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7 Attorneys for Defendant
 FACEBOOK, INC.

8
 9 UNITED STATES DISTRICT COURT
 10 NORTHERN DISTRICT OF CALIFORNIA
 11 SAN FRANCISCO DIVISION

13 DANIEL M. MILLER,
 14 Plaintiff,
 15 v.
 16 FACEBOOK, INC. and YAO WEI YEO,
 17 Defendants.

Case No. 3:10-CV-00264 (WHA)

**DECLARATION OF ALLISON
 GRABLER IN SUPPORT OF
 MOTION FOR SUMMARY
 JUDGMENT RE CONTRIBUTORY
 COPYRIGHT INFRINGEMENT**

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1 I, Allison Grabler, declare as follows:

2 1. I am an employee of Facebook, Inc. ("Facebook"). I make this declaration in
3 support of Facebook's Motion for Summary Judgment of Noninfringement. Except as otherwise
4 noted, I have personal knowledge of the facts stated herein and if called as a witness, could and
5 would competently testify thereto.

6 2. I have extensive personal knowledge of Facebook's User Operations. I have
7 worked at Facebook since 2006. From 2006 to approximately 2008, I was an Analyst and
8 Associate in the User Operations department. Following that, I was promoted to Team Leader in
9 User Operations. I held that position for approximately two years. About six months ago,
10 approximately July/August 2010, I became Associate Manager in User Operations.

11 3. As an Analyst and Associate I responded to inquiries from users contacting
12 Facebook because of problems they experience on the website. These inquiries included
13 technical problems with the site.

14 4. As a Team Leader in User Operations, I was responsible for managing two groups
15 of employees. One of these groups responded to complaints of intellectual property infringement.
16 The other group responded to general problems that users experienced on the website. I continue
17 to manage these two groups.

18 5. Only registered Facebook users may use the Facebook website and services. All
19 registered users are required to signify that they have read and agreed to be bound by Facebook's
20 Statement of Rights and Responsibilities ("SRR"). Attached hereto as **Exhibit A** is a true and
21 correct copy of Facebook's current Statement of Rights and Responsibilities. Registration as a
22 Facebook user cannot be completed unless a potential user agrees to the SRR. Before
23 implementation of the SRR, use of the Facebook website was governed by Facebook's Terms of
24 Use.

25 6. Facebook's governing terms are routinely updated in order to account for new
26 innovations and services available on the website.

27 7. Attached hereto as **Exhibit B** is a true and correct copy of Facebook's Terms of
28 Use dated October 23, 2006.

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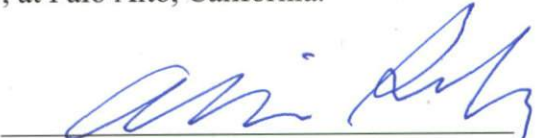
8. Attached hereto as **Exhibit C** is a true and correct copy of Facebook's Terms of Use dated August 28, 2009.

9. Attached hereto as **Exhibit D** is a true and correct copy of the web page that may be accessed from the "How to Report Claims of Intellectual Infringement" link included in Facebook's SRR.

10. Attached hereto as **Exhibit E** is a true and correct copy of Facebook's designated agent contact information for May 2009 on file with the Copyright Office.

I declare under the penalty of perjury that the foregoing is true and correct to the best of my knowledge.

Executed this 3 day of March 2011, at Palo Alto, California.



Allison Grabler