

1 KEKER & VAN NEST, LLP
JEFFREY R. CHANIN - #103649
2 DARALYN J. DURIE - #169825
LEO L. LAM - #181861
3 710 Sansome Street
San Francisco, CA 94111-1704
4 Telephone: (415) 391-5400
Facsimile: (415) 397-7188

5 Attorneys for Plaintiff
6 NETFLIX, INC.

7 UNITED STATES DISTRICT COURT
8
9 NORTHERN DISTRICT OF CALIFORNIA

10 NETFLIX, INC., a Delaware corporation,

11 Plaintiff,

12 v.

13 BLOCKBUSTER, INC., a Delaware
corporation, DOES 1-50,

14 Defendant.
15

Case No. C 06 2361 WHA

**DECLARATION OF LEO L. LAM IN SUPPORT
OF NETFLIX'S MOTION FOR RELIEF UNDER
CIVIL L.R. 7-11**

Date: N/A per Civil L.R. 7-11

Judge: Hon. William Alsup

1 I, Leo L. Lam, declare as follows:

2 1. I am a partner with Keker & Van Nest, LLP, counsel of record for Plaintiff
3 Netflix, Inc. in this action. I submit this declaration in support of Netflix's Motion for relief
4 from the July 28 deadline specified in the Court's Case Management Order and for leave to file
5 Netflix's Amended Complaint. I have personal knowledge of the facts set forth below and could
6 and would testify competently thereto if called upon to do so.

7 2. Attached hereto as Exhibit A is a true and correct copy of Netflix's First
8 Amended Complaint for Patent Infringement and Demand for Jury Trial, filed Wednesday, July
9 26, 2006.

10 3. Attached hereto as Exhibit B is a true and correct copy of a letter dated August 1,
11 2006 from Dominique Thomas, counsel for Defendant Blockbuster, Inc., to Jeffrey Chanin of my
12 firm.

13 4. Attached hereto as Exhibit C is a true and correct copy of my response letter dated
14 August 1, 2006 to Ms. Thomas.

15 5. I also left a voice message earlier today (on August 2, 2006) for William O'Brien,
16 counsel for Blockbuster, requesting Blockbuster's stipulation to our filing this motion for relief.
17 As of yet I have not received a response from Ms. Thomas or Mr. O'Brien or other counsel on
18 behalf of Blockbuster regarding our motion.

19 I declare under penalty of perjury that the foregoing statements are true and correct, and
20 that I executed this declaration on August 2, 2006 at San Francisco, California.
21

22
23 /s/ Leo L. Lam
24 LEO L. LAM
25
26
27
28