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FILED

Michael M. Edelstein PO Box 811043 Los Angeles, CA 90081 818-359-5756 Plaintiff In Pro Per

2010 MAY 24 PM 3: 26

CLERK, U.S. DISTRICT COURT
CENTRAL DIST. OF CALIF.

LOS ANGELES

BY

United States District Court Central District of California

| MICHAEL M. EDELSTEIN, |) |
|-----------------------|----|
| PLAINTIFF, |) |
| |) |
| vs. |) |
| |) |
| GOOGLE INC., |) |
| DEFENDANT(S). |) |
| | _) |

Case No: CV10-1847 DMG (SHx)

DECLARATION OF PLAINTIFF MICHAEL M. EDELSTEIN IN SUPPORT OF PLAINTIFF'S EX PARTE APPLICATION FOR TRO AND PRELIMINARY INJUNCTION

- I, MICHAEL M. EDELSTEIN, declare as follows:
- 1. I am the Plaintiff in the above entitled case.
- 2. I have personnel knowledge of the following facts, and, if called as a witness, I could competently testify thereto.
- 3. On Monday, May 17, 2010 at 11.00 AM I called the law offices of Bostwick and Jassy (opposing counsel). I left a message via voicemail that I needed to speak to Mr. Jassy regarding an Ex Parte matter. I received a telephone call from a Mr. Kevin Vick later that day confirming that he had received my message regarding the Google Inc. case and he was returning my call from the Jassy law office. I informed Mr. Vick that I intended to file an Ex Parte Application for a TRO and Preliminary Injunction. Mr. Vick informed me that he would contact his client Google Inc.

4. On Tuesday, May 18, 2010 I received a voice mail from Mr. Vick informing me that his client Google Inc. wished to oppose the Ex Parte and that I could serve the application to him either by fax or email, he then included his email address. I sent Mr. Vick a brief mail stating that I had received his voice mail on that date and that I would send and serve the Ex Parte Application to him electronically via email. Counsel for the Defendant is:

Bostwick & Jassy LLP Telephone Number: 310-979-6059 E-mail: kvick@bostwickjassy.com

| I declare under | penalty of p | perjury that the forgoing is true and correct. | Executed in the |
|------------------|--------------|--|-----------------|
| United States on | 20 | May, 2010. | |

Michael M. Edelstein Plaintiff In Pro Per