

UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF FLORIDA
TAMPA DIVISION

PROVEN INDUSTRIES INC.,
a Florida corporation,

Case No. 8:25-CV-01119-MSS-LSG

Plaintiff,

v.

TREVOR McNALLY, individual,

Defendant.

_____ /

DECLARATION OF TREVOR MCNALLY

Pursuant to 28 U.S.C. §1746, Trevor McNally declares as follows:

1. I am over the age of 18 and am otherwise competent to make this Declaration.

2. I make this Declaration based on my experience and personal knowledge.

Background

3. I am an honorably discharged medically retired United States Marine Staff Sergeant. My 11 years of service include three deployments, one combat deployment, three meritorious promotions, training with Marine Forces Special Operations Command (MARSOC), completion of SERE (Full Spectrum Level C), and training Marines as a Marine Corps Instructor of Water Survival (MCIWS).

4. I make cutaway locks that show the internal components and operation of different locking mechanisms. These locks are used to teach the security industry

as well as reveal to consumers the strengths and weaknesses of particular locking mechanisms so they may make more informed security decisions.

5. My personal collection consists of thousands of locks of varying types from different manufacturers including discontinued, antique, and prototype locking systems.

6. With more than two billion views and over seven million followers, I own and operate the world's most-viewed lock-niche social media accounts on Instagram, Facebook, YouTube, TikTok, and Threads where, among other things, I post videos showing consumers flaws in common locks.

Proven's Video

7. In early March 2025, Proven Industries Inc. ("Proven") posted a video to its social media channels "to prove its haters wrong" touting the security of its \$130 model 651 latch pin lock.

8. An Instagram user made a comment tagging me in a response to Proven's video saying, "Let's introduce it to the @mcnallyofficial poke."

9. I had previously demonstrated the flaws in several other locks with a similar single latch mechanism and sliding bolt design like Proven's model 651 lock. The "McNally poke" is a reference to how easily these locks can be bypassed, often by simply poking the unshielded mechanism at the back of the lock's core.

10. On March 31, 2025, Proven responded to the Instagram user's comment and stated, "lol those guys like the cheap locks lol because they are easy and fast." A true and authentic screenshot of Proven's comment is attached as

Exhibit A. I understood this as a statement that I would be unable to open Proven's \$130 lock.

McNally's Video

11. On April 3, 2025, I responded to Proven's challenge by posting a video of myself opening the same \$130 model 651 lock with an aluminum can in a matter of seconds.

12. The lock that I bypassed in the video uses a universal vending machine core with a spring latch mechanism. The spring latch design has been one of the most common features in locks for over 150 years.

13. I have tested hundreds of locks that use a similar sliding bolt design and have found, without exception, the ones that rely on a spring latch can be bypassed.

14. Proven demonstrates in their own marketing videos that its locks use a spring latch mechanism and, therefore, can be bypassed.

15. A detailed photograph of the universal vending machine core used by Proven can also be found on the homepage of Proven's website. A true and accurate screenshot of Proven's website is attached as **Exhibit B**.

16. A detailed photograph of the universal vending machine core used by Proven was also available on Proven's Amazon listing marketing just the core. A true and accurate screenshot of the lock core photographs associated with the Amazon listing for Proven's lock core is attached as **Exhibit C**.

17. The lock in the video was not altered, and I required minimal preparation to perform the bypass. Prior to recording the video, I created a shim from an aluminum can. The shim I created was not a unique design and did not require precise dimensions. It features a simple hook profile that is commonly found on many other bypass tools.

18. The video accurately depicts me bypassing the lock with the shim I created in one continuous take.

Proven Reacts to the Video

19. The same day I posted the video, Proven sent me a direct message on my verified Instagram account where the video was uploaded which said, “Just wanted to say thanks and be prepared!” A true and authentic screenshot of Proven’s April 3, 2025 direct message is attached as **Exhibit D**. I perceived this message as a threat.

20. On April 4, 2025, one day after being told to “be prepared,” Proven sent a text message to my wife and called her cell phone purportedly trying to contact me.

21. Because Proven had already sent me a message to my verified Instagram account where the video was uploaded, I do not believe this was a good faith attempt to communicate with me, but was done to intimidate me and my family.

22. My suspicion was further confirmed upon discovery of the criminal history of Ron Lee, Proven’s owner and founder, which includes hiring someone to throw a brick through the window of his ex-wife.

23. On April 6, 2025, Proven posted a video which appears to be in response to my April 3, 2025 video (the “Response Video”).

24. Proven received numerous comments to the Response Video from viewers, and Proven engaged with many of those commenters.

25. In the course of those interactions, Proven asserted that things were “going to get really personal” for me after Proven previously telling me to “be prepared.” A true and authentic screenshot of Proven’s comment is attached as **Exhibit E**. I perceived this as another attempt at intimidation.

26. When one user asked how it was going to get “personal,” Proven stated “will find out in 4 weeks.” A true and authentic screenshot of Proven’s comment is attached as **Exhibit F**.

27. Proven proceeded to publish multiple comments claiming and/or insinuating that I was misleading viewers and speculating about how I was able to bypass its lock.

28. On April 6, 2025, Proven published the following statement about me and the Video I created: “Yeah he took it a part (sic) and made a shim and probably practiced who knows how long lol” A true and authentic screenshot of Proven’s comment is attached as **Exhibit G**.

29. That same day Proven published another similar statement about me: “actually not easy. You think your friend just perfectly cut out a shim without taking the lock apart? Lol come on bud” A true and authentic screenshot of Proven’s comment is attached as **Exhibit H**.

30. Proven also pinned a comment made by one of its employees on Proven's response video: "I'm not gonna lie, it's pretty easy to tell that the mcnally dude took extra time to see how the lock works and perfectly cut out a shim....kinda just wanna see him do it live, but then he probably wouldn't get any views lol. Sucks to see how many people take everything they see online for face value...sounds like a bunch of liberals lol." A true and authentic screenshot of the pinned comment is attached as **Exhibit I**.

31. Proven posted another comment stating that I was misleading viewers: "Make the shim without taking our lock apart? That's it you can't. This is very misleading." A true and authentic screenshot of Proven's comment is attached as **Exhibit J**.

32. Proven published another comment insinuating that I was lying to viewers: "damage control? It's telling the truth. He had to take the lock a part as you can see the blue lock tite exposed. In order to make the shim. And he most likely modified the lock to open easier." A true and authentic screenshot of Proven's comment is attached as **Exhibit J**.

33. On April 7, 2025, one commenter speculated that Proven was going to try to sue me, to which Proven replied: "try? We don't send warning letters, we file 😊" and then again reiterated "not going to try. Will be served before the end of the month." A true and authentic screenshot of Proven's comments is attached as **Exhibit K**.

34. On May 1, 2025, Proven filed a lawsuit against me. Proven then proceeded to boast about the lawsuit and continued to call me a liar. On May 13, 2025, Proven published the following comment: “sorry mcally has been fooling people for years. He makes and edits his videos to make himself look good. The lock was altered and we currently have a lawsuit against him for the lies he has made. He will be exposed in court with a jury to decide. That’s how confident we feel. There is a difference we actually make products, mcally just makes videos to try and make himself look good; if he was so good why does he not make locks.” A true and authentic screenshot of Proven’s comment is attached as **Exhibit L**.

35. That same day Proven published another comment suggesting that I mislead viewers and directing people to search for the lawsuit: “Thanks for your support! Correct mcally is not a pro, he makes people think he is off his videos he edits. Your Correct we turned off our comments because a lot of children on here leave comments about something they don’t even know for fact. They go off a edited video someone made to make themselves look good. And then when we offer for him to come and do it all live or we can even go there we get no response. We have filled a lawsuit and will be exposing him. Look up Proven vs mcally, check out the formal filing” A true and authentic screenshot of Proven’s comment is attached as **Exhibit M**.

Subsequent Videos

36. On May 23, 2025, I posted a video to my social media channels to dispel the inaccurate comments Proven made about me.

37. In that video, I retrieve a new \$130 model 651 Proven lock sealed in its original packaging from an Amazon locker. I then show the entire process of creating a shim and bypassing the lock.

38. The May 23, 2025 video was made in one continuous shot, and accurately depicts me creating a shim and bypassing the lock with the shim I created on camera.

39. I did not have access to the lock prior to creating the May 23, 2025 video as evidenced by the fact that I retrieve the lock in its original packaging from an Amazon locker. Because I did not have access to the lock prior to creating the video, I could not have—and I did not—alter or disassemble the lock used in the video prior to creating the video. Likewise, I did not create a custom shim for this particular lock as evidenced by the fact that I made the shim on camera without any measurements or tools other than a pair of scissors.

40. On May 25, 2025, I posted another video to my social media channels to further dispel the inaccurate comments Proven made about me.

41. In the May 25, 2025 video, I retrieved another \$130 model 651 Proven lock sealed in its original packaging from an Amazon locker. In this video, I explain the flaw and demonstrate another method of shimming the lock using the same shim design I used in a video in 2022.

42. The portion of the May 25, 2025 video of me bypassing the lock was made in one continuous shot, and accurately depicts me bypassing the lock with the shim I created.

43. I did not have access to the lock prior to creating the May 25, 2025 video as evidenced by the fact that I retrieve the lock in its original packaging from an Amazon locker. Because I did not have access to the lock prior to creating the video, I could not have—and I did not—alter or disassemble the lock used in the video prior to creating the video.

44. The shim I created for this video was not custom-designed for this particular Proven lock.

45. In the May 25, 2025 video, I also include a screenshot of a text Proven sent to my wife's cell phone number. The screenshot included in the video are true and accurate screenshots of the messages my wife sent to me and that Proven sent to my wife.

46. On May 28, 2025, I posted another video to my social media channels to further dispel the inaccurate comments Proven made about me as well as to demonstrate that the shim design is not specific to Proven's model 651 lock, but that it also works on other locks.

47. In this video, I bypass a Proven cargo door lock with a shim I created from a can.

48. The May 28, 2025 video of me bypassing the Proven cargo door lock was made in one continuous shot, and accurately depicts me bypassing the lock with the shim I created.

49. Prior to creating the May 28, 2025 video, I did not alter the lock used in that video. Moreover, the shim I created for this video was not custom-designed for this particular Proven lock.

50. On May 31, 2025, I posted another video to my social media channels to further dispel the inaccurate comments Proven made about me.

51. In this video, I create a shim from an aluminum can using the same shim design as the previous videos, and use that shim to bypass a different Proven lock.

52. The May 31, 2025 video of me creating a shim and using that shim to bypass the Proven padlock was made in one continuous shot, and accurately depicts me bypassing the lock with the shim I created.

53. Prior to creating the May 31, 2025 video, I did not alter the lock used in that video. Moreover, the shim I created for this video was not custom-designed for this particular Proven lock.

The Motion for Preliminary Injunction

54. I have reviewed Proven's Emergency Motion for Preliminary Injunction and the corresponding declarations filed in support.

55. From my review of these materials, I understand that Proven claims to have received various phone calls and messages that it attributes to viewers of my social media content. I understand that Proven also claims to have received multiple false or negative reviews from my social media followers, and that it claims one of

my followers obtained the phone number of Proven's president and published it in the comments to one of my videos.

56. I have never sent any messages, let alone harassing messages, to Proven or any of its owners, employees, or the family members of Proven's owners or employees.

57. I have never directed, suggested, or encouraged anyone to send any messages, let alone harassing messages, to Proven or its owners, employees, or the family members of Proven's owners or employees.

58. I have never directed, suggested, or encouraged anyone to post false and/or negative reviews about Proven or Proven's products.

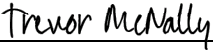
59. I did not publish the phone number of Proven's owner, Ron Lee. In fact, in the video in which I showed a screenshot of the message my wife received from Proven, I redacted names and phone numbers to protect everyone's privacy, including Mr. Lee.

60. I never directed, suggested, or encouraged anyone to post Mr. Lee's phone number in the comments.

61. It is my understanding that the phone number at issue is publicly available on the Better Business Bureau website and can be obtained through a simple Google search.

I declare under penalty of perjury that the foregoing is true and correct.

Executed on June 6, 2025.

DocuSigned by:

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Trevor McNally