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9 Attorneys for Defendant GOOGLE INC.

11 UNITED STATES DISTRICT COURT

12 CENTRAL DISTRICT OF CALIFORNIA

13 PERFECT 10, INC., a California
corporation,

14 *Plaintiff,*

15 vs.

16 GOOGLE INC., a corporation; and
17 DOES 1 through 100, inclusive,

18 *Defendants.*

19 AND COUNTERCLAIM

20 PERFECT 10, INC., a California
corporation,

21 *Plaintiff,*

22 vs.

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

26 *Defendants.*

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

DISCOVERY MATTER

Hon. Stephen J. Hillman

**DECLARATION OF KRIS
BREWER IN SUPPORT OF
GOOGLE INC.'S OPPOSITION TO
PERFECT 10, INC.'S MOTION FOR
A DOCUMENT PRESERVATION
ORDER TO PREVENT
SPOILIATION OF EVIDENCE BY
GOOGLE**

Date: January 15, 2010

Time: 10:00 a.m.

Ctrm: 550

Discovery Cut-off: None Set
Pretrial Conference Date: None Set
Trial Date: None Set

PUBLIC REDACTED

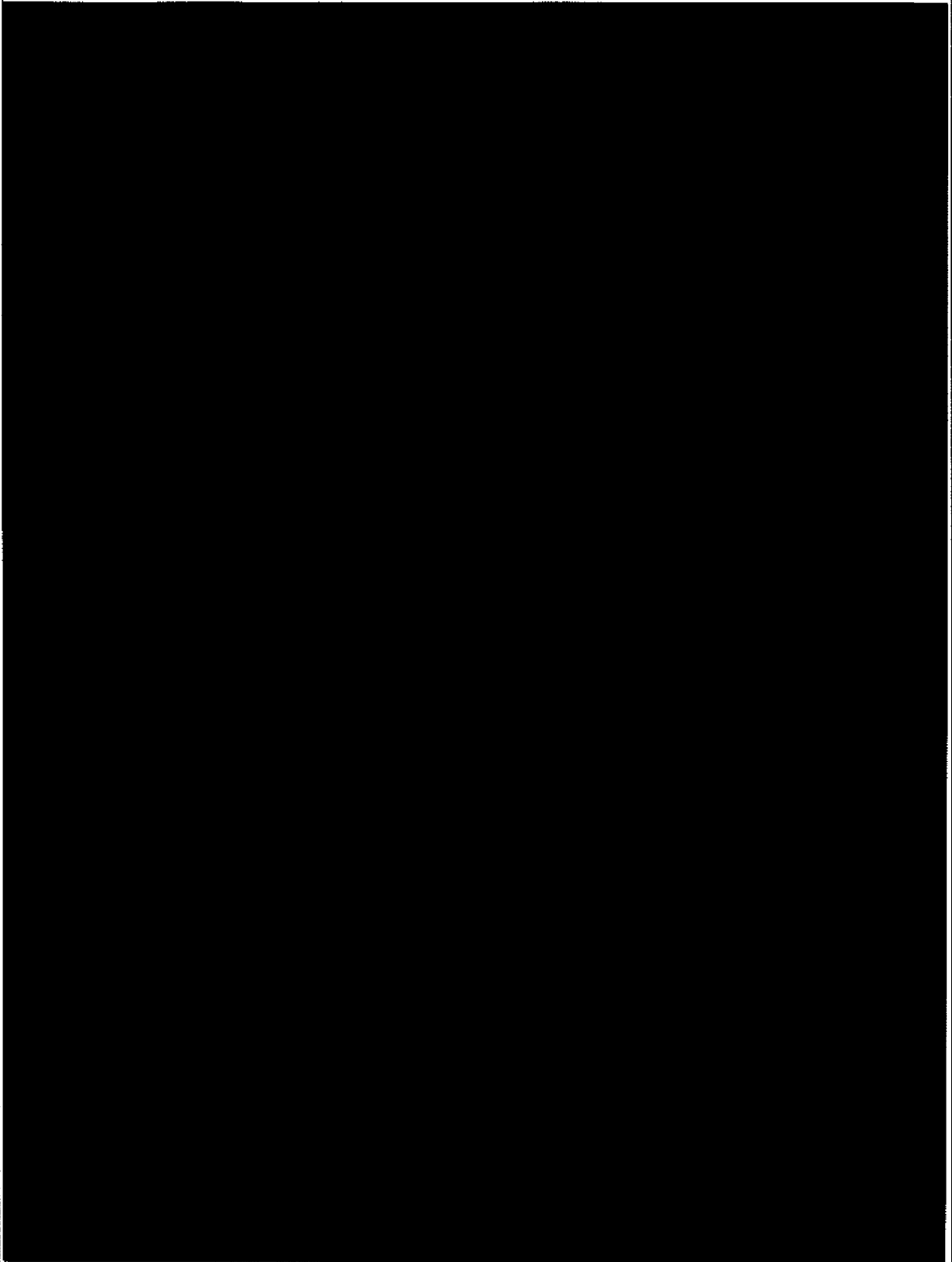
1 I, Kris Brewer, declare as follows:

2 1. I am an Associate Discovery Counsel at Google Inc. ("Google"). In that
3 role, I am responsible for facilitating information-gathering and document collections
4 of electronically-stored information in response to discovery requests. I make this
5 declaration of personal, firsthand knowledge or based upon the books, records and
6 other information of Google and, if called and sworn as a witness, I could and would
7 testify competently thereto.

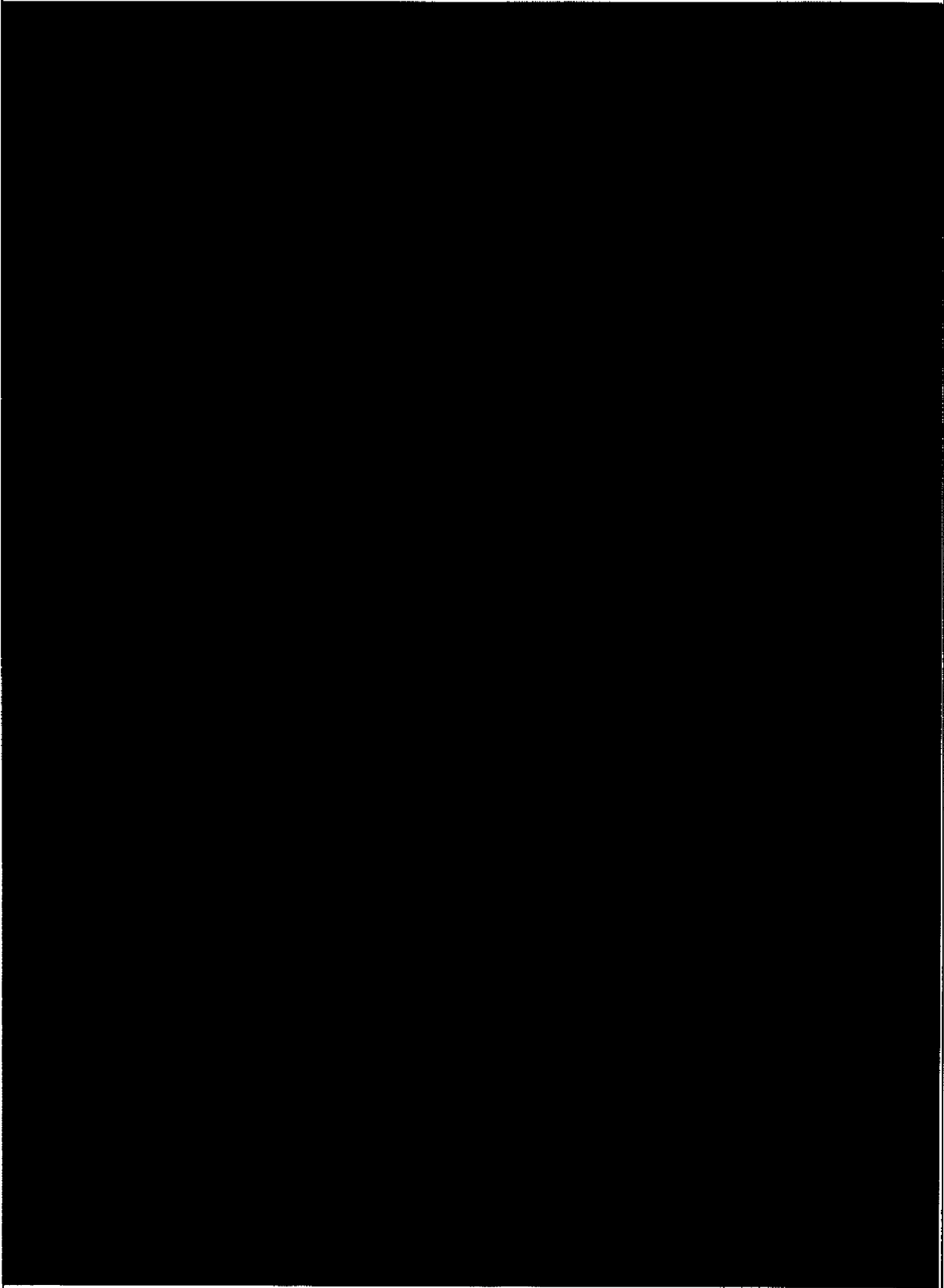
8 2. By making this declaration, as Google's legal counsel, I hereby expressly
9 reserve all rights, duties and privileges on behalf of Google and my own under the
10 applicable law of California and federal law, including but not limited to California
11 Evidence Code sections 950-962, Federal Rule of Evidence 501 and California
12 Business and Professions Code section 6068(e), which requires that I "maintain
13 inviolate the confidence, and at every peril to [me], to preserve the secrets of [my]
14 client." Nothing contained in this declaration is intended to be, nor should be
15 considered to be, a waiver of the attorney-client privilege or the work product
16 doctrine.

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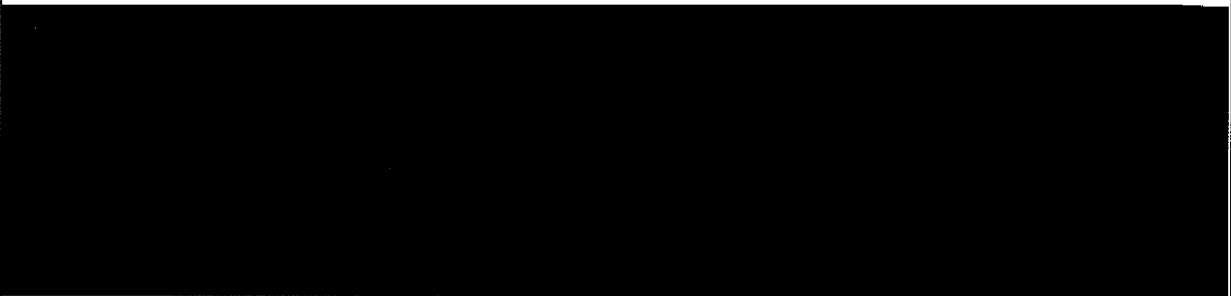
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I declare under penalty of perjury under the laws of the United States of America that the foregoing is true and correct. Executed December 30, 2009 at Mountain View, California.

A handwritten signature in ink, appearing to read "Kris Brewer", written over a horizontal line.

Kris Brewer

EXHIBIT A

EXHIBIT A:

**Filed Under Seal Pursuant to
Protective Order**

EXHIBIT B

EXHIBIT B:

**Filed Under Seal Pursuant to
Protective Order**