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22 Attorneys for Plaintiff,  
 23 DANIEL M. MILLER

24  
 25 **UNITED STATES DISTRICT COURT**  
 26 **NORTHERN DISTRICT OF CALIFORNIA**  
 27 **SAN FRANCISCO DIVISION**

28 DANIEL M. MILLER,	)	
	)	<b>CASE NO.: CV-10-264 (WHA)</b>
29 Plaintiff,	)	
	)	<b>DECLARATION OF BRIAN D. HANCOCK</b>
30 vs.	)	<b>SUPPORTING ENTRY OF DEFAULT</b>
	)	<b>AGAINST DEFENDANT YAO WEI YEO</b>
31 FACEBOOK, INC. and YAO WEI YEO,	)	
	)	
32 Defendants.	)	
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I, Brian D. Hancock, declare as follows:

1. My name is Brian D. Hancock. I am over eighteen years of age and am competent to testify about the matters set forth herein. I have personal knowledge of the matters set forth herein.

2. I am an attorney at Heninger Garrison Davis, LLC, 2224 1<sup>st</sup> Avenue North, Birmingham, Alabama 35203, a law firm representing Plaintiff Daniel M. Miller in the above-styled litigation.

3. Pursuant to Rule 4(e)(1) of the Federal Rules of Civil Procedure, §§ 415.40 and 417.20 of the California Code of Civil Procedure, and applicable case law, Defendant Yao Wei Yeo was duly served with a copy of the Summons and Second Amended Complaint on July 8, 2010, as set forth in the Plaintiff's Proof of Service filed on that same date (Dkt. No. 65).

4. More than twenty-one (21) days have elapsed since the date upon which said Defendant was served with the Summons and Second Amended Complaint.

5. In violation of Rule 12(a)(1)(A)(i) of the Federal Rules of Civil Procedure, Defendant Yeo has failed to answer or otherwise defend as to Plaintiff's Second Amended Complaint, or serve a copy of any answer or other defense that he might have upon the undersigned attorney of record for the Plaintiff.

6. This Declaration is executed by the undersigned attorney of record for the Plaintiff in accordance with Rule 55(a) of the Federal Rules of Civil Procedure for the purpose of enabling the Plaintiff to obtain an entry of default against Defendant Yeo for his failure to answer or otherwise defend as to Plaintiff's Second Amended Complaint.

I declare under penalty of perjury that the foregoing is true and correct.

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September 22, 2010  
Date

/s/ Brian D. Hancock  
Brian D. Hancock