAC... 17:09 22/09/2017

http://allylaw.bigcartel.com/products Ally Law - Home Ally Law - YouTube Products | Ally Law

File Edit View Favorites Tools Help

Browse8703 - Order by Cr... Google BBC News - Home Manchester Evening New... News, opinions, offers, thi...

X Find: money Previous Next Options

Ally Law

£7.99 SPECIALTIES POSTER

£7.99 THE BAD GIRL CLUB 2 POSTER

Taskbar: Products | Ally La... Vent Items - Alexa... Document2 - Mic... No MFC - suppl... #7824284 - LAC... 17:09 22/09/2017

Browser window showing the URL <http://allylaw.bigcartel.com/product/etihad-stadium>. The browser tabs include "Ally Law - Home", "Ally Law - YouTube", and "Etihad Stadium A2 Poster...". The search bar contains the text "money".

Product page for "ETIHAD STADIUM A2 POSTER" on the Ally Law website. The page features a large image of the stadium interior at night, illuminated in blue. The price is listed as £9.99. A blue "ADD TO CART" button is visible. Below the button, there is a description: "This poster is printed in A2 (420 x 594mm) on high quality 200gsm Satin Paper giving a High Definition finished poster image. If you want me to sign it or write a message on it, let me know in the additional information box when checking out. I can sign the front or back, depending on which you prefer!" Social media sharing icons for Twitter, Facebook, and Pinterest are located at the bottom of the product description.

Windows taskbar showing several open applications: "Etihad Stadium A...", "Inbox - Alexander...", "Document2 - Mic...", and "Etihad Stadium A2 Poster...". The system tray on the right shows the date and time as 17:23 on 22/09/2017.

CFG-related Properties

Asset	Address	Control
Manchester City Football Club		
Etihad Stadium	Etihad Campus, Manchester M11 3FF	MCFC control the stadium (and areas inside the gated perimeter) under a long lease from Manchester City Council
City Football HQ	North Gate, 400 Ashton New Road, Manchester M11 4TQ	MCFC owns the freehold
The Academy	West Gate, Etihad Campus, Alan Turing Way, Manchester M11 4TQ	MCFC owns the freehold
First Team Centre	South Gate One, Etihad Campus, 161 Clayton Lane, Manchester M11 4TS	MCFC owns the freehold
Facilities Management Building	South Gate One, Etihad Campus, 161 Clayton Lane, Manchester M11 4TS	MCFC owns the freehold
London Office	14th Floor, 10 Brock Street, Regent's Place, London NW1 3FG	Office space rented by MCFC from British Land
City Football Japan	Level 14 Hibiya Central Building, 1-2-9 Nishi Shimbashi Minato-ku, Tokyo 105-0003	City Football Japan K.K. rent the office space
City Football Middle East	TwoFour54 Park Rotana Complex, Khalifa Park, Office 807 – C, P.O Box 769321, Abu Dhabi, UAE	City Football Middle East FZ LLC rent the office space
City Football Singapore	1 George Street, #15-01, Singapore 049145	City Football Singapore Pte Limited rent the office space
New York City Football Club		
Headquarters	600 Third Ave, 30th Floor, New York, NY 10016	New York City Football Club LLC rent the office space
Training Facility	SUNY Purchase, 735 Anderson Hill Road,	New York City Football Club LLC rent

	Purchase, New York, NY 10577	the land from the State University of New York
Yankee Stadium	1 East 161st Street, Bronx, New York	Only occupied by New York City Football Club LLC on match days
Melbourne City Football Club		
City Football Academy Melbourne	2 Crissane Road, Bundoora, Victoria 3083 Australia	City Football Australia PTY Limited lease the land from La Trobe University
AAMI Park Stadium	Edwin Flack Field, Olympic Boulevard, Melbourne City, Victoria, Australia	Only occupied by Melbourne City Football Club Pty Limited on match days
Club Atlético Torque		
Headquarters	Roque Graseras 694, Montevideo, Uruguay	Terenti S.A.D. lease from Algranati Group
Estadio Parque Alfredo Víctor Viera Stadium	Avenida Buschental s/n, 11.700, Montevideo, Uruguay	Terenti S.A.D. lease from Montevideo Wanderers Futbol Club
Complejo Daniel Marsicano Training Facility	Camino Curuzu Cuatia 3070, Montevideo, Uruguay	Terenti S.A.D. lease from Torque's Civil Association
Girona FC		
Estadi Municipal Montivili Stadium	Avinguda Montivili, 141 (17003), Girona, Spain	Girona Futbol Club S.A.D. rent from Girona Municipality

Anexo Estadi Municipal Montivili Training Facility	Avinguda Montivili, 141 (17003) Girona, Spain	Girona Futbol Club S.A.D.rent from Girona Municipality
Camp de Futbol Municipal de Riudarenes Training Facility	Av. dels Segadors, s/n (17421), Riudarenes, Girona, Spain	Girona Futbol Club S.A.D.rent from Riudarenes Municipality
Municipal De Peralada Training Facility	Municipal Peralada Passeig Catalunya, s/n (17491 Peralada), Spain	Girona Futbol Club S.A.D.rent from Peralada Municipality
Camp de Futbol Vilablareix Training Facility	Avda. Lluís Companys, 75 (17180 Vilablareix), Spain	Girona Futbol Club S.A.D.rent from Vilablareix Municipality
Camp de Futbol Municipal de Riudellots Training Facility	C/ Pineda, 18 (17457) Riudellots de la Selva, Girona, Spain	Girona Futbol Club S.A.D.rent from Riudellots Municipality
Camp de futbol Municipal de Torres de Palau Training Facility	Complejo Deportivo Torres de Palau, C/ Església de Sant Miquel, 16 (17003 Girona), Spain	Girona Futbol Club S.A.D.rent from Girona Municipality
Camp Municipal de Vila-Roja Training Facility	Grup Vila-Roja 181 (17004 – Girona), Spain	Girona Futbol Club S.A.D.rent (at certain times) from Girona Municipality