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UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA

PERFORMANCE PRICING, INC.,

Plaintiff,

vs.

GOOGLE INC. and AOL LLC,

Defendants.

CASE NO.: CV 09-6283 MMM (CTx)

DISCOVERY MATTER

**[PUBLIC REDACTED]
SUPPLEMENTAL DECLARATION
OF EMILY C. O'BRIEN IN
SUPPORT OF DEFENDANT
GOOGLE INC. AND AOL LLC'S
MOTION TO COMPEL
PRODUCTION OF DOCUMENTS
BY THIRD PARTIES NEAL
COHEN AND VISTA IP LAW
GROUP LLC**

Crtrm.: Roybal- 780
Judge: Margaret M. Morrow
Hrg. Date: September 21, 2009
Hrg. Time: 9:30 a.m.

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DECLARATION OF EMILY C. O'BRIEN

I, Emily C. O'Brien, declare and state as follows:

1. I am an associate of the law firm Quinn Emanuel Urquhart Oliver & Hedges, LLP and represent Defendants AOL LLC and Google Inc. in this action. This declaration is made in support of Defendant Google Inc. and AOL LLC's Motion to Compel Production of Documents. The matters referred to in this declaration are based upon my personal knowledge, and if called as a witness I could testify competently to those matters.

2. Attached hereto as Exhibit Q is a true and accurate copy of the Exclusive License Agreement between Wayne Lin and Acacia Patent Acquisition Corporation, produced by Plaintiff at bates numbers P 02733-02749. This exhibit was designated "Confidential-Attorneys' Eyes Only" by Plaintiff under the protective order entered in *Performance Pricing, Inc. v. Google Inc. et al.*, Case No. 2:07-cv-432 (LED) (Eastern District of Texas).

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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 on September 4, 2009 at San Francisco, California.

/s/ Emily C. O'Brien
Emily C. O'Brien