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9 Attorneys for Defendants
THE CALIFORNIA CARS INITIATIVE, INC.
10 and FELIX KRAMER and
Third Party DAVE BAGSHAW
11

12 UNITED STATES DISTRICT COURT
13 NORTHERN DISTRICT OF CALIFORNIA
14 SAN FRANCISCO DIVISION
15

16 CALCAR, INC., a California corporation; and
17 AMERICAN CALCAR, INC., a Delaware
corporation,

18 Plaintiffs,

19 v.

20 THE CALIFORNIA CARS INITIATIVE, INC., an
unknown business entity; and FELIX KRAMER, an
21 individual,

22 Defendants.
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Case No. 3:08-MC-80083 MHP (WDBx)

Underlying Civil Action Pending in U.S.
District Court for the Central District of
California (Civil Action Case No.
SACV07-00723)

**AMENDED DECLARATION OF
DAVE BAGSHAW IN SUPPORT OF
OPPOSITION TO PLAINTIFFS'
MOTION TO SHORTEN TIME**

Honorable Wayne D. Brazil

1 I, Dave Bagshaw, declare as follows:

2 1. I make the following declaration in support of my Opposition to Plaintiffs' Motion to
3 Shorten Time to Respond to a Motion to Compel me to appear for a deposition. The statements set forth
4 herein are based upon my own personal knowledge and I would testify as set forth if called as a witness
5 at trial.

6 2. I am currently on a previously-scheduled family vacation and will not return until after
7 the July 4th holiday.

8 3. I am the former CEO of Shutterfly and formerly also held senior positions at Silicon
9 Graphics, Excite@Home and @ Home Networks.

10 4. I was a volunteer to The California Cars Initiative (TCCI) during the period December
11 2006-July 2007 and since then have not been a volunteer with TCCI.

12 5. On May 27, 2008, I was met by a process server at my home. The process server
13 appeared flustered as he shuffled a stack of papers. Finally, the process server handed me some papers
14 but a check was not one of them. The process server never tendered me any witness or mileage fees.

15 6. To my knowledge, TCCI has no products or goods and I have played no role in
16 promoting these non-existent products and have no knowledge of any information related thereto. I am
17 further unaware of any instances of confusion between Plaintiffs and TCCI. Indeed, I don't recall
18 having heard of Calcar, Inc. or American Calcar Inc. prior to this suit.

19 I declare under penalty of perjury under the laws of the United States of America that the
20 foregoing is true and correct to the best of my knowledge and belief.

21
22 Dated: July 1, 2008


DAVE BAGSHAW

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