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 9 UNITED STATES DISTRICT COURT
 10 EASTERN DISTRICT OF CALIFORNIA
 SACRAMENTO DIVISION

11 DANIEL JURIN, an Individual,
 12 Plaintiff,
 13 vs.
 14 GOOGLE, INC.,
 15 Defendant.

CASE NO. 2:09-cv-03065-MCE-KJM
DECLARATION OF MARGRET M. CARUSO

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 17 **DECLARATION OF MARGRET M. CARUSO**

18 I, Margret M. Caruso, hereby declare as follows:

19 1. I am a member of the Bar of the State of California and a partner of the law firm of
 20 Quinn Emanuel Urquhart Oliver & Hedges (“Quinn Emanuel”), attorneys of record for defendant
 21 Google Inc. (“Google”) in this matter. I make this declaration of my personal and firsthand
 22 knowledge and, if called and sworn as a witness, I could and would testify competently hereto.

23 2. I submit this Declaration in support of Google Inc.’s *Ex Parte* Application of Time
 24 to Respond to the Complaint.

25 3. Plaintiff Daniel Jurin (“Jurin”) served the complaint on Google on November 10,
 26 2009.

27 4. Google’s response to the complaint is currently due on November 30, 2009.
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1 5. Defendant Google intends to file a Motion to Dismiss under Rule 12(b)(6) as well
2 as a Motion for Costs under Rule 41(d), both of which require time to prepare. In addition,
3 Google's Motion to Dismiss under Rule 12(b)(6) is currently due the Monday after Thanksgiving,
4 and the attorneys working on the matter have pre-existing personal plans for several of the days
5 between now and that Monday.

6 6. I contacted counsel for Jurin, Paul R. Bartleson, via telephone, on November 18,
7 2009. Mr. Bartleson initially refused to agree to an extension of time to respond to the complaint,
8 but later stated that he would need to contact his client for permission to grant an extension and
9 that he would get back to me. Having not heard further from Mr. Bartleson, I emailed him this
10 morning to follow up, and then called him this afternoon. During that call, Mr. Bartleson said that
11 Jurin would not agree to an extension of time.

12 I declare under penalty of perjury under the laws of the United States of America that the
13 foregoing is true and correct.

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15 Executed this 23rd day of November, 2009.

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By /s/ Margret M. Caruso

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Margret M. Caruso

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