

1 QUINN EMANUEL URQUHART OLIVER & HEDGES, LLP  
 Michael T. Zeller (Bar No. 196417)  
 2 michaelzeller@quinnemanuel.com  
 865 South Figueroa Street, 10th Floor  
 3 Los Angeles, California 90017-2543  
 Telephone: (213) 443-3000  
 4 Facsimile: (213) 443-3100  
 Charles K. Verhoeven (Bar No. 170151)  
 5 charlesverhoeven@quinnemanuel.com  
 50 California Street, 22nd Floor  
 6 San Francisco, California 94111  
 Rachel Herrick Kassabian (Bar No. 191060)  
 7 rachelkassabian@quinnemanuel.com  
 555 Twin Dolphin Drive, Suite 560  
 8 Redwood Shores, California 94065  
 9 Attorneys for Defendant GOOGLE INC.

11 UNITED STATES DISTRICT COURT  
 12 CENTRAL DISTRICT OF CALIFORNIA

13 PERFECT 10, INC., a California  
 14 corporation,  
 15 *Plaintiff,*

16 vs.

17 GOOGLE INC., a corporation; and  
 DOES 1 through 100, inclusive,  
 18 *Defendants.*

CASE NO. CV 04-9484 AHM (SHx)  
 [Consolidated with Case No. CV 05-  
 4753 AHM (SHx)]

**DECLARATION OF JONATHAN  
 LAND IN SUPPORT OF GOOGLE  
 INC.'S OPPOSITION TO PERFECT  
 10, INC.'S MOTION FOR  
 EVIDENTIARY AND OTHER  
 SANCTIONS AND/OR FOR THE  
 APPOINTMENT OF A SPECIAL  
 MASTER**

19 AND COUNTERCLAIM

Hon. A. Howard Matz

20 PERFECT 10, INC., a California  
 21 corporation,  
 22 *Plaintiff,*

23 vs.

24 AMAZON.COM, INC., a corporation;  
 A9.COM, INC., a corporation; and  
 25 DOES 1 through 100, inclusive,  
 26 *Defendants.*

Date: December 21, 2009  
 Time: 10:00 a.m.  
 Crtrm.: 14

1 I, Jonathan Land, declare as follows:

2 1. I am a member of the bar of the State of California and Director of  
3 Litigation Technology Advisory Services at Quinn Emanuel Urquhart Oliver &  
4 Hedges, LLP, counsel for Defendant Google Inc. ("Google") in this action. I have  
5 managed document collection and production efforts at Quinn Emanuel for more  
6 than three years. I make this declaration of my personal and firsthand knowledge  
7 and, if called and sworn as a witness, could and would competently testify thereto.

8 2. During the course of my job I have managed dozens of large-scale  
9 document productions involving matters pending in both state and federal court. As  
10 part of that work, I have become familiar with the various formats for document  
11 production that are routinely used in litigation matters. These formats include  
12 various image-based production formats – such as single and multi-page Tagged  
13 Image File Format ("TIFF"), Joint Photographic Experts Group format ("JPEG") and  
14 Portable Document Format ("PDF") – as well as native format productions.

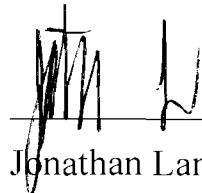
15 3. I have been involved with document management and production on  
16 this case since early 2008, including overseeing the creation of Google's large  
17 electronic document productions to Perfect 10. All of Google's 2008 and 2009 DVD  
18 document productions to Perfect 10 have been made in single-page TIFF with  
19 Concordance and Opticon load files. These document productions were fully text-  
20 searchable in a variety of applications because they included text files that  
21 correspond to the TIFF files. This means that quick and easy electronic searches for  
22 a particular word or phrase can be run across all of the documents in the production.

23 4. Single-page TIFF is the standard format for document productions in  
24 modern litigation. In the vast majority of the cases I have worked on as Director of  
25 Litigation Technology Advisory Services, the parties have exchanged documents in  
26 TIFF. Single-page TIFF productions have a number of advantages over other  
27 production formats that have resulted in its overwhelming adoption in modern  
28 litigation. For example, TIFF fixes the document in question at a single point in

1 time that all of the parties in the case can reference with confidence. Unlike native  
2 file formats that can be easily edited or altered, TIFF documents faithfully reproduce  
3 the documents as they existed at the time they were collected. Conversion to TIFF  
4 also permits documents produced in litigation to be easily Bates numbered and  
5 stamped with confidentiality designations, and ensures that those stamps will appear  
6 on the document whenever it is used by any of the parties in a case. This facilitates  
7 easy identification of documents by all parties in pleadings and at trial.

8 I declare under penalty of perjury under the laws of the United States of  
9 America that the foregoing is true and correct. Executed December 7, 2009 at Los  
10 Angeles, California.

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Jonathan Land