

09-2350

IN THE
United States Court of Appeals
FOR THE THIRD CIRCUIT



AARON C. BORING and CHRISTINE BORING,
husband and wife respectively,

Plaintiffs-Appellants,

—v.—

GOOGLE INC.,

Defendant-Appellee.

ON APPEAL FROM THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF PENNSYLVANIA

SUPPLEMENTAL APPENDIX
(Pages SA-1 to SA-31)

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TABLE OF CONTENTS

	PAGE
Declaration of Tonia Ouellette Klausner in Support of Defendant Google Inc.'s Motion to Dismiss the Amended Complaint, dated August 14, 2008	SA-1
Exhibit A to Klausner Declaration— Image of Search Engine on Website of the Office of Property Assessment for Allegheny County, Pennsylvania	SA-4
Exhibit B to Klausner Declaration— Records Regarding Borings' Property Retrieved From Website of the Office of Property Assessment for Allegheny County, Pennsylvania	SA-5
Exhibit C to Klausner Declaration— Images of Borings' Property Retrieved from Yahoo! Maps Website	SA-13
Exhibit D to Klausner Declaration— Image of Borings' Property Retrieved From MapQuest Website ...	SA-15
Exhibit E to Klausner Declaration— Image of Borings' Property Retrieved From MapPoint Website....	SA-16
Exhibit F to Klausner Declaration— General Warranty Deed, dated October 10, 2006.....	SA-17
Exhibit G to Klausner Declaration— Street View Camera Images of Borings' Property.....	SA-21
Exhibit H to Klausner Declaration— Menus for Requesting Removal of Images from Street View	SA-27

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF PENNSYLVANIA

AARON C. BORING and CHRISTINE
BORING, husband and wife respectively,

Plaintiffs,

v.

GOOGLE, INC., a California corporation,

Defendant.

Civil Action No. 08-694 (ARH)

**DECLARATION OF TONIA OUELLETTE KLAUSNER IN SUPPORT OF
GOOGLE INC.'S MOTION TO DISMISS AMENDED COMPLAINT**

I, Tonia Ouellette Klausner, declare under penalty of perjury and pursuant to 28 U.S.C. § 1746 that the following is true and correct:

1. I am a Member of the law firm of Wilson, Sonsini, Goodrich & Rosati, P.C., counsel to defendant Google Inc. ("Google"). I have personal knowledge of the facts set forth herein.

2. I submit this motion in support of Google's accompanying Motion to Dismiss.

3. Attached hereto as Exhibit A is a true and correct copy of a web page, as it existed on or about May 27, 2008, containing a search function that permits a user to search by street address public records maintained on the website of the Office of Property Assessments for Allegheny County, Pennsylvania. This search function is located at the following Internet address:

<http://www2.county.allegheny.pa.us/RealEstate/Search.asp>.

4. Attached hereto as Exhibit B are public records retrieved on or about May 27, 2008, by entering the words "1567" and "Oakridge" into the appropriate fields

SA-2

of the search function described in paragraph 3 above. The public records retrieved by this search are identified as concerning property located at "1567 Oakridge LN / Pittsburgh, PA 15237" that is owned by "Boring Aaron C and Christine A." Such public records include a photograph and floor plan of such property, which appear at a tab labeled "Image."

5. Attached hereto as Exhibit C are true and correct copies of images available on the Yahoo! Maps website, which is located at <http://maps.yahoo.com>. These copies were retrieved on or about May 27, 2008, by first entering the words "1567 Oakridge Lane, Pittsburgh, Pennsylvania" into the Yahoo! Maps search function and then selecting the "Satellite" tab to view the search result.

6. Attached hereto as Exhibit D is a true and correct copy of an image available on the MapQuest website, which is located at <http://www.mapquest.com>. This image was retrieved on or about May 27, 2008 by first entering the words "1567 Oakridge Lane, Pittsburgh, PA 15237" into the appropriate fields of the MapQuest search function and then selecting the "Aerial Image" tab to view the search result.

7. Attached hereto as Exhibit E is a true and correct copy of an image available at www.mappoint.com. This image was retrieved on or about May 27, 2008 by first entering the words "1567 Oakridge Lane, Pittsburgh, Pennsylvania" into the "Search Maps" function and then selecting the "Aerial" tab to view the search result.

8. Attached hereto as Exhibit F is a true and correct copy of a General Warranty Deed dated October 10, 2006, which grants Aaron C. Boring and Christine A. Boring Lot No. 1 in the Brunsik Plan of Lots. This General Warranty Deed was obtained from the public records of the Alleghany County Recorder of Deeds.

9. Attached hereto as Exhibit G are true and correct copies of images obtained in connection with Street View and associated with the address 1567 Oakridge Lane, Pittsburgh, Pennsylvania.

10. Attached hereto as Exhibit H are true and correct copies of the following:
(a) a sample Street View image (the courthouse of the United States District Court located at Grant Street and 7th Avenue in Pittsburgh, Pennsylvania); and (b) sample pages reflecting the process by which a user may request removal of an image from Street View. The process for requesting the removal of images from Street View has remained substantially the same since Plaintiffs filed their original Complaint on or about April 2, 2008.

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

Executed: August 14, 2008
New York, New York



Tonia Ouellette Klausner

5/27/2008 2:53:17 PM

[Help](#) / [Home](#)

Search by Property Address

Street Name: oakridge

Omit suffix "St", "Dr", "Ave"
[Street Name Standards](#)

House No. (optional): 1567

Municipality (optional):

Search by Parcel ID

Example 1: 123 - A - 123 - -

Example 2: 0123 - A - 00123 - 0000 - 00

Parcel ID:

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5/27/2008 2:56:30 PM

Search Page / Help / Home

General Information	Building Information	Tax Information Pay Taxes	Previous Owners	Image	Comparables	Appeal Status	Maps
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OWNER GENERAL INFORMATION

Municipal Code: 884 FRANKLIN PARK

Parcel ID: 0823-E-00136-0000-00 School District: North Allegheny
 Neighborhood Code: 88403

Owner Name: BORING AARON C & CHRISTINE A (W)
 Property Location: 1567 OAKRIDGE LN
 PITTSBURGH, PA 15237

Tax Code:	Taxable	Sale Date:	10/18/2006
Owner code:	Regular	Sale Price:	\$163,000
State Code:	Residential	Deed Book:	13030
Use Code:	SINGLE FAMILY	Deed Page:	509
Homestead:	Yes	Abatement:	No
Farmstead:	No	Lot Area (Acres):	1.82
		2007 Market Value:	\$116,500

Full Market Value		County Assessed Value	
Total Land Value	\$58,400	Total Land Value	\$58,400
Total Building Value	\$62,600	Total Building Value	\$47,600
Total Market Value	\$121,000	Total Market Value	\$106,000

Address Information

Tax Bill Mailing: ESB BANK
 807 MIDDLE ST
 PITTSBURGH, PA 15212-

Change Notice Mailing: 1567 OAKRIDGE LN
 PITTSBURGH, PA 15237-

[Property Assessments HomePage](#) | [Legal Disclaimer](#)

5/27/2008 2:57:04 PM

[Search Page](#) / [Help](#) / [Home](#)

- General Information**
- Building Information
- Tax Information Pay Taxes**
- Previous Owners**
- Image
- Comparables
- Appeal Status**
- Maps

RESIDENTIAL BUILDING CHARACTERISTICS

Municipal Code: 884 FRANKLIN PARK

Parcel ID: 0823-E-00136-0000-00

Owner Name: BORING AARON C & CHRISTINE A (W)
 Property Location: 1567 OAKRIDGE LN
 PITTSBURGH , PA 15237

Use Code:	SINGLE FAMILY	Total Rooms:	4
Style:	BUNGALOW	Bedrooms:	1
Stories:	1	Full Bathrooms:	1
Year Built:	1916	Half Bathrooms:	0
Exterior Finish:	Frame	Heating:	Central Heat
Roof:	Shingle	Cooling:	
Basement:	Full Basement	Fireplace(s):	Masonry
Grade:	D+	Garage:	0
Condition:	Fair	Finished Living Area:	984 Square Foot

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5/27/2008 2:57:14 PM

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General Information	Building Information	Tax Information Pay Taxes	Previous Owners	Image	Comparables	Appeal Status	Maps
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ACCOUNTS RECEIVABLE INFORMATION

Last Update was Monday, May 26, 2008
Municipal Code: 884 FRANKLIN PARK

Parcel ID: 0823-E-00136-0000-00

Owner Name: BORING AARON C & CHRISTINE A (W)
Property Location: 1567 OAKRIDGE LN
PITTSBURGH, PA 15237

Mortgage Agent: ESB BANK
807 MIDDLE ST
PITTSBURGH, PA 15212-

Current Tax Information

Gross Tax: \$497.14
Net Tax: \$487.20
Taxable Market Value: \$106,000 *
Code and Line: 884 00352 7
* Homestead exclusion applied

Year	Tax	Penalty	Interest	Total	Date Paid	Pay Indicator
2008	Paid: \$487.20	\$0.00	\$0.00	\$487.20	03/14/2008	Paid
2007	Paid: \$466.52	\$0.00	\$0.00	\$466.52	03/13/2007	Paid
2006	Paid: \$466.52	\$0.00	\$0.00	\$466.52	02/28/2006	Paid
2005	Paid: \$476.04	\$0.00	\$0.00	\$476.04	04/27/2005	Paid

***** IMPORTANT NOTICE *****

The data viewed on this page is for informational purposes only and should not be considered a true and final certified account summary for property closings. Payments posted to the current tax year file may be removed at any time during that year pending proof of erroneous payment. Furthermore, payments found to be insufficient may be removed within 45 days of posting. The actual proof of payment of all real estate taxes belongs to the owner of record.

A four (4) year tax certification bearing the official seal of the Allegheny County Treasurer's Office that verifies payment can be obtained from the Treasurer's Office (412-350-4100). A \$25.00 fee is required for each property certification requested.

In 1997 and 1998, Allegheny County sold certain real estate tax liens to GLS Capital, Inc. For information, contact GLS Capital, Inc. at (412) 672-7200.

**PLEASE BE ADVISED that Allegheny County has appointed Jordan Tax Service, Inc. to collect delinquent/liened Allegheny County real estate taxes which have not been sold to GLS. Pursuant to County Ordinance 02-04-OR, a collection commission of ten percent (10%) plus postage and other collection charges, expenses, and fees are recoverable as part of the taxes collected: (1) for tax years 2004 and prior; and (2) for tax years 2005 and after if not paid-in-full by December 31 of the year the taxes first became due and payable.

For payment amount or information concerning delinquent/liened Allegheny County real estate taxes, please contact Jordan Tax Service, Inc. at (412) 835-5243.

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[Pay Taxes Online](#)

[Property Assessments HomePage](#) | [Legal Disclaimer](#)

5/27/2008 2:57:25 PM

[Search Page](#) / [Help](#) / [Home](#)

- General Information**
- Building Information**
- Tax Information Pay Taxes**
- Previous Owners**
- Image**
- Comparables**
- Appeal Status**
- Maps**

PREVIOUS OWNER INFORMATION

Municipal Code: 884 FRANKLIN PARK

Parcel ID:	0823-E-00136-0000-00	Deed Book	13030
Property Location:	1567 OAKRIDGE LN PITTSBURGH , PA 15237	Deed Page	509

Owner	Date Sale Recorded	Sale Price
BORING AARON C & CHRISTINE A (W)	10/18/2006	\$163,000
TERRY W MCQUILLAN	07/26/1985	\$57,000

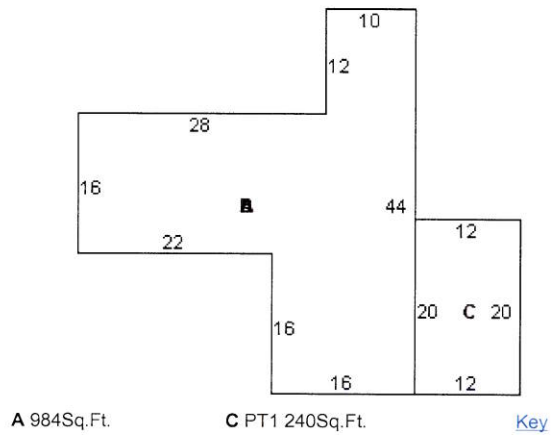
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5/27/2008 2:57:47 PM

[Search Page](#) / [Help](#) / [Home](#)

- General Information
- Building Information
- Tax Information Pay Taxes
- Previous Owners
- Image
- Comparables
- Appeal Status
- Maps

IMAGES



[Property Assessments HomePage](#) | [Legal Disclaimer](#)

5/27/2008 2:58:15 PM

[Search Page](#) / [Help](#) / [Home](#)

[General Information](#)
[Building Information](#)
[Tax Information Pay Taxes](#)
[Previous Owners](#)
[Image](#)
[Comparables](#)
[Appeal Status](#)
[Maps](#)

COMPARABLE INFORMATION

The subject and comparables shown on this page reflect the information at the time of the last reval, which was 2002. In order to determine if the comparables are still valid, review the current information by clicking on the blue highlighted Parcel ID for each parcel.

Parcel ID 0823-E-00136-0000-00 **Address** 1567 OAKRIDGE LANE

	Subject	Comparable 1	Comparable 2	Comparable 3	Comparable 4	Comparable 5
Parcel ID	0823-E-00136-0000-00	0823-E-00046-0000-00	1069-B-00160-0000-00	1204-K-00238-0000-00	1204-J-00212-0000-00	0942-N-00339-0000-00
Address	1567 OAKRIDGE LANE	1575 OAKRIDGE LANE	2448 BRANDT SCHOOL RD	2498 BRANDT SCHOOL RD	2516 BRANDT SCHOOL RD	2346 MC ALEER RD
Year Built	1916	1900	1947	1938	1949	1960
Sale Price	\$57,000	\$90,000	\$135,000	\$1	\$80,000	\$130,000
Sale Date	07/26/1985	01/21/1999	09/04/2001	04/10/2000	04/20/1998	03/02/1999
Fin. Liv.	984	954	1075	1178	1050	1403
Land	\$58,400	\$62,400	\$36,100	\$54,300	\$45,800	\$63,700
Building	\$53,900	\$20,600	\$68,800	\$104,600	\$58,700	\$93,300
Total	\$112,300	\$83,000	\$104,900	\$158,900	\$104,500	\$157,000

[Property Assessments HomePage](#) | [Legal Disclaimer](#)

5/27/2008 3:12:58 PM

[Search Page](#) / [Help](#) / [Home](#)

- General Information
- Building Information
- Tax Information Pay Taxes
- Previous Owners
- Image
- Comparables
- Appeal Status
- Maps

[Legend](#)

MAPS

[Neighborhood View](#) / [Street View](#)

Parcel ID: 0823-E-00136-0000-00
 Owner Name: BORING AARON C & CHR
 Property: 1567 OAKRIDGE LN
 Location: PITTSBURGH, PA 15237

Sale Date: 10/18/2006
 Sale Price: \$163,000
 State Code: Residential
 Use Code: SINGLE FAMILY

Appeal Year:
 Hearing Date:
 Appellant:
 Status:

	County	Full
Land Value:	\$58,400	\$58,400
Building Value:	\$47,600	\$62,600
Market Value:	\$106,000	\$121,000

[Go to this Property](#)

